

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Investigation of:)
)
)
JAY ALAN GOLDSTEIN, M.D.)
)
Physician's and Surgeon's)
Certificate No. G 16801)
)
Respondent.)
_____)

File No. 18-2002-131305


DECISION

The attached Stipulated Surrender Pursuant to Section 822 and Order is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on November 24, 2003.

IT IS SO ORDERED November 17, 2003.

MEDICAL BOARD OF CALIFORNIA

By: 
Lorie G. Rice, Chair
Panel A
Division of Medical Quality

1 BILL LOCKYER, Attorney General
of the State of California
2 SANFORD FELDMAN, State Bar No. 47775
Deputy Attorney General
3 California Department of Justice
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8

9 **BEFORE THE**
10 **DIVISION OF MEDICAL QUALITY**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Investigation of:

Case No. 18-2002-131305

15 JAY ALAN GOLDSTEIN, M.D.
10632 S. Meads
16 Orange, CA 92869

17 Physician's and Surgeon's
Certificate No. G 16801

**STIPULATED SURRENDER
PURSUANT TO SECTION 822
AND ORDER**

Respondent.

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

20 PARTIES

21 1. Ron Joseph, the Executive Director of the Medical Board of California,
22 Department of Consumer Affairs ("Complainant"), enters into this Stipulation solely in his
23 official capacity. He is represented in this matter by Bill Lockyer, Attorney General of the State
24 of California, by Sanford Feldman, Deputy Attorney General.

25 2. Respondent JAY ALAN GOLDSTEIN, M.D. ("Respondent") is
26 represented by Mark Franzen, whose address is 111 W Ocean Blvd, 14th Floor, Long Beach, CA
27 90802-4646 - telephone (562) 432-5855.

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CONTINGENCY

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9. This stipulation shall be subject to the approval of the Division. Respondent understands and agrees that the Board's staff and counsel for complainant may communicate directly with the Division regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. If the Division fails to adopt this stipulation as its Order, except for this paragraph, the Stipulated Surrender Pursuant to Section 822 and Order shall be of no force or effect, and it shall be inadmissible in any legal action between the parties, and the Division shall not be disqualified from further action in this matter by virtue of its consideration of this stipulation.

10. The parties agree that facsimile copies of this Stipulated Surrender Pursuant to Section 822 and Order, including facsimile signatures thereto, shall have the same force and effect as the original Stipulated Surrender Pursuant to Section 822 and Order and signatures.

11. In consideration of the foregoing admissions and stipulations, the parties agree that the Division shall, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 16801, issued to Respondent JAY ALAN GOLDSTEIN, M.D., is surrendered and accepted by the Division.

12. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Division shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Division.

13. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Division's Decision and Order.

14. Respondent shall cause to be delivered to the Division both his Certificate wall and pocket license certificate on or before the effective date of the Decision and Order.

1 15. Respondent understands and agrees that if he ever files an application for
2 licensure or a petition for reinstatement in the State of California, the Division shall treat it as a
3 petition for reinstatement. Respondent must comply with all the laws, regulations and
4 procedures for reinstatement of a revoked license in effect at the time the petition is filed.

5 16. Respondent further understands and agrees that he may not apply for
6 licensure or reinstatement until at least three years after the effective date of this decision. If
7 respondent does apply, he will not be reinstated until the Division determines that it has received
8 competent evidence of the absence or control of the condition or conditions that impair his ability
9 to practice medicine safely, and until it is satisfied that, with due regard for the public health and
10 safety, respondent's right to practice medicine should be reinstated. In addition, the Division,
11 upon determining that respondent's license shall be reinstated, may impose restrictions and
12 conditions deemed appropriate by the Division based on the underlying investigation and other
13 circumstances relevant to the reinstatement.

14 WAIVER OF STATUTE OF LIMITATIONS

15 If for any reason this Stipulated Surrender Pursuant to Section 822 and Order is
16 set aside, respondent agrees that the statutes of limitations as to matters now under investigation
17 is tolled during the period between the effective date of this settlement and the time it is set aside.
18 In addition, respondent agrees not to assert a laches defense to any matters now under
19 investigation based the passage of time that occurs between the effective date of this settlement
20 and the time it is set aside.

21 ACCEPTANCE

22 I have carefully read the above Stipulated Surrender Pursuant to Section 822 and
23 Order. I understand the effect this stipulation will have on my Physician's and Surgeon's
24 Certificate and that I will no longer be allowed to practice medicine once the surrender is
25 accepted. I enter into this Stipulated Surrender voluntarily, knowingly and intelligently and
26 agree to be bound by the Stipulated Surrender Pursuant to Section 822 and Order and Decision of
27 the Division. I further agree that a facsimile copy of this Stipulated Surrender Pursuant to
28 ///

21-1902-01
MUF

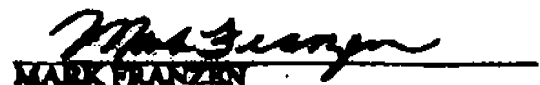
1 Section 822 and Order, including facsimile copies of signatures, may be used with the same
2 force and effect as the originals.

3 DATED: 9/26/03

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6 
7 JAY ALAN GOLDSTEIN, M.D.
Respondent

8 I concur.

9 DATED: Sept 25, 2003

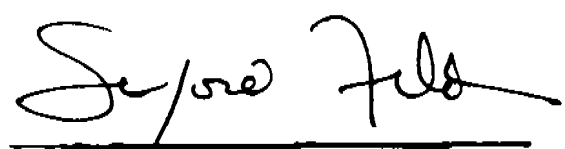
11
12 
13 MARK FRANZEN
Attorney for Respondent

14 **ENDORSEMENT**

15 The foregoing Stipulated Surrender Pursuant to Section 822 and Order is hereby
16 respectfully submitted for consideration by the Division of Medical Quality, Medical Board of
17 California of the Department of Consumer Affairs.

18 DATED: 10/24/03

19 BILL LOCKYER, Attorney General
of the State of California

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22 
23 SANFORD FELDMAN
Attorney for Ron Joseph

25 9/24/03

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