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5 Attorneys for Board of Medical
Quality Assurance

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7 BEFORE THE
8 BOARD OF MEDICAL QUALITY ASSURANCE
9 DIVISION OF MEDICAL QUALITY
10 DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA

12
13 In the Matter of the Accusation) No. D-2868
Against:)
14)
THEODORE A. GOODMAN, M. D.)
15 4430 "V" Street) STIPULATION FOR SETTLEMENT
Sacramento, California 95817)
16)
Certificate No. G-35973)
17)
Respondent.)
18)

19 1. It is hereby stipulated and agreed by and between the
20 parties to the above-entitled matter the following allegations
21 are true. Robert Rowland, Complainant herein and Executive
22 Secretary of the Board of Medical Quality Assurance of the
23 State of California, is represented by George Deukmejian,
24 Attorney General of the State of California, by Barry D.
25 Ladendorf, Deputy Attorney General.

26 2. Theodore A. Goodman, M. D. (hereinafter respondent) is
27 represented by Joseph Ruff, Esq., who has been retained as his

1 attorney in regard to the administrative action herein and that
2 the respondent has counselled with Joseph Ruff considering the
3 effect of this stipulation, which the respondent herein has
4 carefully read and fully understands.

5 3. The respondent has received and read the accusation
6 which is presently on file and pending as Case No. D-2868 before
7 the Division of Medical Quality of the Board of Medical Quality
8 Assurance, State of California.

9 4. The respondent understands the nature of the
10 charges alleged in the above-mentioned accusation and that said
11 charges and allegations would constitute cause for imposing
12 discipline upon respondent's medical license heretofore issued
13 by the Board of Medical Quality Assurance.

14 5. The respondent and his counsel are aware of each
15 of respondent's rights including the right to a hearing on the
16 charges and allegations, the right to confront and cross examine
17 witnesses who would testify against him, the right to present
18 evidence in his favor or to call witnesses on his behalf, or to
19 testify himself, his right to contest the charges and allegations,
20 and any other rights which may be accorded to him pursuant to
21 California Administrative Procedure Act (Gov. Code § 11500, et
22 seq.), his right to reconsideration, review by the superior
23 court and his right to appeal to any other court; that respondent
24 understands that in signing this stipulation rather than
25 contesting the accusation, he is enabling the Board of Medical
26 Quality Assurance to issue the following order from this
27 stipulation without further process.

1 6. Respondent freely and voluntarily waives each and
2 every one of the rights set forth hereinabove; that respondent,
3 rather than contesting the charges in the accusation presently
4 on file at a formal hearing, for the sole purpose of this
5 instant proceeding before the Division of Medical Quality and
6 no other admits:

7 (a) From an undetermined date in 1977, through
8 November, 1979, respondent unlawfully, willfully, knowingly
9 and without authority did sell, convey and dispose of human
10 organs, tissues and fluids removed during autopsies from the
11 bodies of deceased patients at the Veterans Administration
12 Hospital, San Diego; University Hospital, San Diego and Kaiser
13 Hospital, San Diego, while said human organs, tissues and
14 fluids were in the possession, custody and control of the
15 Veterans Hospital, University Hospital and Kaiser Hospital.

16 (b) Respondent, at the request of Hyland Laboratories
17 (Orange County) a biomedical company, provided names of deceased
18 persons from whom the human tissues, organs and fluids had been
19 removed. Respondent knew then and there that the list of names
20 he provided was false and fraudulent information.

21 (c) By reason of the foregoing, respondent is guilty
22 of unprofessional conduct in violation of section 2234(e) in
23 that his conduct is the commission of an act of dishonesty which
24 is substantially related to the qualifications, functions, or
25 duties of a physician and surgeon.

26 (d) On or about June 8, 1981, in the case entitled
27 United States of America v. Theodore A. Goodman, Case No.

1 81-0330-N-Criminal, pending before the United States District
2 Court for the Southern District of California, respondent was
3 convicted of the unauthorized sale of Government property in
4 violation of 18 U.S.C. 641 (felony) to wit:

5 "On or about May, 1977, through November,
6 1979, in the Southern District of California,
7 defendant THEODORE A. GOODMAN, M. D., unlawfully,
8 willfully and knowingly did without authority
9 sell, convey, and dispose of things of value in
10 excess of \$100.00 of the United States Veterans
11 Administration, an agency of the United States,
12 in that defendant THEODORE A. GOODMAN, M. D.,
13 supplied for sale to private biomedical companies
14 human organs, tissue and fluids removed during
15 autopsies from the bodies of deceased patients at
16 the Veterans Administration Hospital, San Diego,
17 California, while said human organs, tissues and
18 fluids were in the possession, custody and control
19 of the United States Veterans Administration; in
20 violation of Title 18, United States Code,
21 Section 641."

22 Respondent was placed on probation for 18 months and
23 fined \$500.00.

24 As a result of said conviction, respondent is guilty
25 of unprofessional conduct in violation of section 2236 of the
26 Code.

27 /

1 7. At all times herein mentioned, Theodore A.
2 Goodman, M. D. held physicians and surgeons certificate No.
3 G-35973 issued on March 1, 1978, authorizing respondent to
4 practice medicine.

5 8. Based on all the foregoing admissions, stipulations,
6 and recitals, it is stipulated and agreed that the Division of
7 Medical Quality may issue the following decision and order.

8 ORDER

9 IT IS HEREBY ORDERED that License No. G-35973 issued
10 to respondent, Theodore A. Goodman, M. D., is revoked; provided,
11 however, said revocation is stayed and respondent is placed on
12 probation for three years under the following terms and
13 conditions:

14 1. Within sixty days of the effective date of this
15 decision, respondent shall submit to the Division for its prior
16 approval a community service program in which respondent shall
17 provide free medical services on a regular basis to a community
18 or charitable facility or agency for at least twelve hours per
19 month for the first 18 months of probation.

20 2. Within ninety days of the effective date of this
21 decision, and on an annual basis thereafter, respondent shall
22 submit to the Division for its prior approval an educational
23 program or course related to respondent's field of medical
24 specialty, which shall not be less than forty hours per year,
25 for each year of probation. As to the first year of probation,
26 ten of the forty hours of education must be in medical ethics.
27 This program shall be in addition to the continuing medical

1 requirements for re-licensure.

2 3. Respondent shall obey all federal, state and local
3 laws, and all rules governing the practice of medicine in
4 California.

5 4. Respondent shall submit quarterly declarations
6 under penalty of perjury on forms provided by the Division,
7 stating whether there has been compliance with all the
8 conditions of probation.

9 5. Respondent shall comply with the Division's
10 surveillance program.

11 6. Respondent shall appear in person for interviews
12 with the Division's medical consultant upon request at various
13 intervals and with reasonable notice.

14 7. In the event respondent should leave California
15 to reside or to practice outside the State, respondent must
16 notify in writing the Division of the dates of departure and
17 return. Periods of residency or practice outside California
18 will not apply to the reduction of this probationary period.

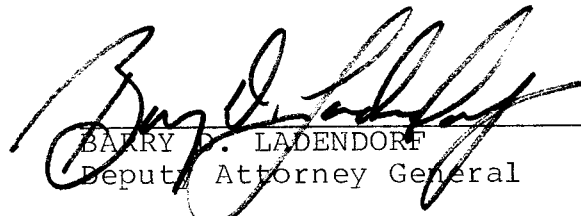
19 8. Upon successful completion of probation,
20 respondent's certificate will be fully restored.

21 9. If the respondent violates probation in any
22 respect, the Division, after giving respondent notice and the
23 opportunity to be heard, may revoke probation and carry out the
24 disciplinary order that was stayed. If an accusation or petition
25 to revoke probation is filed against respondent during probation,
26 the Division shall have continuing jurisdiction until the matter
27 is final, and the period of probation shall be extended until

1 the matter is final.

2 I concur in the stipulation and order.

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4 DATED: *Dec 21, 1982*


BARRY D. LADENDORF
Deputy Attorney General

Attorney for Board of Medical
Quality Assurance
State of California

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10 I have discussed the aforementioned stipulation and
11 order with my client Theodore Goodman, M. D., and I concur in
12 the stipulation and order.

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14 DATED: *1.6.83*

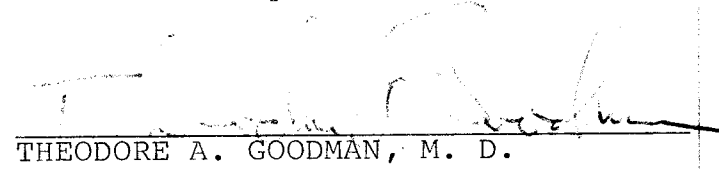

JOSEPH RUFF, ESQ.

Attorney for Respondent

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18 I have read the above document fully and have discussed
19 it with my counsel. I understand that by its terms I will be
20 waiving certain rights accorded me by California law. I also
21 understand that by its terms the Division of Medical Quality of
22 the Board of Medical Quality Assurance will issue a decision and
23 order on this stipulation whereby my license to practice medicine
24 will be subject to certain conditions. I agree to this above
25 stipulation for settlement.

26 DATED: *1.6.83*


THEODORE A. GOODMAN, M. D.

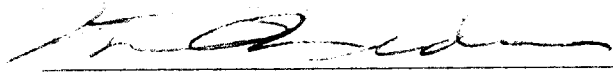
Respondent

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The foregoing is adopted as the decision of the
Division of Medical Quality of the Board of Medical Quality
Assurance of the State of California in this matter and shall
be effective on 6th day of April, 1983.

IT IS SO ORDERED this 7th day of March
1983.



MILLER MEDEARIS, Secretary-Treasurer
DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
STATE OF CALIFORNIA

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GEORGE DEUKMEJIAN, Attorney General
BARRY D. LADENDORF,
Deputy Attorney General
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Attorneys for Board of Medical
Quality Assurance

BEFORE THE BOARD OF MEDICAL QUALITY ASSURANCE
DIVISION OF MEDICAL QUALITY
STATE OF CALIFORNIA

In the Matter of the Accusation) NO. D-2868
Against:)
THEODORE A. GOODMAN, M.D.) ACCUSATION
4430 "V" Street)
Sacramento, California)
Certificate No. G-35973)
Respondent.)

Robert Rowland alleges:

1. He is the Executive Director of the Board of
Medical Quality Assurance of the State of California and
makes these charges and allegations in his official capacity.

LICENSE STATUS

2. At all times herein mentioned, Theodore A. Goodman,
M.D., (respondent) held physicians and surgeons certificate
no. G-35973 issued on March 1, 1978, authorizing respondent
to practice medicine.

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STATUTES - MEDICAL PRACTICE ACT

3. Section 2220 of the Business and Professions Code (all section references are to the Business and Professions Code unless otherwise indicated) provides the Division of Medical Quality may take action against physicians and surgeons who are guilty of violating the Medical Practice Act.

4. Section 2227 of the Code provides that a licensee who is found guilty of violating the Medical Practice Act may have his certificate suspended or revoked, be placed on probation, publicly reprimanded or subject to other action the Division deems appropriate.

5. Section 2234 of the Code provides the Division shall take action against any licensee charged with unprofessional conduct including, "(e) The commission of any act involving dishonesty or corruption which is substantially related to the qualifications, functions, or duties of a physician and surgeon."

6. Section 2236 of the Code provides:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"(b) The division may inquire into the circumstances surrounding the commission of the

1 crime in order to fix the degree of discipline or
2 to determine if such conviction is of an offense
3 substantially related to the qualifications,
4 functions, or duties of a physician and surgeon.
5 A plea or verdict of guilty or a conviction
6 following a plea of nolo contendere made to a
7 charge substantially related to the qualifica-
8 tions, functions, or duties of a physician and
9 surgeon is deemed to be a conviction within the
10 meaning of this section.

11 "(c) Discipline may be ordered in accordance
12 with Section 2227, or the Division of Licensing
13 may order the denial of the license when the time
14 for appeal has elapsed, or the judgment of con-
15 viction has been affirmed on appeal, or when an
16 order granting probation is made suspending the
17 imposition of sentence, irrespective of a sub-
18 sequent order under the provisions of Section
19 1203.4 of the Penal Code allowing such person to
20 withdraw his or her plea of guilty and to enter
21 a plea of not guilty, or setting aside the ver-
22 dict of guilty, or dismissing the accusation,
23 complaint, information, or indictment."

24 ALLEGATIONS

25 7. Respondent is guilty of violating the Medical
26 Practice Act by reason of the following:

27 A. From an undetermined date in 1977, through

1 November, 1979, respondent unlawfully, willfully, knowingly
2 and without authority did sell, convey and dispose of human
3 organs, tissue and fluids removed during autopsies from the
4 bodies of deceased patients at the Veterans Administration
5 Hospital, San Diego, University Hospital, San Diego and Kaiser
6 Hospital, San Diego, while said human organs, tissues and
7 fluids were in the possession, custody and control of the
8 Veterans Hospital, University Hospital and Kaiser Hospital.

9 B. Respondent received compensation in the
10 approximate amount of \$3,500.00 for said human tissues, organs
11 and fluids.

12 C. Respondent, at the request of Hyland Laboratories
13 (Orange County) a biomedical company, provided names of
14 deceased persons from whom the human tissues, organs and fluids
15 had been removed. Respondent knew then and there that the list
16 of names he provided was false and fraudulent information.

17 8. Respondent is guilty of unprofessional conduct
18 in violation of section 2234(e) in that the conduct described
19 in paragraph 7A, B and C above is the commission of an act
20 of dishonesty or corruption which is substantially related
21 to the qualifications, functions, or duties of a physician
22 and surgeon. As a result, respondent is subject to discipline.

23 9. On or about June 8, 1981, in the case entitled
24 United States of America v. Theodore A. Goodman, case no.
25 81-0330-N-Criminal, pending before the United States District

26 /

27 /

1 Court for the Southern District of California, respondent was
2 convicted of the unauthorized sale of Government property in
3 violation of 18 USC 641 (felony) to wit:

4 "On or about May, 1977, through November,
5 1979, in the Southern District of California,
6 defendant THEODORE A. GOODMAN, M.D., unlawfully,
7 willfully and knowingly did without authority
8 sell, convey, and dispose of things of value in
9 excess of \$100.00 of the United States Veterans
10 Administration, an agency of the United States,
11 in that defendant THEODORE A. GOODMAN, M.D.,
12 supplied for sale to private biomedical companies
13 human organs, tissue and fluids removed during
14 autopsies from the bodies of deceased patients
15 at the Veterans Administration Hospital, San
16 Diego, California, while said human organs,
17 tissue and fluids were in the possession,
18 custody and control of the United States
19 Veterans Administration; in violation of
20 Title 18, United States Code, Section 641."

21 Respondent was placed on probation for 18 months and
22 fined \$500.00.

23 As a result of said conviction, respondent is guilty
24 of unprofessional conduct in violation of section 2236 of the
25 Code and subject to discipline.

26 /

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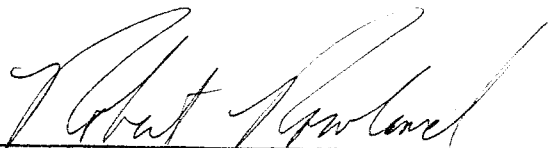
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WHEREFORE, complainant prays the Division hold a hearing as authorized by law and following said hearing:

1. Suspend or revoke the certificate of respondent Theodore A. Goodman, M.D.; and

2. Take such other and further action as the Division deems necessary to protect the public health, safety and welfare.

DATED: February 23, 1982



ROBERT ROWLAND
Executive Director
Board of Medical Quality Assurance
Complainant