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

In the Matter of the Case Against: **Kyuhyun Wang, M.D.** **420 Delaware St., SE, MMC 508** **Minneapolis, MN 55455** **Physician's and Surgeon's Certificate No. A 50779** **Respondent.**	**Case No. 800-2022-084721** **STIPULATION FOR SURRENDER OF LICENSE**

TO ALL PARTIES:

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

1. Complainant, William Prasifka, is the Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board").

2. Kyuhyun Wang, M.D. ("Respondent") has carefully read and fully understands the effect of this Stipulation.

3. Respondent agrees that based on the action taken by the Minnesota, (Exhibit A) cause exists to discipline his California Physician's and Surgeon's certificate pursuant to Business and Professions Code sections 141(a) and 2305.

4. Respondent understands that, if proven at hearing, the charges and allegations under investigation would constitute cause for imposing discipline upon Respondent's license issued by the Board.

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5. Respondent is aware of each of his rights, including the right to a hearing, the right to confront and cross-examine witnesses who would testify against Respondent, the right to testify and present evidence on his own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, the right to contest any charges and allegations, and other rights which are accorded Respondent pursuant to the California Administrative Procedure Act (Gov. Code, §11500 et seq.) and other applicable laws, including the right to seek reconsideration, review by the superior court, and appellate review.

6. In order to avoid the expense and uncertainty of a hearing, Respondent freely and voluntarily waives each and every one of these rights set forth above. Respondent hereby agrees to surrender Physician's and Surgeon's Certificate No. A 50779.

7. Respondent understands that by signing this Stipulation he is enabling the Board to accept the surrender of his license without further process, as provided by section 11415.60(b) of the Government Code.

8. Upon acceptance of the Stipulation by the Board, Respondent understands that he will no longer be permitted to practice as a Physician and Surgeon in California, and also agrees to surrender and cause to be delivered to the Board both his license and wallet certificate before the effective date of the Decision.

9. Respondent hereby represents that he does not intend to seek relicensure or reinstatement as a Physician and Surgeon. Respondent fully understands and agrees, however, that if Respondent ever files an application for relicensure or reinstatement in the State of California, the Board shall treat it as a Petition for Reinstatement, and the Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the Petition is filed. Case Report No. 800-2022-084721, including all referenced attachments and other exhibits, and any additional attachments, and other exhibits, that may be

generated subsequent to the filing of the surrender of license, shall be admissible as direct evidence, and any time based defenses, such as laches or any applicable statute of limitations, shall be waived when the Board determines whether to grant or deny the Petition.

10. Respondent understands that this document may be disclosed to the public, and/or the National Practitioner Data Bank and/or the Federation of State Medical Boards.

ACCEPTANCE

I, Kyuhyun Wang, M.D., have carefully read the above Stipulation and enter into it freely and voluntarily, with the full knowledge of its force and effect, do hereby surrender Physician's and Surgeon's Certificate No. A 50779, to the Medical Board of California. By signing this Stipulation for Surrender of License, I recognize that upon its formal acceptance by the Board, I will lose all rights and privileges to practice as a Physician and Surgeon in the State of California, and I also will cause to be delivered to the Board both my license and wallet certificate before the effective date of the Decision.

Kyuhyun Wang, M.D. Respondent	4/8/22 Date
Archana Ferrale Attorney or Witness	04/08/2022 Date
William Prasifka Executive Director	JUN 22 2022 Date

EXHIBIT A

Minnesota Board of Medical Practice Stipulation and Order for Voluntary Surrender

TRUE AND EXACT
COPY OF ORIGINAL

BEFORE THE MINNESOTA

BOARD OF MEDICAL PRACTICE

In the Matter of
the Medical License of
Kyuhyun Wang, M.D.
Year of Birth:
License Number: 19920

STIPULATION AND ORDER
FOR VOLUNTARY SURRENDER

IT IS HEREBY STIPULATED AND AGREED, by and between Kyuhyun Wang, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board"), as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived the right to be represented by counsel. The Committee was represented by Daniel S. Schueppert, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 728-7238.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on August 7, 1971. Respondent is board certified in internal medicine.

b. In September 2020, the Board received a report stating that Respondent's employment was terminated following an internal investigation by his employer. The report stated

that Respondent was terminated based on a reasonable belief of Respondent violating the Minnesota Medical Practice Act.

c. Based on the report, the Board initiated an investigation into Respondent's conduct. During the investigation, Respondent stated that his termination was related to prescribing sleeping pills to a family member, who was not his patient at the time. Respondent's Minnesota Prescription Monitoring Program profile revealed that Respondent had prescribed Zolpidem to himself and a family member on several occasions in 2020. Respondent stated that he is currently retired from the practice of medicine.

d. On July 30, 2021, the Committee discussed the matter and decided to offer Respondent this Stipulation and Order.

STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minnesota Statute section 147.091, subdivision 1 (g) (engaged in unethical or improper conduct) and (s) (engaged in inappropriate prescribing) (2020). Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that the Board may make and enter an order disciplining Respondent's license as follows:

a. Respondent shall **VOLUNTARILY SURRENDER** his license to practice medicine and surgery in the State of Minnesota.

b. Upon Respondent's surrender of his license to practice medicine and

surgery in Minnesota, the Board agrees to close its files in this matter.

c. Should Respondent seek re-licensure in Minnesota, the Board may reopen its investigation.

6. Respondent is aware that this Stipulation and Order is public data and will be disseminated. The Board may share its investigative data with other states pursuant to a statutory process.

7. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

8. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the order to be entered pursuant to the Stipulation shall be the final order herein.

9. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 9/20/21

KYUHYUN WANG, M.D.
Respondent

Dated: 11/10/21

FOR THE COMMITTEE

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board this 13th day of November, 2021.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: _____