

The University of the State of New York  
Education Department



IN THE MATTER

of the

Application of DWAYNE M. GRIFFIN  
for restoration of his license to practice  
medicine in the State of New York

Case No. 91-234-60R

It appearing that the license of DWAYNE M. GRIFFIN, 11 Morningdale Circle, Madison, Wisconsin, 53717, to practice medicine in the State of New York, was revoked by action of the Board of Regents on December 19, 1986 and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition, and having agreed with and accepted the recommendation of the Committee on the Professions, now, pursuant to action taken by the Board of Regents on November 15, 1991, it is hereby

ORDERED that the petition for restoration of license No. 157030, authorizing DWAYNE M. GRIFFIN to practice medicine in the State of New York, is granted.



IN WITNESS WHEREOF, I, THOMAS SOBOL,  
Commissioner of Education of the State of New  
York, for and on behalf of the State Education  
Department, do hereunto set my hand and affix  
the seal of the State Education Department at  
the City of Albany, this 27<sup>th</sup> day of January,  
1992.

*Thomas Sobol*

Commissioner of Education

Case No. 91-234-60R

It appearing that the license of DWAYNE M. GRIFFIN, 11 Morningdale Circle, Madison, Wisconsin, 53717, to practice medicine in the State of New York, having been revoked by action of the Board of Regents on December 19, 1986, and he having petitioned the Regents for restoration of said license, and the Regents having given consideration to said petition, and having agreed with and accepted the recommendation of the Committee on the Professions, now, pursuant to action taken by the Board of Regents on November 15, 1991, it was

VOTED that the petition for restoration of license No. 157030, authorizing DWAYNE M. GRIFFIN to practice medicine in the State of New York, be granted.

Case Number 91-234-60R  
September 4, 1991

THE UNIVERSITY OF THE STATE OF NEW YORK  
The State Education Department

Report of the Committee on the Professions  
Application for Restoration of Medical License

Re: **Dwayne M. Griffin**  
(No Personal Appearance)

Not represented by counsel

Dwayne M. Griffin, 11 Morningdale Circle, Madison, Wisconsin, 53717, petitioned for restoration of his medical license. The chronology of events is as follows:

- 12/23/83 Licensed to practice medicine in New York State.
- 01/11/85 Pled guilty to the crime of Conspiracy to Deal in Counterfeit Currency. (See "Disciplinary History.")
- 11/19/86 Regents Review Committee recommended that license be revoked.
- 12/19/86 Regents voted revocation.
- 01/21/87 Commissioner's Order effective.
- 05/22/89 Petition for restoration submitted. (See "Petition for Restoration.")
- 09/14/90 Peer Panel restoration review. (See "Report and Recommendation of Peer Review Panel.")
- 07/01/91 Report of Peer Review Panel.
- 09/04/91 Recommendation of the Committee on the Professions. (See "Recommendation of the Committee on the Professions.")

**Disciplinary History.** On or about January 11, 1985, in the United States District Court for the Eastern District of Michigan, Dr. Griffin was convicted, after pleading guilty, of one count of conspiracy to deal in counterfeit currency. Dr. Griffin admitted that from on or about June 1, 1982, continuing up to and including September 16, 1983, he knowingly, intentionally, and unlawfully combined, conspired, confederated, and agreed with various other persons, to commit an offense against the United States, that is to willfully and knowingly buy, sell, exchange, transfer, receive,

and deliver falsely made and counterfeited obligations of the United States with the intent that the same be passed, published, and used as true and genuine. Dr. Griffin was sentenced to one year and one day in the custody of the United States Attorney General and ordered to pay a fine of \$7,000.00.

On or about August 15, 1985, the Board of Osteopathic Medicine and Surgery of the State of Michigan issued a Consent Order and Stipulation suspending Dr. Griffin's license to practice medicine in the State of Michigan for six months and one day and fining Dr. Griffin \$5,000.00, based on the acts which led to his criminal conviction.

On August 1, 1986, the Department of Health, Office of Professional Medical Conduct, charged Dr. Griffin with professional misconduct in that he had been convicted of committing an act constituting a crime under the law of another jurisdiction which would also be a crime under New York law, and having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the findings were based, would, if committed in New York State, constitute professional misconduct.

The Regents Review Committee (Linton, Liebowitz, Picariello) met on September 17, 1986. Dr. Griffin did not appear and was not represented by counsel. He did, however, submit a letter and a document which were made part of the record.

In the letter, dated September 3, 1986, Dr. Griffin briefly spoke about his psychiatrist's testimony at his hearing in the State of Michigan. He noted his professional, personal, and financial losses as well as his growth of character as a result of these events. The document submitted was a copy of the Final Order on Petition for Reinstatement of License to Practice Osteopathic Medicine and Surgery in the State of Michigan. This Order reinstated Dr. Griffin's Michigan license for a period of one year and was conditioned upon Dr. Griffin undergoing psychotherapy.

In its report, dated November 19, 1986, the Regents Review Committee found Dr. Griffin guilty of both of the charges and recommended that his license be revoked. On December 19, 1986 the Regents voted revocation. The Commissioner's Order was served effective January 21, 1987.

Petition for Restoration. In his petition for restoration, dated May 22, 1989, Dr. Griffin briefly reviewed his disciplinary history. Dr. Griffin stated that after his release from the custody of the Attorney General in October 1985, he completed a three month medical practice fellowship at the Chicago College of Osteopathic Medicine and earned 440 continuing medical education

credits. Subsequently, Dr. Griffin said that he worked for five months in an urgent care facility in Chicago.

Dr. Griffin stated that his Michigan license had been reinstated by the Michigan Board of Osteopathic Medicine and Surgery on April 12, 1986. He further stated that on July 1, 1986 he entered an internal medicine residency at Michigan State University and would be graduating from that program on June 30, 1989. He noted that he received "The Outstanding Resident Teaching Award" from Michigan State University Medical School classes of 1988 and 1989.

Report and Recommendation of Peer Review Panel. The Peer Review Panel (Olazagasti, Corbett, Santiago) met on September 14, 1990. Dr. Griffin appeared personally. He was not represented by counsel.

In his oral presentation to the Panel, Dr. Griffin said that family dynamics had played a great part in his troubles and that he was glad he could rebound from those problems at an early stage in his career. While expressing the belief that his sentence was too severe for a first-time offender, he nonetheless regarded prison as a necessary humbling experience.

With regard to his rehabilitation, Dr. Griffin talked about his therapy treatment with a psychiatrist from 1984 to 1987. Although he is not currently under psychiatric care, Dr. Griffin said that he remains in telephone contact with his therapist. Dr. Griffin stated that he had gained considerable insight through therapy into his own dynamics and his vulnerability. Dr. Griffin also discussed his medical practice fellowship at the Chicago College of Osteopathic Medicine, which was completed in January, 1986. Dr. Griffin informed the Panel that his license had been restored in Michigan, and that he had obtained a license in Wisconsin. Dr. Griffin stated that he was presently providing services to indigent patients at a Veteran's Administration Hospital.

In response to questions from the Panel, Dr. Griffin asserted that his clinical competence had never been in question, and that insurance billings he submitted had been investigated and found to be in order. In discussing his role in the scheme to purchase counterfeit money, Dr. Griffin sought to distinguish between family influence and personal responsibility. While accepting ultimate responsibility for his actions, Dr. Griffin described the pressures brought to bear upon him by family members involved in the criminal scheme. He stated that he grew up in a dysfunctional family. He described his mother as an alcoholic, and his brothers, who were involved in the crime, as being both alcoholics and drug abusers. Dr. Griffin said that he testified against his brothers in exchange for leniency and that, at the time, his brothers "hated" him for

doing so. Dr. Griffin indicated that he now has some contact with his family, including an older brother who is still in prison.

In support of Dr. Griffin's statement that, prior to his conviction, his medical practice was with a largely indigent population in inner-city Detroit, Dr. S. A. Materka, petitioner's former partner, submitted a letter in which he stated that Dr. Griffin had an excellent rapport with and a genuine interest in the welfare of the patients in their inner-city practice. Dr. Griffin's former psychiatrist, Dr. Linda Logsdon, also submitted a letter attesting to petitioner's interest in the less fortunate. It was noted that Dr. Logsdon stated that Dr. Griffin is "especially drawn to needy patients, the aged, the poor and disadvantaged, and can tolerate working in settings many other physicians will not."

Dr. Griffin advised the Panel that he was presently a second-year pulmonary critical care fellow at the University of Wisconsin in Madison, Wisconsin, and that he planned to complete this fellowship and do further research. He stated that he did not anticipate working in a clinical setting.

Dr. Griffin reiterated his belief that he has discovered his flaws, and that they are not likely to reoccur. He cited his prison term as a growth experience which reinforced his resolve to serve society. Dr. Griffin asked for the restoration of license without restriction, but said he would accept any conditions imposed, in order to be relicensed.

In its report, dated July 1, 1991, the Panel noted that although Dr. Griffin had been sentenced to serve a term of a year and a day in Federal prison, he in fact had been in prison from February to October, 1985. The Peer Review Panel unanimously found that Dr. Griffin had demonstrated that he understood the import of his past misconduct and that he showed remorse over that behavior. The Panel further found that Dr. Griffin has paid his debt to society, overcome family liabilities, grown, and matured. The Panel noted his current work with indigents at the Veteran's Administration Hospital where he is currently employed. The Panel unanimously recommended that Dr. Griffin's medical license be restored.

Recommendation of the Committee on the Professions. On September 13, 1991 the Committee on the Professions (Fernandez, Cantres, Sauer) reviewed the petition of Dwayne M. Griffin for the restoration of his medical license. Dr. Griffin did not make a personal appearance before the Committee.

The Committee reviewed the report of the Peer Review Panel, as well as Dr. Griffin's petition for restoration. Attached to the petition was a letter from Dr. Griffin's psychiatrist, Linda

Logsdon, M.D., which stated that petitioner was able to gain "considerable insight into his own dynamics and learned to identify those areas of his vulnerability which had been his downfall in the past." Dr. Logsdon stated that Griffin's therapy had equipped him with the skills and wisdom to change his life and to function in a productive and honorable way as a physician.

The Committee also took notice of Dr. Griffin's continuing efforts to serve largely indigent and needy populations, as attested to by Dr. Logsdon, and Dr. S. A. Materka, Dr. Griffin's former partner. Dr. Materka also noted that petitioner had declined lucrative offers to practice internal medicine in order to pursue a fellowship in pulmonary and critical care medicine at the University of Wisconsin.

The Committee also noted petitioner's reeducation, as evidenced by his completion of a three month medical practice fellowship at the Chicago College of Osteopathic Medicine, his successful completion of a three year internal medicine residency at Michigan State University, and his fellowship in pulmonary critical care at the University of Wisconsin in Madison.

The Committee also took note of the fact that petitioner's license to practice medicine in Michigan has been restored without conditions, and he has since been licensed to practice in Wisconsin. After reviewing the entire record and for the reasons stated above, the Committee on the Professions voted unanimously to recommend to the Board of Regents that Dr. Griffin's license to practice medicine in New York State be restored.

Henry A. Fernandez, Chair

Lizette A. Cantres

Richard J. Sauer



The University of the State of New York

X-----X

IN THE MATTER

OF

DWAYNE M. GRIFFIN

X-----X

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) SS.:

GUSTAVE MARTINU  
~~Michelle A. Haughton~~

being duly sworn, deposes and says:

I am over the age of twenty-one years and am an employee of the New York State Education Department, One Park Avenue, 6th Floor, New York, New York 10016-5802.

On the 4<sup>th</sup> day of FEBRUARY, 1992, I personally <sup>HAD</sup> delivered to the Murray Hill Postal Station, the Vote of the Board of Regents, and the Duplicate Original Order of the Commissioner of Education No. 91-234-602, Cal. No. , in the matter of the above-named, by Certified Mail - Return Receipt Requested to the ~~attorney~~/applicant at 11 MORNINGDALE CIRCLE MADISON, WISCONSIN 53717

The effective date of the Order being the 27 day of JAN, 1992.

The Certified Mail Receipt No. being P635 138 669

JOHN C. GAMBLE  
NOTARY PUBLIC, State of New York  
No. 314925540  
Qualified in New York County  
Commission Expires April 4, 1992

Ante Martine

Sworn to before me this 4<sup>th</sup> day of Feb, 1992

John Gamble