

IN THE MATTER OF
JILLIAN G. GOLES, PA-C

Respondent

License Number: C06834

*** BEFORE THE**
*** MARYLAND STATE**
*** BOARD OF PHYSICIANS**
*** Case Number: 7722-0007**

* * * * *

ORDER AFTER SHOW CAUSE HEARING

On July 19, 2021, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) and Jillian G. Goles, PA-C, entered into a consent order that, among other things, required Ms. Goles to enroll in the Maryland Professional Rehabilitation Program (“MPRP”) and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP. On October 26, 2022, Panel B issued a Violation of Consent Order and Notice to Show Cause because Ms. Goles failed to comply with treatment as directed by MPRP. On January 25, 2023, Panel B held a show cause hearing where Ms. Goles had the opportunity to argue why her license should not be subject to further discipline. Ms. Goles appeared on her own behalf and the State was represented by the Administrative Prosecutor.

FINDINGS OF FACT

Background

On May 21, 2020, the Board received a Mandated 10-Day Report¹ from a medical facility (“Facility A”)² stating that Ms. Goles’s privileges had been suspended pending the outcome of an investigation regarding her violation of its human resources policies. On June 9, 2020, the Board received another complaint, this from a health care provider affiliated with Facility A, alleging that

¹ Md. Code Ann. Health Occ. §15-103(c) requires that a hospital, related institution, an alternative health care system or an employer report any limitation, reduction or other change of the terms of employment of the physician assistant that might be grounds for disciplinary action under § 15-314 within 10 days.

² For confidentiality and privacy purposes, the names of the facilities involved in this case are not disclosed in this Order.

Ms. Goles had accessed and altered her own medical record at Facility A and self-prescribed medications, including a controlled dangerous substance. The Board opened an investigation based on the allegations. During the investigation, Ms. Goles failed to produce patient medical records subpoenaed by the Board and failed to appear for an interview pursuant to a Board subpoena.

On February 8, 2021, the Panel charged Ms. Goles with unprofessional conduct in the practice of medicine, in violation of Health Occ. § 15-314(a)(3)(ii), addicted to, or habitually uses any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article, in violation of Health Occ. § 15-314(a)(8), willfully makes or files a false report or record in the practice of medicine, in violation of Health Occ. § 15-314(a)(11), fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel, in violation of Health Occ. § 15-314(a)(33), performs medical acts beyond the scope of the delegation agreement filed with the Board or after notification from the Board that an advanced duty has been disapproved, in violation of Health Occ. § 15-314(a)(41), and performed delegated medical acts without the supervision of a physician, in violation of Health Occ. § 15-314(a)(42).

July 19, 2021 Consent Order

On July 19, 2021, Panel B and Ms. Goles entered into a consent order wherein the Panel found that Ms. Goles violated the disciplinary grounds in the Physician Assistants Act, as alleged in the charges. Pursuant to the Consent Order, Ms. Goles's license to practice as a physician assistant was suspended for a minimum of one year, and Ms. Goles was required to comply with all therapy, treatment, evaluations, and screenings as directed by MPRP.

The Consent Order stated:

2. The Respondent shall enroll in the **Maryland Professional Rehabilitation Program (MPRP)** as follows:

* * *

(b) Within 15 business days, the Respondent shall enter into a Participant Rehabilitation Agreement and Participant Rehabilitation Plan with MPRP;

(c) the Respondent shall fully and timely cooperate and comply with all MPRP's referrals, rules, and requirements, including but not limited to, the terms and conditions of the Participant Rehabilitation Agreement(s) and Participant Rehabilitation Plan(s) entered with MPRP, and shall fully participate and comply with all therapy, treatment, evaluations, and screenings as directed by MPRP;

* * *

(f) the Respondent's failure to comply with any of the above terms or conditions including terms and conditions of the Participant Rehabilitation Agreement(s) or Participant Rehabilitation Plan(s) constitute a violation of this Consent Order[.]

The Consent Order further stated:

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If a disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if a disciplinary panel determines there is no genuine dispute of fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that, after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition of this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on further probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke the Respondent's license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent[.]

Enrollment in MPRP

Ms. Goles did not timely enroll in MPRP as required by the Consent Order. Ms. Goles was required to enroll within 15 business days, or by August 9, 2021. On August 2, 2021, Ms. Goles notified the Board that her scheduled appointment on August 2, 2021 needed to be

rescheduled to August 16, 2021 due to illness. On August 16, 2021, MPRP notified the Board that they had cancelled Ms. Goles' video teleconference intake appointment after she requested multiple delays to the start time and did not appear at any of the rescheduled times. Ms. Goles attempted to join the meeting 10:55 a.m., one hour after the rescheduled time. The Board notified Ms. Goles that she was scheduled for an intake interview on August 30, 2021 at 10:00 a.m. and that a failure to attend may result in further disciplinary action by the Board. Ms. Goles appeared on August 30, 2021, enrolled in MPRP, and signed a Participant Rehabilitation Agreement and an Addendum to the Rehabilitation Agreement.

Independent Medical Evaluation/Violation of July 19, 2021 Consent Order

On November 9, 2021, MPRP referred Ms. Goles for an Independent Medical Evaluation ("IME") to determine whether Ms. Goles suffers from any medical condition that prevents her from practicing medicine with reasonable skill and safety. Ms. Goles's initial appointment was scheduled for January 12, 2022, but, based on a family emergency, it was rescheduled for February 14, 2022. Ms. Goles did not make herself available on February 14, 2022, and the appointment was rescheduled for early March. On March 8, 2022, the evaluation was finally performed.

On April 5, 2022, MPRP received the evaluation report, which concluded that Ms. Goles was not able to practice as a physician assistant with reasonable skill and safety. The evaluator recommended enrolling in treatment for a medical condition.³ MPRP forwarded the report to Ms. Goles and Ms. Goles expressed her disagreement with the IME recommendation. In response to her request, MPRP provided Ms. Goles with an opportunity to obtain a second opinion and informed her that she would need to schedule an independent evaluation with one of three entities and provide certain documents to MPRP no later than April 29, 2022. On April 29, 2022, Ms.

³ For confidentiality and privacy purposes, the specific details of the report, medical conditions, and treatment recommended are not included in this Order.

Goles sent a letter to MPRP acknowledging that she had failed to provide the documentation MPRP requested. She also claimed that she was unable to comply with these requirements due to an illness and asked for additional time to comply. MPRP informed Ms. Goles that she would have until May 9, 2022, as a final deadline to meet with one of the approved entities to receive a second opinion and to provide the requested documentation. Ms. Goles did not comply with MPRP's directive regarding the May 9, 2022 deadline. On May 10, 2022, Ms. Goles sent a letter to MPRP explaining her disagreements with the IME report, notifying MPRP that she was unwilling to consider the recommended treatment at that time, and requesting additional time to obtain a second opinion. On May 12, 2022, MPRP closed her case for cause and sent Ms. Goles and the Board a letter to that effect.

Show Cause Hearing

On October 26, 2022, Panel B issued a Violation of Consent Order and Notice to Show Cause, alleging that Ms. Goles violated the terms and conditions of her July 19, 2021 Consent Order for failing to fully participate and comply with treatment recommended by MPRP.

Ms. Goles appeared before Panel B on January 25, 2023 and argued that she should be given another chance to comply with the Consent Order. The Administrative Prosecutor argued that Ms. Goles's license should be revoked because she declined the treatment directed by MPRP. The Administrative Prosecutor also argued that, based on the numerous delays and postponements, the Board should conclude that Ms. Goles is not willing to undergo the necessary treatment.

At the Show Cause Hearing, Ms. Goles admitted that she was directed to go to treatment and that she was given the opportunity to seek a second opinion. Ms. Goles concedes that she "did not comply with the recommendation."

CONCLUSION OF LAW

Panel B concludes that Ms. Goles failed to comply with suspension condition 2(c) of the July 19, 2021 Consent Order by failing to comply with treatment as directed by MPRP.

SANCTION

Pursuant to the July 19, 2021 Consent Order, upon a finding of a violation, the Panel may reprimand Ms. Goles, place Ms. Goles on probation with appropriate terms and conditions, suspend, or revoke Ms. Goles's license to practice medicine in Maryland. Ms. Goles was given multiple opportunities to comply with MPRP as required by the Consent Order. She sought and was granted three postponements to sign the Participant Rehabilitation Agreement, three postponements to obtain an Independent Medical Evaluation, and when she asked for a second opinion instead of enrolling in the inpatient treatment, she was given another two chances to either obtain a second opinion or to comply with MPRP's treatment recommendation. Ms. Goles declined to do either, which constituted a violation of the Consent Order. Ms. Goles has demonstrated an inability or unwillingness to comply with MPRP's directive to undergo the treatment directed by MPRP. Based on Ms. Goles's failure to comply with the requirements of the Consent Order, the Panel revokes Ms. Goles's license.

ORDER

It is, thus, by Board Disciplinary Panel B, hereby

ORDERED that the license of Jillian G. Goles, PA-C, license number C06834, to practice medicine as a physician assistant in Maryland, is **REVOKED**; and it is further

ORDERED that Ms. Goles may not apply for reinstatement of her license until after **ONE YEAR** has passed from the date of this order; and it is further

ORDERED that this Order is a public document. See Md. Code Ann., Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

02/24/2023
Date

Signature On File

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians

