



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Jane A. Rackers, Division Director
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance
Financial Institutions
and Professional Registration
John M. Huff, Director

STATE BOARD OF REGISTRATION FOR THE HEALING ARTS

3605 Missouri Boulevard
P.O. Box 4
Jefferson City, MO 65102-0004
573-751-0098
866-289-5753 TOLL FREE
573-751-3166 FAX
800-735-2966 TTY
website: www.pr.mo.gov/healingarts.asp

Connie Clarkston
Executive Director

**BEFORE THE MISSOURI BOARD OF REGISTRATION
FOR THE HEALING ARTS**

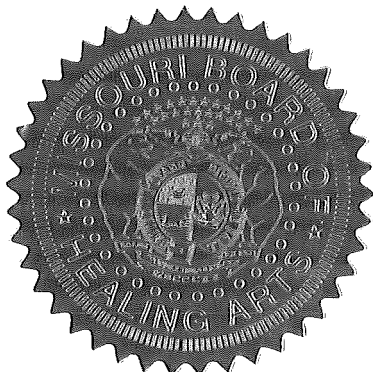
State Board of Registration)
For the Healing Arts,)
Petitioner)

) Case Number: 2011-005601

Howard Goldstein, MD)
Respondent)

ORDER

It is hereby ordered that effective July 21, 2013 the Order issued on October 26, 2011, upon Respondent's license to practice medicine and surgery, number R8E93 is hereby terminated and said license is hereby returned to its full privileges free and clear of all restrictions.



Connie Clarkston
Connie Clarkston
Executive Director

4/29/14
Date

**BEFORE THE MISSOURI BOARD OF REGISTRATION
FOR THE HEALING ARTS**

MISSOURI BOARD OF)	
REGISTRATION)	
FOR THE HEALING ARTS,)	
)	
Petitioner,)	
)	
v.)	Case No. 2011-005601
)	
HOWARD GOLDSTEIN, M.D.,)	
)	
Respondent.)	

ORDER

The Missouri State Board of Registration for the Healing Arts (Board) met on October 20 and 21, 2011 to discuss this matter and hereby issues the following order:

1. The State Board of Registration for the Healing Arts is an agency of the State of Missouri created and established pursuant to §334.120, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.
2. On July 28, 2011, Respondent applied for a license with the Board as a physician and surgeon.
3. On or about October 12, 2010, Respondent pled guilty to one count of making a materially false statement to a government agency. Such crime is a felony.

4. Respondent's crime was a serious one, specifically, making a materially false statement to the Federal Bureau of Investigation in the course of its investigation into Medicare billing and documentation issues related to Respondent and Respondent's employer. On or about January 5, 2011, the Court sentenced Respondent to five months incarceration to be followed by two years supervised release.

5. Respondent's crime included an essential element of fraud, dishonesty or moral turpitude.

6. Such crime is evidence of bad moral character.

7. Respondent has served a five month sentence as a result of his conviction.

8. The Board has cause to deny the license pursuant to Sections 334.031.1, 334.100.1, 334.100.2(2).

9. The Board finds that issuing the license on probation is appropriate given the nature of Respondent's crime, the fact that he pled guilty and took responsibility for his actions, and the fact that it did not involve any patient care.

DECISION AND DISCIPLINARY ORDER

10. In lieu of denial, the Board shall issue Respondent, license number R8E93, as a PROBATED license. The period of probation will be until July 21, 2013, which time shall be referred to as the "disciplinary period."

11. During the disciplinary period, the Respondent shall be entitled to engage in the practice of medicine under Chapter 334 RSMo, provided he adheres to all of the terms of this Order.

12. If the Respondent is licensed in other jurisdictions, then he shall notify, in writing, the medical licensing authorities of those jurisdictions, within fifteen (15) days of the effective date of this Order, of the Respondent's disciplinary status in Missouri. The Respondent shall forward a copy of this written notice to the Board contemporaneously with sending it to the relevant licensing authority. If the Respondent is not licensed in other jurisdictions, he shall notify the Board of that fact in writing within fifteen (15) days of the effective date of this Order.

13. During the disciplinary period, the Respondent shall comply with all provisions of Chapters 334; all the regulations of the Board; and all federal and state laws. State here includes all states and territories of the United States.

14. During the disciplinary period, the Respondent shall keep the Board informed of his current work and home telephone numbers and addresses. The Respondent shall notify the Board in writing within ten (10) days of any change in this information.

15. During the disciplinary period, the Respondent shall timely renew his license and timely pay all fees required for licensing and comply with all other Board requirements necessary to maintain the Respondent's license in a current and active state.

16. During the disciplinary period, the Respondent shall accept and comply with unannounced visits from the Board's representatives to monitor his compliance with the terms and conditions of this disciplinary agreement.

17. During the disciplinary period, the Respondent shall appear in person for interviews with the Board or its designee upon request.

18. The Respondent shall notify, within fifteen (15) days of the effective date of this Order, all hospitals, nursing homes, out-patient centers, surgical centers, clinics, and all other facilities where the Respondent practices or has privileges, of his disciplinary status. The Respondent shall notify any physician assistants or other allied health care professionals he supervises of the disciplinary action imposed. Notification shall be in writing and the Respondent shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative. If the Respondent does not have privileges or practices at any facility, he shall notify the Board of that fact in writing within fifteen (15) days of the effective date of this Order.

19. For purposes of this agreement, unless otherwise specified in this agreement, all reports, documentation, evaluations, notices, or other materials required to be submitted to the Board in this Order shall be forwarded to The State Board of Registration for the Healing Arts, Attention: Investigations, P.O. Box 4, Jefferson City, Missouri 65102.

20. Upon the expiration of the disciplinary period, the Respondent's license shall be fully restored if all requirements of law have been satisfied; provided however, that in the event the State Board of Registration for the Healing Arts determines that the Respondent has violated any term or condition of this

agreement, the Board may, in its discretion, vacate this agreement and impose such further discipline as the Board shall deem appropriate.

21. In the event the State Board of Registration for the Healing Arts determines that the Respondent has violated any term or condition of this agreement, the Board may elect to pursue any lawful remedies afforded it and is not bound by this agreement in its election of remedies concerning that violation. The Board may in its discretion, vacate this agreement and impose such further discipline as the Board shall deem appropriate pursuant to §324.042, RSMo.

22. No additional order shall be entered by this Board pursuant to the preceding paragraph of this agreement without notice and an opportunity for hearing before this Board as a contested case in accordance with the provisions of Chapter 536, RSMo. If any alleged violation of this agreement occurred during the disciplinary period, the parties agree that the Board may choose to conduct a hearing before it either during the disciplinary period, or as soon thereafter as a hearing can be held, to determine whether a violation occurred and, if so, may impose further disciplinary action.

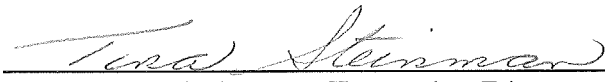
23. This Order does not bind the Board or restrict the remedies available to it concerning any other violation of Chapter 334, RSMo, by the Respondent not specifically mentioned in this document.

24. If the Respondent wishes to appeal this order, he may do so by filing an appeal with the Administrative Hearing Commission within thirty (30) days of the

effective date. The Respondent may contact the Administrative Hearing Commission at P.O. Box 1557, Jefferson City, MO 65102.

IT IS HEREBY ORDERED that upon the effective date of this order, the Respondent shall be issued a probated license pursuant to the terms of discipline listed above.

SO ORDERED EFFECTIVE THIS 26th DAY OF OCTOBER, 2011



Tina Steinman, Executive Director
State Board of Registration for the Healing Arts

**THE STATE BOARD OF REGISTRATION FOR THE HEALING ARTS
STATE OF MISSOURI**

STATE BOARD OF REGISTRATION)	
FOR THE HEALING ARTS,)	
)	
Petitioner,)	
v.)	Case No. 2010-007027
)	
)	
HOWARD GOLDSTEIN, M.D.,)	
)	
Respondent.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
ORDER REVOKING THE LICENSE OF HOWARD GOLDSTEIN, M.D.**

The Missouri State Board of Registration for the Healing Arts, pursuant to notice and at its regularly scheduled meeting on April 21, 2011, took up a complaint alleging that Howard Goldstein, M.D. had pled guilty in the United States District Court for the Eastern District of Missouri to one count of making a false statement to a government agency, which is a felony, and was therefore subject to license revocation pursuant to the provisions of § 334.103.1 RSMo.

The Board was represented by its general counsel, Sarah Schappe. Dr. Goldstein was not present but attorney Albert Watkins appeared on his behalf. Sarah Ledgerwood served as the Board's legal advisor at the hearing, during deliberations, and in preparing this Order. Testimony was adduced, exhibits were received into evidence, and the argument of counsel was heard. The Board now enters its Findings of Fact, Conclusions of Law and Order Revoking the Physician and Surgeon License of Howard Goldstein, M.D.

Findings of Fact

1. The Board of Registration for the Healing Arts (Board) is an agency of the State of Missouri, created and established pursuant to § 334.120 RSMo., for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.

2. Howard Goldstein, M.D. (Respondent) is licensed by the Board as a physician, license number R8E93. This license was first issued on July 1, 1985. Respondent's license is lapsed.

3. On or about October 12, 2010, Respondent pled guilty in the United States District Court for the Eastern District of Missouri to one count of making a false statement to a government agency, which is a felony. On January 5, 2011, the Court sentenced Respondent to five months incarceration to be followed by two years supervised release.

4. Respondent is currently incarcerated in a United States federal prison.

5. Respondent's crime was a serious one, specifically, making a materially false statement to the Federal Bureau of Investigation in the course of its investigation into Medicare billing and documentation issues related to Respondent and Respondent's employer.

6. Taking into account the seriousness of the crime and the evidence adduced at the hearing including the exhibits entered into the record, the Board finds that revocation of Respondent's license will not be subject to a period wherein Respondent cannot reapply for his license.

Conclusions of Law

A. Respondent was convicted of a felony, an essential element of which is fraud or dishonesty or an offense involving moral turpitude, in the District Court of the United States.

B. Pursuant to § 334.103.1, RSMo, the Board must revoke Respondent's license as a physician and surgeon.

DECISION AND DISCIPLINARY ORDER

Pursuant to the above Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED that upon the effective date of this Order, Respondent's license, number R8E93, to practice the healing arts in the State of Missouri shall be, and is hereby REVOKED.

Respondent shall immediately cease practice of the healing arts and shall immediately return all indicia of licensure to the State Board of Registration for the Healing Arts.

Licensee is cautioned that his obedience to the terms of this Order and his discharge of his professional obligation to transfer his patients' care and records to other physicians will be assessed by the Board upon any application for reinstatement.

IT IS SO ORDERED, effective this 5 day of May, 2011.

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS



Tina Steinman
Executive Director