

State of Rhode Island  
Department of Health  
Board of Medical Licensure and Discipline



**IN THE MATTER OF:**  
**Leon Goldstein, MD**  
**License No.: MD 06443**  
**Case No.: C200686**

**CONSENT ORDER**

Leon Goldstein, MD ("Respondent") is licensed as a physician in Rhode Island. The Rhode Island Board of Medical Licensure and Discipline ("Board") has reviewed and investigated the above-referenced complaint pertaining to Respondent through its Investigative Committee. The Board makes the following:

**FINDINGS OF FACT**

1. Respondent has been a licensed physician in the State of Rhode Island since June 15, 1983. Respondent graduated from Albany Medical College in 1978. Respondent's specialty is Plastic Surgery.
2. Respondent performed a surgical procedure on and was the attending physician for Patient A (alias).
3. The Board received a complaint from Patient A regarding Respondent's care of Patient A, specifically relative to Respondent's aftercare and the overall healing time from the surgical procedure, which was longer than expected.
4. As requested by the Board, Respondent submitted a written response to the complaint

along with the relevant medical records, which the Investigative Committee reviewed as part of its investigation into the complaint.

5. At his September 30, 2020 appearance before the Investigative Committee, Respondent acknowledged that his handwritten notes in his office chart were, at best, extremely difficult to read; that in the event another physician were required to review the medical records (e.g., succeeding physician), such physician would need a transcript of the record or to speak to Respondent directly in order to fully understand the handwritten notes in his office chart.

6. Upon examination of the medical records, the Investigative Committee determined they were largely illegible, including the documentation of communication with the patient about her clinical course or complications or reasons for the delayed healing of her incision or Respondent's medical decision making. Accordingly, were the records to be transferred to another physician, the existing documentation would not adequately convey the patient's clinical course.

7. Based on the foregoing, the Investigative Committee concluded that Respondent violated Section 1.5.12(D) of Licensure and Discipline of Physicians (216-RICR-40-05-1), which provides, "*Medical Records shall be legible and contain the identity of the physician or physician extender and supervising physician by name and professional title who is responsible for rendering, ordering, supervising or billing each diagnostic or treatment procedure. The records must contain sufficient information to justify the course of treatment, including, but not limited to: active problem and medication lists; patient histories; examination results; test results; records of drugs prescribed, dispensed, or administered; and reports of consultations and hospitalizations;*" and, therefore, R.I. Gen. Laws §§ 5-37-5.1(24), which defines "unprofessional conduct" as including, "[v]iolating any provision or provisions of this chapter

*or the rules and regulations of the board or any rules or regulations promulgated by the director or of an action, stipulation, or agreement of the board.” R.I. Gen. Laws § 5-37-5.1(24). Based on the foregoing, specifically Respondent’s violation of Section 1.5.12(D) of the Regulations and R.I. Gen. Laws § 5-37-5.1(24), as set forth above, the Investigative Committee determined that Respondent unprofessional conduct in connection with his failure to maintain legible records of his care of Patient A and, therefore, violated the above-referenced statute.*

**Based on the foregoing, the parties agree as follows:**

1. Respondent admits to and agrees to remain under the jurisdiction of the Board.
2. Respondent has agreed to this Consent Order and understands that it is subject to final approval of the Board and is not binding on Respondent until final ratification by the Board.
3. If ratified by the Board, Respondent hereby acknowledges and waives:
  - a. The right to appear personally or by counsel or both before the Board;
  - b. The right to produce witnesses and evidence on his behalf at a hearing;
  - c. The right to cross examine witnesses;
  - d. The right to have subpoenas issued by the Board;
  - e. The right to further procedural steps except for those specifically contained herein;
  - f. Any and all rights of appeal of this Consent Order;
  - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review; and
  - h. Any objection to the fact that this Consent Order will be reported to the National Practitioner Data Bank and Federation of State Medical Boards and posted to the Rhode Island Department of Health (“RIDOH”) public website.

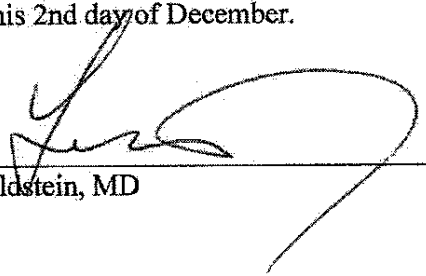
4. Respondent agrees to pay, within 5 days of the ratification of this Consent Order, an administrative fee of \$1100.00 for costs associated with investigating the above-referenced complaint. Such payment shall be made by certified check, made payable to "**Rhode Island General Treasurer,**" and sent to Rhode Island Department of Health, 3 Capitol Hill, Room 205, Providence, RI 02908, Attn: Lauren Lasso. Respondent will send notice of compliance with this condition to DOH.PRCCompliance@health.ri.gov within 30 days of submitting the above-referenced payment.

5. Respondent hereby agrees to this reprimand on his physician license.

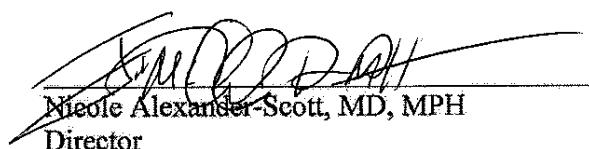
6. Within six months of ratification of this Consent Order, Respondent will complete 20 hours of Board-approved courses in medical documentation, such as the Case Western Reserve University Intensive Course, Medical Documentation: Clinical, Legal and Economic Implications for Healthcare Providers.

7. If Respondent violates any term of this Consent Order after it is signed and accepted, the Director of RIDOH ("Director") shall have the discretion to impose further disciplinary action, including immediate suspension of Respondent's medical license. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request within 20 days of the suspension and/or further discipline an administrative hearing. The Director shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. The Administrative Hearing Officer may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 2nd day of December.

  
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Leon Goldstein, MD

Ratified by the Board of Medical Licensure and Discipline on the 9<sup>th</sup> day of December,  
2020.

  
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Nicole Alexander-Scott, MD, MPH

Director  
Rhode Island Department of Health  
3 Capitol Hill, Room 401  
Providence, RI 02908

