

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

HENRY FOREST WOODWORTH, M.D.
License No. 43-01-047947

Complaint No. 43-21-002269

CONSENT ORDER AND STIPULATION

CONSENT ORDER

A superseding administrative complaint was filed with the Disciplinary Subcommittee of the Board of Medicine on April 12, 2023, charging Henry Forest Woodworth, M.D. (Respondent) with having violated sections 16221(a), 16221(b)(i), and 16221(b)(vi) of the Public Health Code, MCL 333.1101 *et seq.*

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated sections 16221(a), 16221(b)(i), and 16221(b)(vi) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

Respondent's license is LIMITED for a minimum period of one day commencing on the effective date of this order. The details of the limitation are as follows:

CHAPERONE. Respondent shall not examine or treat any minor patient except in the immediate physical presence of a chaperone. For purposes of this limitation the chaperone shall be a licensed health professional.

Respondent's license shall be automatically reclassified to a full and unlimited status upon Respondent's successful completion of the terms of probation as outlined below.

Respondent is placed on PROBATION for a minimum period of one day, not to exceed six months, commencing on the effective date of this order. Respondent shall be automatically discharged from probation upon the Department's receipt of satisfactory written evidence of Respondent's successful compliance with the terms and conditions provided below, provided compliance occurs within six months. If Respondent fails to complete any term or condition of probation as set forth in this order within six months of the effective date of this order, Respondent will be in violation of Mich Admin Code, R 338.1632 and section 16221(h) of the Public Health Code. The terms and conditions of the probation are as follows:

- A. ASSESSMENT. Within six months of the effective date of this order, Respondent shall successfully complete the Center for Personalized Education of Physicians' Probe: Ethics and Boundaries program with an unconditional pass. Respondent shall provide a copy of this order and the April 12, 2023 first superseding complaint to the program for review. All costs associated with this process shall be the responsibility of Respondent. Respondent shall ensure that a copy of the written assessment is submitted to the Department by email to BPL-Monitoring@michigan.gov.

All information and documentation acquired by CPEP in determining and implementing an interventional/remedial plan shall be made available to the Department upon request to establish Respondent's compliance or non-compliance with the program.

Any violation of the Public Health Code by Respondent during the period of probation shall be deemed a violation of probation and constitute grounds for further disciplinary action.

Respondent is FINED \$1,500.00 to be paid by check, money order, or cashier's check made payable to the State of Michigan (with complaint number 43-21-002269 clearly indicated on the check or money order) and shall be payable within 90 days of the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, Michigan 48909.

If Respondent fails to complete the Ethics and Boundaries Program within six months of the effective date of this order or does not receive anything other than an unconditional pass from the Program, Respondent's license shall be automatically suspended a minimum of one day until successful completion of the Program. If Respondent's license remains suspended for more than six months, reinstatement of the license shall not be automatic, and Respondent will have to petition for reinstatement of the license. If Respondent petitions for reinstatement of his license, the petition shall be in accordance with sections 16245 and 16247 of

the Public Health Code and Mich Admin Code, R 792.10711. Under these provisions, Respondent must demonstrate the following by clear and convincing evidence: (1) good moral character; (2) the ability to practice the profession with reasonable skill and safety; (3) satisfaction of the guidelines on reinstatement adopted by the Department; and (4) that it is in the public interest for the license to be reinstated.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.


If Respondent violates any term or condition set forth in this order, Respondent will be in violation of Mich Admin Code, R 338.1632, and section 16221(h) of the Public Health Code.

This order shall be effective 30 days from the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on December 20, 2023

MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

By delegation:

 for
Amy Gumbrecht, Director
Bureau of Professional Licensing

STIPULATION

The parties stipulate as follows:

1. Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that, by pleading no contest, he does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the complaint and any subsequent administrative proceedings related hereto (e.g., any application for reinstatement of license by Respondent) and may enter an order treating the allegations as true.
2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.
3. The Disciplinary Subcommittee may enter the above consent order, supported by Board conferee Michael D. Chafty, M.D. Dr. Chafty or an attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.
4. Dr. Chafty and the parties considered the following factors in reaching this agreement:

- A. Respondent has been licensed since 1984 with no other disciplinary actions against his license.
- B. The parties took the cost of the CPEP assessment into consideration when determining the appropriate fine in this matter.

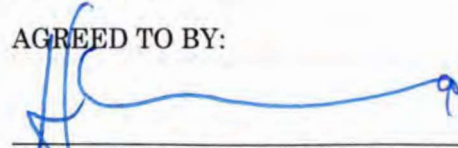
This consent order incorporates the conditions of a counteroffer made by the Disciplinary Subcommittee at its meeting held on November 15, 2023.

By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

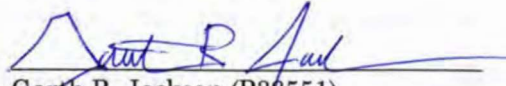
AGREED TO BY:

/s/ Bridget K. Smith
Bridget K. Smith (P71318)
Assistant Attorney General
Attorney for Complainant
Dated: December 20, 2023

AGREED TO BY:


Henry Forest Woodworth, M.D.
Respondent

Dated: 12/15/2023


Garth R. Jackson (P38551)
Attorney for Respondent
Dated: 12/15/2023

LF: 2021-0333999-B/Woodworth, Henry Forrest, M.D., 002269/Counter Offer Consent Order and Stipulation – 2023-11-28

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

Henry Forest Woodworth, M.D.,
License No. 43-01-047947

Complaint No. 43-21-002269

/ (Consolidated with file no. 43-22-002833)

FIRST SUPERSEDING ADMINISTRATIVE COMPLAINT

Assistant Attorney General Bridget K. Smith, on behalf of the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing (Complainant), files this complaint against Henry Forest Woodworth, M.D. (Respondent), alleging upon information and belief as follows:

1. The Board of Medicine, an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.*, is authorized to find that a licensee has violated the Code and impose sanctions through its Disciplinary Subcommittee under the Code.

2. Respondent is currently licensed to practice medicine pursuant to the Code. At all relevant times, Respondent practiced as a Child and Adolescent Psychiatrist at the Center for Reconstructive Psychiatry, in Northville, Michigan.

ARTICLE 15 PROVISIONS

3. Section 16221(a) of the Code authorizes the Disciplinary Subcommittee to sanction a licensee for a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to, or supervision of

employees or other individuals, whether or not injury results, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully engage in the practice of the health profession.

4. Section 16221(b)(i) of the Code authorizes the Disciplinary Subcommittee to sanction a licensee for personal disqualifications, consisting of incompetence, which is defined in section 16106(1) of the Code to mean a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for a health profession, whether or not actual injury to an individual occurs.

5. Section 16221(b)(vi) of the Code authorizes the Disciplinary Subcommittee to sanction a licensee for personal disqualifications, consisting of lack of good moral character, which is defined in MCL 338.41 to mean the propensity on the part of the person to serve the public in the licensed are in a fair, honest, and open manner.

6. Section 16226 of the Code authorizes the Disciplinary Subcommittee to impose sanctions against licensees if, after opportunity for a hearing, the Disciplinary Subcommittee determines that a licensee violated one or more of the subdivisions contained in section 16221 of the Code.

FACTUAL ALLEGATIONS

Patient M.D.

7. M.D. (initials used to protect patient confidentiality) initially treated with Respondent beginning in 2012 or 2013, when M.D. was approximately 14 years old, and continued to treat her up until June/July 2021.

8. On 06/29/2021, Respondent sent M.D. a text message on M.D.'s personal cell phone wishing M.D. a happy birthday. The birthday text included several emojis, including hearts, roses, etc. It was signed with the salutation of "w/love, from Henri".

9. On 06/29/2021, Respondent sent M.D. an additional text message with an invitation to have a one-on-one dinner with Respondent, because Respondent thought M.D. was "fun" and "needed to have a fun birthday". M.D. has a twin brother, also a patient of Respondent, and he received no such text or dinner invitation.

10. M.D.'s treatment with Respondent was severed, due to (in part), to M.D. feeling uncomfortable with the text messages sent to M.D. from Respondent.

Patient A.P.

11. Respondent treated A.P. in and around March 1993 for issues she was experiencing in high school, including depression and anxiety. A.P. was 17 during the time that Respondent provided treatment.

12. During one session, Respondent asked A.P. about her sex life, including whether she enjoyed sex, and asked her to bring her boyfriend to their next session.

13. During another session, Respondent asked A.P. to do an "experiment" where she laid on her back with her legs spread open with a friend in the room and to tell that friend a secret while in that position. A.P. felt uncomfortable but did

what Respondent suggested. Respondent and A.P. discussed the “experiment” during A.P.’s next session.

14. During the same session, Respondent asked A.P. to take nude photographs of herself in vulnerable poses. Respondent indicated that she did not have to show him the photographs, but that he would be happy to look at them if she wanted him to.

15. At the end of the appointment, Respondent’s staff asked A.P. if she wanted to schedule her next appointment, but she felt too uncomfortable and simply left the office. A.P. did not return to Respondent for further treatment.

COUNT I

16. Respondent’s conduct as described above constitutes a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to, or supervision of employees or other individuals, whether or not injury results, or any conduct, practice, or condition that impairs, or may impair, the ability to safely and skillfully engage in the practice of the health profession, in violation of section 16221(a) of the Code.

COUNT II

17. Respondent’s conduct as described above demonstrates incompetance in violation of section 16221(b)(i) of the Code.

COUNT III

18. Respondent’s conduct as described above demonstrates a lack of good moral character in violation of section 16221(b)(vi) of the Code.

THEREFORE, Complainant requests that this complaint be served upon Respondent and that Respondent be offered an opportunity to show compliance with all lawful requirements for retention of the aforesaid licenses. If compliance is not shown, Complainant further requests that formal proceedings be commenced pursuant to the Public Health Code, the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, and associated administrative rules.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, Respondent has 30 days from receipt of this complaint to submit a written response to the allegations contained in it. Pursuant to section 16192(2) of the Code, Respondent is deemed to be in receipt of the complaint 3 days after the date of mailing listed in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to LARA-BPL-RegulationSection@michigan.gov with a copy mailed to the undersigned assistant attorney general. If unable to submit a response by email, Respondent may submit by regular mail to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909, with a copy mailed to the undersigned assistant attorney general.

Pursuant to section 16231(9) of the Code, failure to submit a written response within the 30-day period shall be treated as an admission of the allegations contained in the complaint and shall result in transmittal of the complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

FURTHER, the administrative complaint previously filed against Respondent on December 8, 2021 is hereby WITHDRAWN and replaced in full by this superseding complaint.

Respectfully submitted,

/s/ *Bridget K. Smith*
Bridget K. Smith (P71318)
Assistant Attorney General
Licensing & Regulation Division
P.O. Box 30758
Lansing, MI 48909
Telephone: (517) 335-7569
Fax: (517) 241-1997

Dated: April 12, 2023

LF: Woodworth, Henry Forrest, M.D., 002269 2021-0333999-B/FSAC 2023-04-12