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**Fwd: Railroad**

1 message

**JOHN GONINO**

Fri, Dec 9, 2016 at 8:45 AM

To: coleman@txhia.org

Sent from my iPhone

Begin forwarded message:

**From:** JOHN GONINO  
**Date:** December 8, 2016 at 10:26:22 PM CST  
**To:**  
**Subject:** Railroad

Hello. My name is Dr John Gonino. I am board Certified in Family Medicine and have been practicing in the Rowlett/Rockwall for 22 years. I would like to go on record as saying that I am opposed to continuation of The Texas State Medical Board in its present form. We oppose Texas joining the licensing compact.

LA was a lovely 62 year old lady who I met in 2008. She made it clear from day 1 that she was a big fan of what she called natural medicine and not a fan of prescription drugs. Two years after we met we discovered a mass in her pelvis and I referred her to surgery immediately for resection.

Lymph nodes were biopsied and found to be positive for a rare form of ovarian cancer.

The patient was seen by Dr Carolyn Matthews , a well respected gynecologic oncologist in Dallas. Chemotherapy was discussed at that visit. The patient denied chemotherapy , but did not tell her husband.

A husband who never came to one appointment the entire time I knew her.

This patient died 2 yrs later in July of 2012. The husband reported me to the Medical Board , accusing that I told her not to do chemotherapy. This is an outright lie.

This patient 's chart was sent to The Board, and at every visit the medical record clearly states " Follow up with oncology as recommended "

I was scheduled for and attended my ISC in April of 2013. At that hearing I was never asked any questions. I was never asked to answer the accusations. My attorney, Tim Weitz , spoke briefly , then a Wendy something said " I find this , this, and this and recommend the case go to SOAH".

After the ISC I asked my attorney, " what do you think will happen at the Jan 2015 SOAH ?" He said , probably a \$10,000 fine and 3 consecutive cycles

of chart monitoring. I said, " Then what?"

He said , " then they find something they don't like in a chart and take your license ".

And then he said, " but don't worry, you can still practice in Nova Scotia"

This forced us to hire new representation and file suit against the Medical Board for bad faith in federal court. We also filed suit against each Board member individually, and against the State of Texas.

Our first deposition, Dr Matthews, said " Dr Gonino had nothing to do with this lady's death. In fact , the fault lies with her doctors at MD Anderson. They saw her in Nov in 2011 and told her to follow up in May. 6 months is not appropriate follow up for a patient with metastatic disease. "

At that point the recording was turned off. 2 days later an agreement was made between myself and the State of Texas to dismiss the case.

From the time we sent the State our patients ' chart until the date the case was discharged, we spent \$268,000.

I want to get this point in - I asked one of my expert witnesses, who we never got to depose, who is a Board Certified Oncologist, " Dr Burns, in your thirty years of practicing oncology, how many times have one of your patients ever had no support person(s) at not one of their appointments?" His answer was , " Zero".

Summation:

- 1) I never had a peer to peer review prior to my ISC.
- 2)I was denied due process. They never afforded me the opportunity to present my side. They never asked me any questions.
- 3) I was falsely accused. The Medical record directly contradicted the accusation. The Board obviously paid it no mind.
- 4) Mine was a case of Bad Faith. This was a witch hunt. " You do things different from us. Therefore you must be doing something wrong ". (Hold up exoneration letters). The witch hunt is against complimentary and alternative medicine and Integrative Medicine doctors.

What am I asking you to do:

- 1) informal investigation by phone or in person. Like Dr Kotsanis said.
- 2) At the ISC, do not close the ISC until the person who has been accused has his/her chance to say what they wish, and address all issues at hand.
- 3) There needs to be a mechanism for recourse. As Linda said , we had to refinance our house and and cash in our retirement plan to pay our attorney fees.

Basically we had to start over at 52 and 63 years old. Shame , shame, shame.

Doesn't seem fair in the least to me.

Sent from my iPhone