

IN THE MATTER OF \* BEFORE THE MARYLAND  
JULIUS G.K. GOEPP, M.D. \* STATE BOARD OF  
Applicant \* PHYSICIANS  
License No.: D40065 (expired) \* Case Number: 2011-0503

\*\*\*\*\*

**FINAL ORDER**

On or about September 16, 2010, Julius G.K. Goepf, M.D. (D.O.B. 04/30/1958) (the "Applicant") applied to the Maryland State Board of Physicians (the "Board") for Reinstatement of his License to Practice Medicine. On or about December 1, 2011, the Board notified the Applicant of the Board's intent to deny his Application for Reinstatement of his Medical License under the Maryland Medical Practice Act (the "Act"), Md. Health Occ. Code Ann. ("Health Occ.") §§ 14-401 et seq. (2009 Repl. Vol.).

The Board based its denial on the following:

Health Occ. § 14-307 provides in pertinent part:

- (a) *In general.* – To qualify for a license, an applicant shall be an individual who meets the requirements of this section.
- (b) *Moral character.* – The applicant shall be of good moral character.

Health Occ. § 14-205(a) provides in pertinent part:

*Powers.* -- (1) In addition to the powers set forth elsewhere in this title, the Board may:

- (iii) Subject to the Administrative Procedure Act, deny a license to an applicant or refuse to renew or reinstate an applicant's license for any of the reasons that are grounds for action under § 14-404 of this title.

The grounds for action under Health Occ. § 14-404:

- (a) *In general.* – Subject to the hearing provisions of § 14-405 of this subtitle, the Board, on the affirmative vote of a majority of the quorum, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:
  - (24) Was subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under this section and the licensee:
    - (i) Surrendered the license issued by the state or country to the state or country;

The underlying ground for disciplinary action under Health Occ. § 14-404(a) is as follows:

- (3) Is guilty of:
  - (i) Immoral; or
  - (ii) Unprofessional conduct in the practice of medicine;

The Board informed the Applicant that a Final Order would be executed **THIRTY (30) DAYS** from the Applicant's receipt of the Board's notice, unless the Applicant requested a hearing.

The Applicant timely requested a hearing; however, in writing on May 9, 2012, cancelled his request for a hearing.

### **I. FINDINGS OF FACT**

The Board finds as follows:

## BACKGROUND

1. The Applicant completed a residency in pediatric medicine in 1985 and a fellowship in pediatric emergency medicine in 1988. The Applicant was licensed by the Board on or about May 23, 1990.<sup>1</sup> The Applicant's license to practice medicine in Maryland expired on September 30, 1998.
2. The Applicant relocated to New York, and in 1997 the State of New York granted the Applicant a medical license. On or about October 2004, the Applicant surrendered his New York medical license for disciplinary reasons. He pled guilty in May 2004 in federal court to the possession of child pornography.
3. Presently, the Applicant is not licensed to practice medicine in any State.
4. On or about September 16, 2010, the Applicant submitted to the Board an Application for Reinstatement of Medical Licensure.
5. The Applicant answered "yes" to the following questions under #16 on his Application:
  - b. Has a state licensing or disciplinary board, or a comparable body in the armed services, taken an action against your license? (Such actions include, but are not limited to, limitations of practice, required education, admonishment, reprimand, suspension, or revocation.) [Refer to the document *Grounds for Board Action in Maryland* included with your application packet.]
  - f. Has a hospital, a related health care facility, or an alternative health care system denied your application for, failed to renew, limited, restricted, suspended, revoked, or taken away your privileges?
  - g. Have you committed a criminal act to which you pled guilty or nolo contendere or for which you were convicted or received probation before judgment?
  - m. Have you surrendered your license or allowed it to lapse while you were under investigation by any licensing or disciplinary board or any jurisdiction or any entity of the armed services?

---

<sup>1</sup> Previously, the Applicant had been licensed in Massachusetts in July 1988; that license expired in 1991.

6. Based on the Applicant's positive responses, the Board opened an investigation.
7. By letter dated March 16, 2011, the Board notified the Applicant of its investigation.
8. On or about March 21, 2011, the Applicant submitted to the Board documentation supporting his request to have his New York medical license restored.

#### **ALLEGATIONS LEADING TO SURRENDER OF NEW YORK LICENSE**

9. In May 2004, following a federal investigation in New York, the Applicant was criminally charged with the illegal possession of child pornography.
10. At the time the Applicant was criminally charged, he had been the Director of Pediatric Emergency Medicine at Hospital A in New York.<sup>2</sup> Hospital A terminated him from his position, based on the criminal charges.
11. In August 2004, the Applicant pled guilty in the United States District Court, Western District of New York, to one count of possession of child pornography in violation of Title 18, U.S.C § 2252(a)(4)(B), and in November 2004, was sentenced to nine months of home confinement and three years of probation with conditions that included he enter into a sexual offender treatment program and pay a \$5,000 fine.
12. On or about August 20, 2004, the New York State Board for Professional Medical Conduct (the "New York Board") charged him with one

---

<sup>2</sup> In order to maintain confidentiality, facility names will not be used in this document.

specification of professional misconduct based on his plea of guilty to the illegal possession of child pornography.

13. On or about October 15, 2004, as a result of his guilty plea, the Applicant voluntarily surrendered his license to practice medicine in New York.

#### **APPLICATION TO RESTORE NEW YORK LICENSE**

14. On or about November 9, 2007, the Applicant filed an Application with the New York Board to restore his license to practice medicine.
15. The New York Board required that the Applicant undergo a forensic evaluation for professional fitness; he was evaluated between February 28, 2011 and March 4, 2011, by a team that included psychologists and a psychiatrist.
16. With regard to the Applicant's return to the practice of medicine, the evaluators opined he continued to demonstrate personality-based vulnerabilities that led to his earlier pornography use and aberrant sexual activity. The evaluators were not able to "endorse" the Applicant's return to clinical medicine, and recommended that a probationary license could be granted under New York guidelines for "administrative/research purposes only."<sup>3</sup>

#### **BASIS FOR THE BOARD'S DENIAL OF REINSTATEMENT**

17. The Applicant's conviction for possession of child pornography, and his continued personality-based vulnerabilities that have in the past led to pornography use and aberrant sexual activity, constitute a lack of good moral character as required for licensure under Health Occ. § 14-307(b).

---

<sup>3</sup> To date, the Applicant's Application for Restoration of his New York license remains pending.

18. The Applicant's actions constitute a violation of Health Occ. § 14-404(a)(24) for an act that would be grounds for action under Health Occ. § 14-404(a)(3)(i) and (ii).

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant lacks good moral character as required under Health Occ. § 14-307(b); and that the Applicant's actions constitute a violation of Health Occ. § 14-404(a)(24) for an act that would be grounds for action under Health Occ. § 14-404(a)(3)(i) and (ii).

**ORDER**

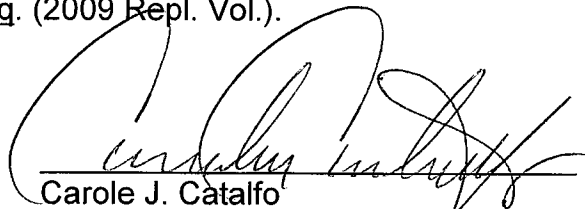
After reviewing the Application of Julius G.K. Goepp, M.D., for Reinstatement of Licensure as a physician in the State of Maryland, it is this 29<sup>th</sup> day of JUNE, 2012 by a majority of a quorum of the Board considering this case:

**ORDERED** that the Application of Julius G.K. Goepp, M.D., in the State of Maryland be and is hereby **DENIED**; and it is further

**ORDERED** that this Final Order is a public document pursuant to Md. State Gov't Code Ann. § 10-611 et seq. (2009 Repl. Vol.).

6-29-12

Date

  
Carole J. Catalfo  
Executive Director  
Maryland Board of Physicians

### **NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Health Occ. Code Ann. § 14-408(b), the Respondent has the right to take a direct judicial appeal. Any appeal shall be filed within 30 days from the receipt of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, State Gov't Article § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Respondent files an appeal, the Board is a party and should be served with the court's process. In addition, the Respondent should send a copy to the Board's counsel, Thomas W. Keech, Assistant Attorney General, at the Office of the Attorney General, 300 West Preston Street, Suite 302, Baltimore, Maryland 21201. The Administrative Prosecutor is not involved in the circuit court process and need not be served or copied on pleadings filed in that court.