

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)
Against:)
)
)
Stanley L. Goodman, M.D.)
)
Physician's and Surgeon's)
Certificate No. C 39950)
)
Respondent)
_____)

Case No. 800-2018-041785

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 13, 2020.

IT IS SO ORDERED April 13, 2020.

MEDICAL BOARD OF CALIFORNIA



**Ronald H. Lewis, M.D., Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 E. A. JONES III
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
Deputy Attorney General
4 State Bar No. 207764
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6516
Facsimile: (916) 731-2117
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:
13 STANLEY L. GOODMAN, M.D.
5535 Balboa Blvd., Suite 215
14 Encino, CA 91316
15 Physician's and Surgeon's Certificate No. C
39950,
16 Respondent.
17

Case No. 800-2018-041785

OAH No. 2019071117

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

18
19 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Christine J. Lally (Complainant) is the Interim Executive Director of the Medical
23 Board of California (Board). She brought this action solely in her official capacity and is
24 represented in this matter by Xavier Becerra, Attorney General of the State of California, by Trina
25 L. Saunders, Deputy Attorney General.

26 2. Respondent Stanley L. Goodman, M.D. (Respondent) is represented in this
27 proceeding by attorney Henry R. Fenton, whose address is: 1990 S. Bundy Drive, Suite 777,
28 Los Angeles, CA 90025.

1 Business and Professions Code section 2227, subdivision (a)(4). This Public Reprimand, which
2 is issued in connection with Respondent's care and treatment of one patient, as set forth in
3 Accusation No. 800-2018-041785, is as follows:

4 *In 2014-2015, you were negligent in that you failed to maintain clinical progress notes*
5 *documenting the psychiatric treatment you provided to a patient on numerous dates, for which the*
6 *patient was billed for psychiatric treatment and you called the patient on numerous occasions*
7 *after normal business hours, without the presence of documented emergent circumstances to*
8 *justify this.*

9 **IT IS FURTHER ORDERED THAT:**

10 1. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective
11 date of this Decision, Respondent shall enroll in a course in medical record keeping approved in
12 advance by the Board or its designee. Respondent shall provide the approved course provider
13 with any information and documents that the approved course provider may deem pertinent.
14 Respondent shall participate in and successfully complete the classroom component of the course
15 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
16 complete any other component of the course within one (1) year of enrollment. The medical
17 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing
18 Medical Education (CME) requirements for renewal of licensure.

19 A medical record keeping course taken after the acts that gave rise to the charges in the
20 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
21 or its designee, be accepted towards the fulfillment of this condition if the course would have
22 been approved by the Board or its designee had the course been taken after the effective date of
23 this Decision.

24 Respondent shall submit a certification of successful completion to the Board or its
25 designee not later than 15 calendar days after successfully completing the course, or not later than
26 15 calendar days after the effective date of the Decision, whichever is later.

27 2. PROFESSIONAL BOUNDARIES PROGRAM. Within 60 calendar days from the
28 effective date of this Decision, Respondent shall enroll in a professional boundaries program

1 approved in advance by the Board or its designee. Respondent, at the program's discretion, shall
2 undergo and complete the program's assessment of Respondent's competency, mental health
3 and/or neuropsychological performance, and at minimum, a 24 hour program of interactive
4 education and training in the area of boundaries, which takes into account data obtained from the
5 assessment and from the Decision(s), Accusation(s) and any other information that the Board or
6 its designee deems relevant. The program shall evaluate Respondent at the end of the training
7 and the program shall provide any data from the assessment and training as well as the results of
8 the evaluation to the Board or its designee.

9 Failure to complete the entire program not later than six (6) months after Respondent's
10 initial enrollment shall constitute a violation of probation unless the Board or its designee agrees
11 in writing to a later time for completion. Based on Respondent's performance in and evaluations
12 from the assessment, education, and training, the program shall advise the Board or its designee
13 of its recommendation(s) for additional education, training, psychotherapy and other measures
14 necessary to ensure that Respondent can practice medicine safely. Respondent shall comply with
15 program recommendations. At the completion of the program, Respondent shall submit to a final
16 evaluation. The program shall provide the results of the evaluation to the Board or its designee.
17 The professional boundaries program shall be at Respondent's expense and shall be in addition to
18 the Continuing Medical Education (CME) requirements for renewal of licensure.

19 The program has the authority to determine whether or not Respondent successfully
20 completed the program.

21 A professional boundaries course taken after the acts that gave rise to the charges in the
22 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
23 or its designee, be accepted towards the fulfillment of this condition if the course would have
24 been approved by the Board or its designee had the course been taken after the effective date of
25 this Decision.

26 3. Any failure to comply with the above terms constitutes unprofessional conduct.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Henry R. Fenton. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 1/28/2020 Stanley L. Goodman MD
STANLEY L. GOODMAN, M.D.
Respondent

I have read and fully discussed with Respondent Stanley L. Goodman, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 1-29-2020 Henry R. Fenton
HENRY R. FENTON
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: January 29, 2020

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General

Trina L. Saunders
TRINA L. SAUNDERS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2018-041785

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO JUNE 4 2019
BY ANDREA CERENA ANALYST

1 XAVIER BECERRA
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
Deputy Attorney General
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7 *Attorneys for Complainant*

8
9 **BEFORE THE**
10 **MEDICAL BOARD OF CALIFORNIA**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2018-041785

13 STANLEY L. GOODMAN, M.D.

A C C U S A T I O N

14 5535 Balboa Blvd., Suite 215
15 Encino, California 91316

16 Physician's and Surgeon's Certificate C 39950,

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
22 capacity as the Executive Director of the Medical Board of California (Board).

23 2. On July 30, 1981, the Board issued Physician's and Surgeon's Certificate Number C
24 39950 to Stanley L. Goodman, M.D. (Respondent). That license was in full force and effect at all
25 times relevant to the charges brought herein and will expire on July 31, 2019, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2227 of the Code states:

6 “(a) A licensee whose matter has been heard by an administrative law judge of the Medical
7 Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default
8 has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary
9 action with the board, may, in accordance with the provisions of this chapter:

10 “(1) Have his or her license revoked upon order of the board.

11 “(2) Have his or her right to practice suspended for a period not to exceed one year upon
12 order of the board.

13 “(3) Be placed on probation and be required to pay the costs of probation monitoring upon
14 order of the board.

15 “(4) Be publicly reprimanded by the board. The public reprimand may include a
16 requirement that the licensee complete relevant educational courses approved by the board.

17 “(5) Have any other action taken in relation to discipline as part of an order of probation, as
18 the board or an administrative law judge may deem proper.

19 “(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical
20 review or advisory conferences, professional competency examinations, continuing education
21 activities, and cost reimbursement associated therewith that are agreed to with the board and
22 successfully completed by the licensee, or other matters made confidential or privileged by
23 existing law, is deemed public, and shall be made available to the public by the board pursuant to
24 Section 803.1.”

25 5. Section 2234 of the Code, states:

26 “The board shall take action against any licensee who is charged with unprofessional
27 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
28 limited to, the following:

1 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
2 violation of, or conspiring to violate any provision of this chapter.

3 “(b) Gross negligence.

4 “(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or
5 omissions. An initial negligent act or omission followed by a separate and distinct departure from
6 the applicable standard of care shall constitute repeated negligent acts.

7 “(1) An initial negligent diagnosis followed by an act or omission medically appropriate for
8 that negligent diagnosis of the patient shall constitute a single negligent act.

9 “(2) When the standard of care requires a change in the diagnosis, act, or omission that
10 constitutes the negligent act described in paragraph (1), including, but not limited to, a
11 reevaluation of the diagnosis or a change in treatment, and the licensee’s conduct departs from the
12 applicable standard of care, each departure constitutes a separate and distinct breach of the
13 standard of care.

14 “(d) Incompetence.

15 “(e) The commission of any act involving dishonesty or corruption which is substantially
16 related to the qualifications, functions, or duties of a physician and surgeon.

17 “(f) Any action or conduct which would have warranted the denial of a certificate.

18 “(g) The practice of medicine from this state into another state or country without meeting
19 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not
20 apply to this subdivision. This subdivision shall become operative upon the implementation of the
21 proposed registration program described in Section 2052.5.

22 “(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and
23 participate in an interview by the board. This subdivision shall only apply to a certificate holder
24 who is the subject of an investigation by the board.”

25 6. Section 2266 of the Code states:

26 “The failure of a physician and surgeon to maintain adequate and accurate records relating
27 to the provision of services to their patients constitutes unprofessional conduct.”

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1 **FIRST CAUSE FOR DISCIPLINE**

2 (Gross Negligence)

3 7. Respondent is subject to disciplinary action under section 2234 of the Code for gross
4 negligence related to his treatment of a single patient. Respondent failed to maintain records
5 related to the majority of the care he alleged that he provided to the patient. The circumstances
6 are as follows:

7 8. Respondent first met the patient on the Internet dating site Match.com. They had
8 several conversations. In one conversation, Respondent learned that she had been in a motor
9 vehicle accident in 2013. Respondent referred her to an attorney to represent her in a personal
10 injury suit related to the auto accident. Due to the distance between their two residences they did
11 not meet in person socially.

12 9. Several months after their first contact on Match.com, Respondent was asked to see
13 the patient professionally, to provide a psychiatric evaluation to be submitted for the purpose of
14 litigation, and to be used in the personal injury case related to the patient's 2013 motor vehicle
15 accident.

16 10. On June 21, 2014, Respondent met with the patient for an initial evaluation. He
17 completed a comprehensive psychiatric evaluation of the patient and diagnosed her with major
18 depression, post-traumatic stress disorder, and insomnia.

19 11. In his Medical Board Interview on February 22, 2019, Respondent stated that he met
20 with the patient approximately four times. This included a February 3, 2015, visit at his
21 Bakersfield office and a visit at Respondent's personal residence.

22 12. Respondent issued prescriptions to the patient for psychotropic medications at both
23 office visits. He also issued prescriptions telephonically.

24 13. Between June 5, 2014, and April 6, 2015, Respondent and his patient engaged in
25 approximately 400 or more phone calls, more than 80 of these calls took place after 9:00 p.m.
26 Although Respondent told the Medical Board of California that all of these calls were
27 professional in nature and related to important clinical matters, he does not have clinical
28 documentation related to the content of the majority of the 400, or more, calls.

1 14. Respondent billed for phone psychotherapy on three occasions (July 10 and 11, 2014,
2 and March 7, 2015.) He billed for individual psychotherapy on nine occasions. (August 6, 2014,
3 October 22, 2014, November 1, 2014, November 29, 2014, January 15, 2015, February 3, 2015,
4 March 6, 2015, March 18, 2015, and July 18, 2015.) In addition, Respondent billed for phone
5 discussions with the patient on approximately 104 occasions. On many of the occasions on which
6 billing occurred for phone discussions with the patient, no corresponding clinical progress note
7 was documented in the patient's medical chart.

8 15. Despite the fact that Respondent was not practicing psychoanalysis on this patient, in
9 his Medical Board of California interview on February 22, 2019, Respondent explained that the
10 absence of records in the patient chart was the result of his being trained by a psychoanalyst and
11 psychoanalysts do not include detailed documentation of personal information in a patient's
12 medical record.

13 16. Respondent committed gross negligence by failing to provide clinical progress notes
14 documenting the psychiatric treatment he alleged to provide on numerous dates for which the
15 patient was billed for psychiatric treatment, as well as telephonic communications with the patient
16 that Respondent claimed were for important clinical treatment purposes.

17 **SECOND CAUSE FOR DISCIPLINE**

18 (Repeated Negligent Acts)

19 17. Respondent is subject to disciplinary action under section 2234 (c) for repeated
20 negligent acts related to his treatment of the patient. The circumstances are as follows:

21 18. Paragraphs 7 through 16, inclusive, above are incorporated herein as if fully set forth.

22 19. Respondent's conduct in calling this patient with great frequency and consistently
23 after normal business hours, often into late hours of the night, without the presence of
24 documented emergent circumstances, such as the patient being suicidal, having a significant side
25 effect to medication prescribed by Respondent, or similar, is negligent and constitutes
26 unprofessional conduct.

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1 **DISCIPLINARY CONSIDERATIONS**

2 20. To determine the degree of discipline, if any, to be imposed on Respondent Stanley L.
3 Goodman, M.D., Complainant alleges that on October 25, 1985, in a prior disciplinary action
4 entitled *In the Matter of the Accusation Against Stanley Goodman, M.D.* before the California
5 Board of Medical Quality Assurance, in case number D-3170, Respondent's license was revoked,
6 but stayed on five years' probation with terms including a required psychiatric evaluation, an oral
7 clinical exam and community service. The allegations of that case, which were admitted, were
8 that Respondent had been disciplined by the Arizona Board of Medical Examiners in 1983 for
9 failing, during the period of 1979 to 1982, to maintain adequate records on his psychiatric patients
10 and outpatients; that in 1982 he knowingly and fraudulently submitted to the Civilian Health And
11 Medical Program of the Uniformed Services ("CHAMPUS"), fraudulent billings for professional
12 services that he had not in fact rendered and that he was "mentally unable safely to engage in the
13 practice of medicine." That decision is now final and is incorporated by reference as if fully set
14 forth herein.

15 **PRAYER**

16 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
17 and that following the hearing, the Medical Board of California issue a decision:

- 18 1. Revoking or suspending Physician's and Surgeon's Certificate Number C 39950,
19 issued to Stanley L. Goodman, M.D.;
- 20 2. Revoking, suspending or denying approval of his authority to supervise physician
21 assistants and advanced practice nurses;
- 22 3. If placed on probation, ordering him to pay the Board the costs of probation
23 monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: June 4, 2019


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

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