



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novello, M.D., M.P.H., Dr. P.H.
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NYS Department of Health*

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*Executive Deputy Commissioner
NYS Department of Health*

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Office of Professional Medical Conduct

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Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

October 23, 2002

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

James Tae-Suk Rhyee, M.D.
6564 Park Valley Drive
Clarkston, MI 48348

RE: License No. 125251

Dear Dr. Rhyee:

Enclosed please find Order #BPMC 02-329 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect October 23, 2002.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Robert S. Iwrey, Esq.
Wachler and Associates
210 East Third Street Suite 204
Royal Oak, MI 48067

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

OF

**JAMES TAE-SUK RHYEE, M.D.
CO-02-07-3553-A**

SURRENDER

ORDER

BPMC No. 02-329

JAMES TAE-SUK RHYEE, M.D., says:

On or about September 15, 1975, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 125251 by the New York State Education Department. I currently reside at 6564 Park Valley Drive, Clarkston, MI 48348.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with two (2) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A." These Charges arise solely out of the conduct that occurred in the State of Michigan in 1998, which subsequently led to my being placed on probation and fined by the State of Michigan by an April 24, 2002, Consent Order.

I have never practiced medicine in the State of New York and I do not intend to come to the State of New York to practice medicine. I, therefore, am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

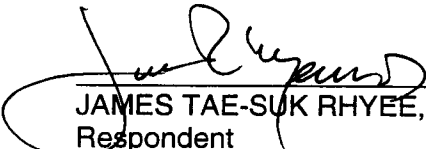
I, hereby, agree not to contest Factual Allegations A and B(8) and the Second Specification set forth in the Statement of Charges (Exhibit A).

I understand that in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be used against me in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above or to my attorney or upon transmission via facsimile to me or my attorney, whichever is first.

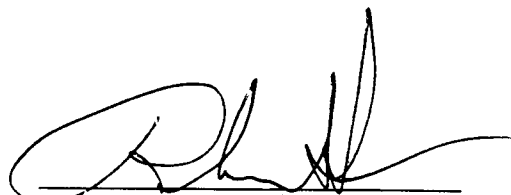
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.

Date: Oct. 07, 2002


JAMES TAE-SUK RHYEE, M.D.
Respondent

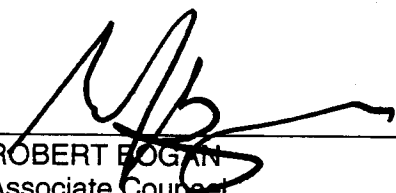
AGREED TO:

Date: OCT. 9, 2002



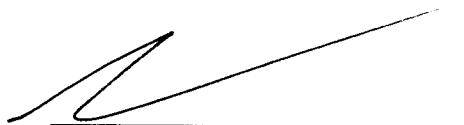
ROBERT IWREY
Attorney for Respondent

Date: 10 October, 2002



ROBERT EOGAN
Associate Counsel
Bureau of Professional Medical Conduct

Date: 11 October, 2002



DENNIS J. GRAZIANO
Director, Office of Professional
Medical Conduct

STATE OF NEW YORK DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER	STATEMENT
OF	OF
JAMES TAE-SUK RHYEE, M.D.	CHARGES
CO-02-07-3553-A	

JAMES TAE-SUK RHYEE, M.D., the Respondent, was authorized to practice medicine in New York state on September 15, 1975, by the issuance of license number 125251 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 24, 2002, the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine, Disciplinary Subcommittee (hereinafter "Michigan Board"), by a Consent Order (hereinafter "Michigan Order"), placed Respondent on one (1) year PROBATION and imposed \$5,000.00 fine, based on authorizing a patient sick leave when there was no reason, providing the patient with samples of Wellbutrin when not warranted by the patient's condition, to support the sick leave, thereafter providing the patient with a prescription for Wellbutrin, when not warranted by the patient's condition, and a return to work excuse, and placing false information in the patient's records.

B. The conduct resulting in the Michigan Board disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state Law:

1. New York Education Law §6530(2) (practicing the profession fraudulently);
2. New York Education Law §6530(3) (negligence on more than one occasion);
3. New York Education Law §6530(4) (gross negligence);
4. New York Education Law §6530(5) (incompetence on more than one occasion);
5. New York Education Law §6530(6) (gross incompetence);
7. New York Education Law §6530(20) (moral unfitness); and/or

8. New York Education Law §6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) 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 finding was based, would if committed in New York state, would constitute professional misconduct under the laws of New York State, in that Petitioner charges:


1. The facts in Paragraphs A and/or B.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having had disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws New York state, in that Petitioner charges:

2. The facts in Paragraphs A and/or B.

DATED: *Sept. 5*, 2002
Albany, New York


PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional Medical Conduct

ORDER

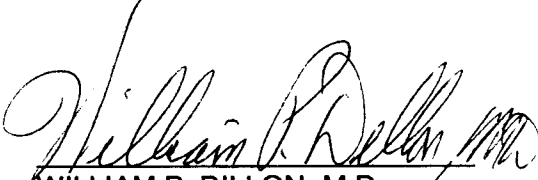
Upon the proposed agreement of **JAMES TAE-SUK RHYEE, M.D.**, to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is **AGREED TO** and

ORDERED, that the proposed agreement and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of the Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement or to Respondent's attorney or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 10/24, 2002


WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct