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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of  
**CLIFFORD GOODMAN, M.D.**  
Holder of License No. 8263  
For the Practice of Allopathic Medicine  
In the State of Arizona

Case No. MD-10-1261A

**ORDER FOR LETTER OF REPRIMAND  
AND CONSENT TO THE SAME**

Clifford Goodman, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Letter of Reprimand; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

**FINDINGS OF FACT**

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 8263 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-10-1261A after receiving notification of a malpractice settlement regarding Respondent's care and treatment of a 35 year-old female patient ("HH") alleging failure to diagnose diaphragmatic hernia with subsequent infant death.

4. In July 2006, HH initiated obstetrical care with Respondent. In August 2006, an ultrasound revealed that HH was at 8.5 weeks gestation. She was referred to a perinatal practice group for consultation as well as an ultrasound and chorionic villus sampling (CVS) due to maternal age. At the perinatal practice, a first trimester ultra screen indicated an increased risk for Down's Syndrome along with an ultrasound that

1 suggested a cystic hygroma. The practice recommended an alpha-fetoprotein (AFP) and a  
2 level II ultrasound at 18-20 weeks gestation.

3 5. HH had regular office visits for her pregnancy along with ultrasound  
4 evaluations. In October 2006, an ultrasound was performed in Respondent's office, which  
5 revealed that the fetus was at 20 weeks gestation. The technician noted that the  
6 intrathoracic evaluation was unsatisfactory and identified a multi-cystic large abnormal  
7 kidney. The technician recommended follow-up with the perinatal practice group. A final  
8 ultrasound was performed at 40 weeks with notation that all is normal.

9 6. In March 2007, HH was admitted to the hospital in spontaneous labor. She  
10 delivered vaginally and Apgars of 1/5/6 were noted. An x-ray showed a left diaphragmatic  
11 hernia along with prolapse of the left lung and shift of the heart to the right. The infant was  
12 transferred for surgery and ongoing care. Bleeding was noted from the chest tube and  
13 FFP and cryoprecipitate were administered without benefit. The clots continued and  
14 seizures were noted. The infant was weaned to a high frequency oscillator and the chest  
15 tube was later removed. Due to persistent seizures and ventilator problems, the infant  
16 was removed from the respirator and expired.

17 7. A Medical Consultant retained by the Board to review this case opined that  
18 had a level II ultrasound been done, the diaphragmatic hernia might have been identified  
19 which would have allowed proper preparations for delivery and immediate care of the  
20 infant.

21 8. The standard of care when there is a question of abnormalities noted for an  
22 obstetrical patient undergoing ultrasound evaluation requires a physician to obtain a level  
23 II ultrasound evaluation.



1           2.     Respondent acknowledges and agrees that this Order is entered into freely  
2 and voluntarily and that no promise was made or coercion used to induce such entry.

3           3.     By consenting to this Order, Respondent voluntarily relinquishes any rights to  
4 a hearing or judicial review in state or federal court on the matters alleged, or to challenge  
5 this Order in its entirety as issued by the Board, and waives any other cause of action  
6 related thereto or arising from said Order.

7           4.     The Order is not effective until approved by the Board and signed by its  
8 Executive Director.

9           5.     All admissions made by Respondent are solely for final disposition of this  
10 matter and any subsequent related administrative proceedings or civil litigation involving  
11 the Board and Respondent. Therefore, said admissions by Respondent are not intended  
12 or made for any other use, such as in the context of another state or federal government  
13 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
14 any other state or federal court.

15          6.     Upon signing this agreement, and returning this document (or a copy thereof)  
16 to the Board's Executive Director, Respondent may not revoke the consent to the entry of  
17 the Order. Respondent may not make any modifications to the document. Any  
18 modifications to this original document are ineffective and void unless mutually approved  
19 by the parties.

20          7.     This Order is a public record that will be publicly disseminated as a formal  
21 disciplinary action of the Board and will be reported to the National Practitioner's Data  
22 Bank and on the Board's web site as a disciplinary action.

23          8.     If any part of the Order is later declared void or otherwise unenforceable, the  
24 remainder of the Order in its entirety shall remain in force and effect.

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1 9. If the Board does not adopt this Order, Respondent will not assert as a  
2 defense that the Board's consideration of the Order constitutes bias, prejudice,  
3 prejudgment or other similar defense.

4 10. Any violation of this Order constitutes unprofessional conduct and may result  
5 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,  
6 consent agreement or stipulation issued or entered into by the board or its executive  
7 director under this chapter") and 32-1451.

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9   
10 Clifford Goodman, M.D.

DATED: 05/04/2011

11 EXECUTED COPY of the foregoing mailed  
12 this 4th day of June, 2011 to:

13 Clifford Goodman, M.D.  
14 Address of Record

15 ORIGINAL of the foregoing filed  
16 this 4th day of June, 2011 with:

17 Arizona Medical Board  
18 9545 E. Doubletree Ranch Road  
19 Scottsdale, AZ 85258

  
20 Arizona Medical Board Staff  
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