

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Susan Soo Young Kim, M.D.

Physician's and Surgeon's
Certificate No. A 87629

Respondent.

Case No. 800-2023-104403

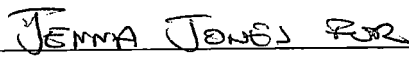
DECISION

The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on August 30, 2024.

IT IS SO ORDERED August 23, 2024.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese
Executive Director

1 ROB BONTA
Attorney General of California
2 MICHAEL C. BRUMMEL
Supervising Deputy Attorney General
3 AARON L. LENT
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8 *Attorneys for Complainant*

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10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
12

13 In the Matter of the Accusation Against:

Case No. 800-2023-104403

14 **SUSAN SOO YOUNG KIM, M.D.**
15 **PO BOX 9067**
Seattle, WA 98109

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

16 **Physician's and Surgeon's Certificate**
17 **No. A 87629**

Respondent.

18
19 **IT IS HEREBY STIPULATED AND AGREED by and between the parties to the**
20 **above-entitled proceedings that the following matters are true:**

21 **PARTIES**

22 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
23 California (Board). He brought this action solely in his official capacity and is represented in this
24 matter by Rob Bonta, Attorney General of the State of California, by Aaron L. Lent, Deputy
25 Attorney General.

26 2. Susan Soo Young Kim, M.D. (Respondent) is representing herself in this proceeding
27 and has chosen not to exercise her right to be represented by counsel.

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3. On or about June 11, 2004, the Board issued Physician's and Surgeon's Certificate No. A 87629 to Respondent. That license was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2023-104403 and will expire on November 30, 2025, unless renewed.

JURISDICTION

4. Accusation No. 800-2023-104403 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 1, 2024. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2023-104403 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 800-2023-104403. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2023-104403, agrees that cause exists for discipline and hereby surrenders her Physician's and Surgeon's Certificate No. A 87629 for the Board's formal acceptance.

10. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Physician's and Surgeon's Certificate without further process.

CONTINGENCY

11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board “shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license.”

12. Respondent understands that, by signing this stipulation, she enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of her Physician's and Surgeon's Certificate No. A 87629 without further notice to, or opportunity to be heard by, Respondent.

13. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that she may not withdraw her agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

14. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving respondent. In the event that the

1 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this
2 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
3 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
4 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
5 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
6 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
7 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
8 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
9 of any matter or matters related hereto.

10 **ADDITIONAL PROVISIONS**

11 15. This Stipulated Surrender of License and Disciplinary Order is intended by the parties
12 herein to be an integrated writing representing the complete, final and exclusive embodiment of
13 the agreements of the parties in the above-entitled matter.

14 16. The parties agree that copies of this Stipulated Surrender of License and Disciplinary
15 Order, including copies of the signatures of the parties, may be used in lieu of original documents
16 and signatures and, further, that such copies shall have the same force and effect as originals.

17 17. In consideration of the foregoing admissions and stipulations, the parties agree the
18 Executive Director of the Board may, without further notice to or opportunity to be heard by
19 Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

20 **ORDER**

21 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 87629, issued
22 to Respondent Susan Soo Young Kim, M.D., is surrendered and accepted by the Board.

23 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
24 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
25 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
26 of Respondent's license history with the Board.

27 2. Respondent shall lose all rights and privileges as a physician and surgeon in
28 California as of the effective date of the Board's Decision and Order.

1 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
2 issued, her wall certificate on or before the effective date of the Decision and Order.

3 4. If Respondent ever files an application for licensure or a petition for reinstatement in
4 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
5 comply with all the laws, regulations and procedures for reinstatement of a revoked or
6 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
7 contained in Accusation No. 800-2023-104403 shall be deemed to be true, correct and admitted
8 by Respondent when the Board determines whether to grant or deny the petition.

9 5. If Respondent should ever apply or reapply for a new license or certification, or
10 petition for reinstatement of a license, by any other health care licensing agency in the State of
11 California, all of the charges and allegations contained in Accusation No. 800-2023-104403 shall
12 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
13 Issues or any other proceeding seeking to deny or restrict licensure.

14 6. Respondent shall pay the agency its costs of investigation and enforcement in the
15 amount of \$28,233.00 prior to issuance of a new or reinstated license.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 8/13/2024 
SUSAN SOO YOUNG KIM, M.D.
Respondent


ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: August 14, 2024

Respectfully submitted,

ROB BONTA
Attorney General of California
MICHAEL C. BRUMMEL
Supervising Deputy Attorney General


AARON L. LENT
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2023-104403

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Attorney General of California
2 MICHAEL C. BRUMMEL
Supervising Deputy Attorney General
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8 *Attorneys for Complainant*

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10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 800-2023-104403

14 **Susan Soo Young Kim, M.D.**
15 **PO BOX 1542**
Tacoma, WA 98401-1542

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. A 87629,**

Respondent.

18
19
20 **PARTIES**

21 1. Reji Varghese (Complainant) brings this Accusation solely in his official capacity as
22 the Executive Director of the Medical Board of California, Department of Consumer Affairs
23 (Board).

24 2. On or about June 11, 2004, the Medical Board issued Physician's and Surgeon's
25 Certificate No. A 87629 to Susan Soo Young Kim, M.D. (Respondent). The Physician's and
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
27 herein and will expire on November 30, 2025, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2227 of the Code states:

(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

(1) Have his or her license revoked upon order of the board.

(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

5. Section 2220 of the Code states:

Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter. The board shall enforce and administer this article as to physician and surgeon certificate holders, including those who hold certificates that do not permit them to practice medicine, such as, but not limited to, retired, inactive, or disabled status certificate holders, and the board shall have all the powers granted in this chapter for these purposes including, but not limited to:

(a) Investigating complaints from the public, from other licensees, from health care facilities, or from the board that a physician and surgeon may be guilty of unprofessional conduct. The board shall investigate the circumstances underlying a report received pursuant to Section 805 or 805.01 within 30 days to determine if an interim suspension order or temporary restraining order should be issued. The board shall otherwise provide timely disposition of the reports received pursuant to Section 805 and Section 805.01.

1 (b) Investigating the circumstances of practice of any physician and surgeon
2 where there have been any judgments, settlements, or arbitration awards requiring the
3 physician and surgeon or his or her professional liability insurer to pay an amount in
4 damages in excess of a cumulative total of thirty thousand dollars (\$30,000) with
5 respect to any claim that injury or damage was proximately caused by the physician's
6 and surgeon's error, negligence, or omission.

7 (c) Investigating the nature and causes of injuries from cases which shall be
8 reported of a high number of judgments, settlements, or arbitration awards against a
9 physician and surgeon.

6. Section 820 of the Code states:

7 Whenever it appears that any person holding a license, certificate or permit
8 under this division or under any initiative act referred to in this division may be
9 unable to practice his or her profession safely because the licentiate's ability to
10 practice is impaired due to mental illness, or physical illness affecting competency,
11 the licensing agency may order the licentiate to be examined by one or more
12 physicians and surgeons or psychologists designated by the agency. The report of the
13 examiners shall be made available to the licentiate and may be received as direct
14 evidence in proceedings conducted pursuant to Section 822.

7. Section 822 of the Code states:

12 If a licensing agency determines that its licentiate's ability to practice his or her
13 profession safely is impaired because the licentiate is mentally ill, or physically ill
14 affecting competency, the licensing agency may take action by any one of the
15 following methods:

15 (a) Revoking the licentiate's certificate or license.

16 (b) Suspending the licentiate's right to practice.

17 (c) Placing the licentiate on probation.

18 (d) Taking such other action in relation to the licentiate as the licensing agency
19 in its discretion deems proper.

20 The licensing section shall not reinstate a revoked or suspended certificate or
21 license until it has received competent evidence of the absence or control of the
22 condition which caused its action and until it is satisfied that with due regard for the
23 public health and safety the person's right to practice his or her profession may be
24 safely reinstated.

22 COST RECOVERY

23 8. Section 125.3 of the Code states:

24 (a) Except as otherwise provided by law, in any order issued in resolution of a
25 disciplinary proceeding before any board within the department or before the
26 Osteopathic Medical Board, upon request of the entity bringing the proceeding, the
27 administrative law judge may direct a licensee found to have committed a violation or
28 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
investigation and enforcement of the case.

(b) In the case of a disciplined licensee that is a corporation or a partnership, the

order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the board to increase the cost award. The board may reduce or eliminate the cost award, or remand to the administrative law judge if the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

(e) If an order for recovery of costs is made and timely payment is not made as directed in the board's decision, the board may enforce the order for repayment in any appropriate court. This right of enforcement shall be in addition to any other rights the board may have as to any licensee to pay costs.

(f) In any action for recovery of costs, proof of the board's decision shall be conclusive proof of the validity of the order of payment and the terms for payment.

(g) (1) Except as provided in paragraph (2), the board shall not renew or reinstate the license of any licensee who has failed to pay all of the costs ordered under this section.

(2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally renew or reinstate for a maximum of one year the license of any licensee who demonstrates financial hardship and who enters into a formal agreement with the board to reimburse the board within that one-year period for the unpaid costs.

(h) All costs recovered under this section shall be considered a reimbursement for costs incurred and shall be deposited in the fund of the board recovering the costs to be available upon appropriation by the Legislature.

(i) Nothing in this section shall preclude a board from including the recovery of the costs of investigation and enforcement of a case in any stipulated settlement.

(j) This section does not apply to any board if a specific statutory provision in that board's licensing act provides for recovery of costs in an administrative disciplinary proceeding.

CAUSE FOR ACTION

(Mental or Physical Illness Affecting Competency to Practice Medicine)

9. Respondent Susan Soo Young Kim, M.D. is subject to disciplinary action under section 822 of the Code, in that her ability to practice medicine safely is impaired, because she is mentally or physically ill, affecting competency, as more particularly alleged hereinafter.

1 10. On or about December 13, 2023, while traveling to Massachusetts, Respondent
2 landed at Boston Logan Airport, and began to feel lightheaded, dizzy, and confused. Respondent
3 was transported by ambulance to Massachusetts General Hospital and placed on an involuntary,
4 section twelve mental health hold¹ due to disorganized behavior and auditory hallucinations. A
5 mental status examination was conducted that resulted in a differential diagnosis of a mental
6 health illness/disorder.

7 11. After being admitted to Massachusetts General Hospital, Respondent was then
8 transported to McLean Psychiatric Hospital to continue her hospitalization based on the
9 differential diagnosis of a mental health illness/disorder, which lasted more than three days.
10 Respondent was placed on Risperidone² while she was hospitalized and was then discharged with
11 the same medication.

12 12. Upon being discharged from McLean Psychiatric Hospital on or about December 22,
13 2023, Respondent returned home and sought treatment from her primary care physician who
14 posited she had a transient mental status change, and referred her to see a psychiatrist.

15 13. On or about January 12, 2024 and February 13, 2024, Respondent sought treatment
16 from a psychiatrist who diagnosed her with a mental health illness/disorder.

17 14. On or about March 25, 2024, Respondent participated in a psychiatric evaluation by a
18 Board certified and appointed psychiatrist (Dr. T.B.).³ Prior to conducting Respondent's
19 psychiatric evaluation, Dr. T.B. analyzed and reviewed investigation materials that were provided
20 by a Board Investigator. Those materials included, but were not limited to, the documented
21 communications and statements Respondent made to the Board and Board Investigator,
22 Respondent's McLean Psychiatric Hospital records, Respondent's Massachusetts General
23

24 ¹ In an emergency situation, if a physician, qualified psychologist, qualified advance practice
25 registered nurse or licensed independent clinical social worker is not available, a police officer who
26 believes that failure to hospitalize a person would create a likelihood of serious harm by reason of mental
27 illness they may restrain such person and apply for the hospitalization of such person for a 3-day period at
28 a public facility or a private facility authorized for such purpose by the department. MA Gen. L. ch 123
§12 (2022).

² Risperidone is an antipsychotic, which can be used to treat schizophrenia, bipolar disorder, and
irritability caused by autism.

³ To protect the privacy of the witnesses, the witnesses' names and information were not included
in this pleading. All witnesses will be fully identified in discovery.

1 Hospital records, and Respondent's medical records from her primary care physicians and
2 psychiatrists.

3 15. On or about March 28, 2024, following his psychiatric evaluation of Respondent and
4 review of the relevant materials, Dr. T.B. submitted a report, which contained the following
5 findings and opinions:

6 a. Respondent has a history of familial mental illness and exhibited a history of
7 chronic mental illness and episodic exacerbations which have resulted in loss of
8 employment or other opportunities.

9 b. The totality of these circumstances demonstrate Respondent was suffering from
10 a psychotic episode as early as October 2023, at the beginning of her three-month trip to the
11 East coast.

12 c. Dr. T.B. opined that Respondent suffers from chronic and recurrent psychotic
13 episodes, with a history of mental health illness.

14 d. Dr. T.B. concluded with reasonable medical probability, that due to her mental
15 illness diagnoses, Respondent is not safe to practice medicine without restrictions.
16 Respondent requires monitoring by a psychiatrist, psychiatric treatment with antipsychotic
17 medications, and Board oversight in order to potentially practice medicine safely.

18 **DISCIPLINARY CONSIDERATIONS**

19 16. To determine the degree of discipline, if any, to be imposed on Respondent Susan
20 Soo Young Kim, M.D., Complainant alleges that on or about June 23, 2004, in a prior
21 disciplinary action titled "In the Matter of the Statement of Issues Against Susan Soo Young Kim,
22 M.D." before the Medical Board of California, in Case No. 20-2003-150177, Respondent's
23 license was placed on probation with terms and conditions pursuant to Business and Professions
24 Code sections 480, subdivision (a)(3), and 2305 based on Respondent's performance during her
25 residency program and her subsequent performance as a flight surgeon with the U.S. Air Force.
26 That decision is now final and is incorporated by reference as if fully set forth herein.
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:


1. Revoking or suspending Physician's and Surgeon's Certificate No. A 87629, issued to Respondent Susan Soo Young Kim, M.D.;

2. Revoking, suspending or denying approval of Respondent Susan Soo Young Kim, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Susan Soo Young Kim, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring;

4. Taking such other and further action as deemed necessary and proper.

DATED: AUG 01 2024



REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SA2024301684
Accusation - Medical Board