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

In the Matter of the Accusation Against: Duk Hwan Kim, M.D. Physician's and Surgeon's Certificate No. A 78546 Respondent.	Case No. 800-2018-048671

DECISION

The attached Stipulated Surrender of License and 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 September 22, 2020.

IT IS SO ORDERED September 15, 2020.

MEDICAL BOARD OF CALIFORNIA

By: _____
William Prasifka
Executive Director

XAVIER BECERRA
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General
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California Department of Justice
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Attorneys for Complainant

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

In the Matter of the Accusation Against: **DUK HWAN KIM, M.D.** **800 Leonard Street** **Montebello, CA 90640** **Physician's and Surgeon's Certificate No. A 78546,** Respondent.	Case No. 800-2018-048671 OAH No. 2019090150 **STIPULATED SURRENDER OF LICENSE AND ORDER**

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

PARTIES

1. Christine J. Lally (Complainant) is the Executive Director of the Medical Board of California (Board). She brought this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Brian Roberts, Deputy Attorney General.

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2. DUK HWAN KIM, M.D. (Respondent) is represented in this proceeding by attorney Fredrick M. Ray, Esq., whose address is: 5000 Birch Street, Suite 7000, Newport Beach, CA 92660-2127.

3. On or about April 5, 2002, the Board issued Physician's and Surgeon's Certificate No. A 78546 to DUK HWAN KIM, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2018-048671 and will expire on April 30, 2020, unless renewed.

JURISDICTION

4. Accusation No. 800-2018-048671 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 13, 2019. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2018-048671 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2018-048671. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his 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.

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

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CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 800-2018-048671, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a prima facie case for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

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

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

12. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

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13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 78546, issued to Respondent DUK HWAN KIM, M.D., is surrendered and accepted by the Board.

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

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

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

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2018-048671 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2018-048671 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Fredrick M. Ray, Esq. 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: 2/28/20

DUK HWAN KIM, M.D.
Respondent

I have read and fully discussed with Respondent DUK HWAN KIM, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 2/28/2020

FREDRICK M. RAY, ESQ.
Attorney for 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: 2.28.20

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General

BRIAN ROBERTS
Deputy Attorney General
Attorneys for Complainant

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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO August 13, 2019
BY: ANALYST

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

In the Matter of the Accusation Against: **Duk Hwan Kim, M.D.** **800 Leonard Street** **Montebello, CA 90640** **Physician's and Surgeon's Certificate** **No. A 78546,** Respondent.	Case No. 800-2018-048671 **A C C U S A T I O N**

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On or about April 5, 2002, the Board issued Physician's and Surgeon's Certificate Number A78546 to Duk Hwan Kim, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2020, 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 2001.1 of the Code states:

"Protection of the public shall be the highest priority for the Medical Board of California in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount."

5. 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."

6. Section 2234 of the Code states:

"The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

". . ."

7. Section 2236 of the Code states:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"(b) The district attorney, city attorney, or other prosecuting agency shall notify the Division of Medical Quality[1] of the pendency of an action against a licensee charging a felony or misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall also notify the clerk of the court in which the action is pending that the defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds a license as a physician and surgeon.

"(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours after the conviction, transmit a certified copy of the record of conviction to the board. The division may inquire into the circumstances surrounding the commission of a crime in order to fix

[1] California Business and Professions Code Section 2002, as amended and effective January 1, 2008, provides that, unless otherwise expressly provided, the term "board" as used in the State Medical Practice Act (Cal. Bus. & Prof. Code §§§§ 2000, et seq.) means the "Medical Board of California" and references to the "Division of Medical Quality" and "Division of Licensing" in the Act or any other provision of law shall be deemed to refer to the Board.

the degree of discipline or to determine if the conviction is of an offense substantially related to the qualifications, functions, or duties of a physician and surgeon.

"(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred."

8. Section 2239 of the Code states:

"(a) The use or prescribing for or administering to himself or herself, of any controlled substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to any other person or to the public, or to the extent that such use impairs the ability of the licensee to practice medicine safely or more than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section, or any combination thereof, constitutes unprofessional conduct. The record of the conviction is conclusive evidence of such unprofessional conduct.

"(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The Medical Board may order discipline of the licensee in accordance with Section 2227 or the Medical Board may order the denial of the license when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment."[2]

9. Section 490 of the Code states:

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[2] There is a nexus between a physician's use of alcoholic beverages and his or her fitness to practice medicine, established by the Legislature in Section 2239, in "all cases where a licensed physician used alcoholic beverages to the extent or in such a manner as to pose a danger to himself or others." (*Watson v. Superior Court* (*Medical Board*) (2009) 176 Cal.App.4th 1407, 1411.)

"(a) In addition to any other action that a board is permitted to take against a licensee, a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

"(b) Notwithstanding any other provision of law, a board may exercise any authority to discipline a licensee for conviction of a crime that is independent of the authority granted under subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the licensee's license was issued.

"(c) A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

"(d) The Legislature hereby finds and declares that the application of this section has been made unclear by the holding in *Petropoulos* v. *Department of Real Estate* (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant number of statutes and regulations in question, resulting in potential harm to the consumers of California from licensees who have been convicted of crimes. Therefore, the Legislature finds and declares that this section establishes an independent basis for a board to impose discipline upon a licensee, and that the amendments to this section made by Chapter 33 of the Statutes of 2008 do not constitute a change to, but rather are declaratory of, existing law."

10. Section 493 of the Code states:

"Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the

crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question.

"..."

11. California Code of Regulations, title 16, Section 1360 states:

"For the purposes of denial, suspension or revocation of a license, certificate or permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license, certificate or permit under the Medical Practice Act if to a substantial degree it evidences present or potential unfitness of a person holding a license, certificate or permit to perform the functions authorized by the license, certificate or permit in a manner consistent with the public health, safety or welfare. Such crimes or acts shall include but not be limited to the following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of the Medical Practice Act."

FACTUAL SUMMARY

12. On April 11, 2019, in the case entitled the *People of the State of California v. Duk Hwan Kim*, case number 18CM10820, in the Superior Court of California, County of Orange, Respondent, upon his plea of guilty, was convicted of driving a vehicle while under the influence of alcohol, in violation of Vehicle Code Section 23152, subdivision (a), a misdemeanor,[3] and having a blood alcohol content of .08 percent or more, in violation of Vehicle Code Section 23152, subdivision (b), also a misdemeanor.[4] The remaining criminal charge was dismissed as part of Respondent's plea agreement with the Orange County District Attorney's Office. Respondent was placed on three years of informal probation with the following terms and conditions:

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[3] Vehicle Code Section 23152, subdivision (a) provides: "It is unlawful for a person who is under the influence of any alcoholic beverage to drive a vehicle."

[4] Vehicle Code Section 23152, subdivision (b) provides: "It is unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle."

A. Complete a three-month alcohol and drug program;

B. Attend Victim Impact Counseling;

C. Not drive a vehicle with any measurable amount of alcohol in his blood;

D. Not drive a vehicle unless licensed and insured;

E. Submit to chemical testing on demand of any peace or probation officer;

F. Pay fines and fees;

G. Obey all laws;

H. Pay restitution as determined through the Victim Witness Program; and

I. Make a donation of $500.00 to the Victim's Emergency Fund.

13. The circumstances leading to Respondent's April 2019 conviction are as follows:

A. At approximately 10:46 p.m. on September 26, 2018, law enforcement officers from the Orange Police Department DUI Enforcement Unit were dispatched to the area of Villa Park Rd. and Center St.

B. An individual had dialed "911" and stated she was following a blue Honda SUV, which had struck something on Jamboree Rd., had two flat tires, and was still driving.

C. Law enforcement officers located the vehicle and performed a traffic stop.

D. Respondent opened the driver's door and exited the vehicle without being asked. An officer grabbed his arm and walked him over to the sidewalk.

E. The officers observed that the vehicle's front right tire was completely sheered and he had been driving on the rims of the wheel. The vehicle also had moderate crush damage to the front bumper and hood.

F. The officer asked Respondent if he was aware that his tire was flat and he responded that he just realized it. The officer asked Respondent what happened and the Respondent stated that he did not know.

G. Respondent displayed symptoms of intoxication including: an odor of alcohol; bloodshot, watery eyes; slurred speech; and poor balance. Respondent also displayed maximum deviation in both eyes during a preliminary Horizontal Gaze Nystagmus test.

H. The calling party had parked 200 feet east of the traffic stop. She had

witnessed Respondent's vehicle weaving between lanes for some period of time. The vehicle then struck something on Jamboree Rd. and continued driving. She also noticed that the vehicle had two flat tires. Based on her observations, she called the police and continued to follow the vehicle until law enforcement arrived to pull over the vehicle.

I. The officer asked Respondent whether he had been in a traffic collision and Respondent stated that he did not recall hitting anything. Respondent was unaware his tire was flat until the officer showed him. Respondent stated he had not consumed any alcohol or used any drugs/medication prior to driving.

J. Meanwhile, other law enforcement officers were dispatched to locate the traffic collision scene where a vehicle had collided with the curb and a wooden fence, causing damage. A plastic fender flare was located at the scene and collected as evidence. The officer confirmed the plastic fender flare matched the one that was missing on the Respondent's vehicle.

K. Standardized Field Sobriety Tests (SFSTs) were conducted and Respondent displayed symptoms of impairment including an unsteady gait, sustained and distinct Horizontal Gaze Nystagmus at maximum deviation, and poor performance on the other tests performed. Respondent was offered but refused the Preliminary Alcohol Screening (PAS) test.

L. Based on the Respondent's driving, the officer's observations, the damage to the vehicle, the traffic collision, and the Respondent's objective symptoms of intoxication and poor performance on the SFSTs, the Respondent was placed under arrest for a violation of Vehicle Code section 23152, subdivision (a). Respondent was transported to the Orange Police Department for chemical testing and booking.

M. Respondent refused to voluntarily submit to a chemical test, and law enforcement obtained a search warrant to obtain a blood sample. On September 27, 2018, at approximately 0040 hours, the warrant was signed. Respondent was given a copy of the signed warrant and a blood sample was collected and placed into evidence around 1:09 a.m. The blood sample revealed that Respondent's blood alcohol level was approximately 0.161 percent. Respondent was booked at the Orange County Jail.

14. On November 21, 2018, Respondent was charged with a violation of Count 1: Vehicle

Code section 23152, subdivision (a), Driving Under the Influence of Alcohol, a misdemeanor, Count 2: Vehicle Code section 23152, subdivision (b), Driving with a Blood Alcohol Concentration .08% or more, a misdemeanor, and Count 3: Vehicle Code section 20002, subdivision (a), Hit and Run with Property Damage, a misdemeanor. As to Counts 1 and 2, it was further alleged pursuant to Vehicle Code section 23578 that Respondent had a blood alcohol level of .15% and more, and that Respondent violated Vehicle Code section 23612 by willfully and unlawfully refusing a peace officer's request to submit to a chemical test.

15. On April 11, 2019, Respondent pled guilty to Counts 1 and 2, and the remaining count and allegations were dismissed with a Harvey Waiver.[5]

16. On May 2, 2019, Respondent voluntarily participated in an interview conducted by an investigator with the Medical Board of California's Complaint Investigation Office in Glendale, CA. During the interview, Respondent stated that he had used bad judgment by drinking more alcohol than he could handle at a relative's house and attempting to drive back home.

FIRST CAUSE FOR DISCIPLINE

(Conviction of a Substantially Related Crime)

17. By reason of the facts set forth in paragraphs 12 through 15 above, Respondent is subject to disciplinary action under Section 2236, subdivision (a), and Section 490 of the Code, as well as California Code of Regulations, title 16, Section 1360, in that Respondent has been convicted of a crime substantially related to the qualifications, function or duties of a physician and surgeon.

18. Respondent's acts and/or omissions as set forth in paragraphs 12 through 15 above, whether proven individually, jointly, or in any combination thereof, constitutes the conviction of a crime substantially related to the qualifications, function or duties of a physician and surgeon, pursuant to Section 2236, subdivision (a), and Section 490 of the Code, as well as California Code of Regulations, title 16, Section 1360.

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[5] Restitution may be imposed on dismissed counts if the plea is freely made, the court approves all conditions, and the offender files a Harvey Waiver. (People v. Beck (1993) 17 Cal.App.4th 209, 215.) Under a Harvey Waiver, the offender is required to pay restitution on all counts connected with the plea.

SECOND CAUSE FOR DISCIPLINE

(Use of Alcoholic Beverages in a Dangerous Manner)

19. By reason of the facts set forth in paragraphs 12 through 16 above, Respondent is subject to disciplinary action under Section 2239 of the Code in that Respondent used alcoholic beverages to the extent, or in such a manner, as to be dangerous and injurious to himself or to any other person or to the public.

20. Respondent's acts and/or omissions as set forth in paragraphs 12 through 16 above, whether proven individually, jointly, or in any combination thereof, constitutes the use of alcoholic beverages to the extent, or in such a manner, as to be dangerous and injurious to himself, or to any other person or to the public, pursuant to Section 2239 of the Code.

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

21. By reason of the facts set forth in paragraph 12 through 16 above, Respondent is subject to disciplinary action under Section 2234, subdivision (a) of the Code in that Respondent has been convicted of a crime substantially related to the qualifications, functions, or duties of a physician and surgeon, and Respondent has used alcoholic beverages to the extent, or in such a manner, as to be dangerous and injurious to himself, or to any other person or to the public.

22. Respondent's acts and/or omissions as set forth in paragraphs 12 through 16 above, whether proven individually, jointly, or in any combination thereof, constitutes the conviction of a crime substantially related to the qualifications, functions, or duties of a physician and surgeon, and the use of alcoholic beverages to the extent, or in such a manner, as to be dangerous and injurious to himself, or to any other person or to the public, pursuant to Section 2234, subdivision (a) of the Code.

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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 Number A 78546, issued to Duk Hwan Kim, M.D.;

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

3. Ordering Duk Hwan Kim, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

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

DATED: August 13, 2019

KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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