



New York State Board for Professional Medical Conduct

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

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

Public

February 28, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Myoung Sup Kim, M.D.
212 Centerwood Circle
Uniontown, PA 15401

Re: License No. 128619

Dear Dr. Kim:

Enclosed is a copy of Order #BPMC 06-40 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect March 7, 2006.

If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order to the 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

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

IN THE MATTER
OF
MYOUNG SUP KIM, M.D.
CO-05-04-1963-A

SURRENDER
ORDER
BPMC No. #06-40

MYOUNG SUP KIM, M.D., says:

On or about September 24, 1976, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 128619 by the New York State Education Department. I currently reside at 212 Centerwood Circle, Uniontown, PA 15401.

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."

I 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 the two (2) specifications set forth in the Statement of Charges (Exhibit A).

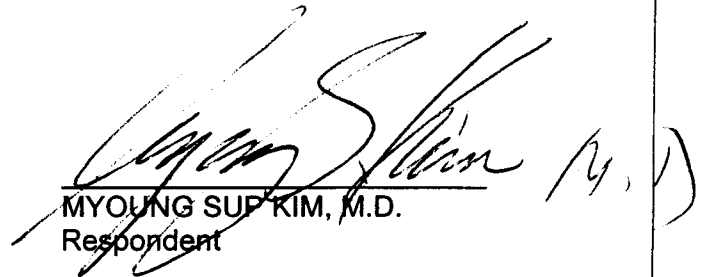
I understand that in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not be 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.

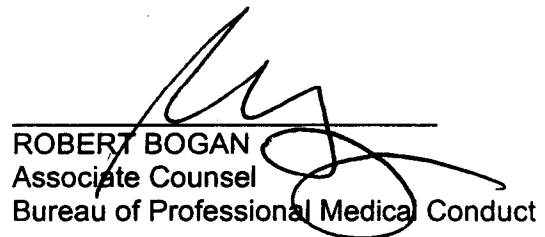
I am making this agreement of my own free will and accord and not under duress, compulsion or restraint of any kind of manner.

Date: 2-21-06, 2006

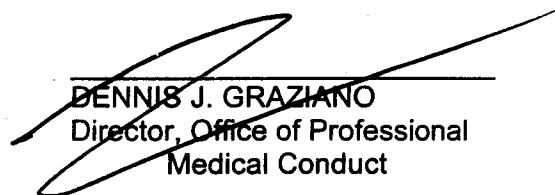

MYOUNG SUP KIM, M.D.
Respondent

AGREED TO:

Date: 22 February 2006


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical Conduct

Date: 23 February, 2006


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

OF

**MYOUNG SUP KIM, M.D.
CO-05-04-1963-A**

STATEMENT

OF

CHARGES

MYOUNG SUP KIM, M.D., Respondent, was authorized to practice medicine in New York state on September 24, 1976, by the issuance of license number 128619 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 22, 2005, the Commonwealth of Pennsylvania, Department of State, State Board of Medicine, (hereinafter "Pennsylvania Board"), by a Consent Agreement and Order (hereinafter "Pennsylvania Order"), PUBLICLY REPRIMANDED Respondent, placed his license to practice medicine on one (1) year probation with terms and conditions, imposed a \$2,500.00 civil penalty, required him to complete twenty (20) hours of CME, and required him to pay all costs, based on engaging in unprofessional conduct by departing from or failing to conform to the acceptable standards of medical care.

B. The conduct resulting in the Pennsylvania 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(3)(negligence on more than one occasion);
 2. New York Education Law §6530(5)(incompetence on more than one occasion);
- and/or
3. New York Education Law §6530(32)(failure 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)(b) by 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, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

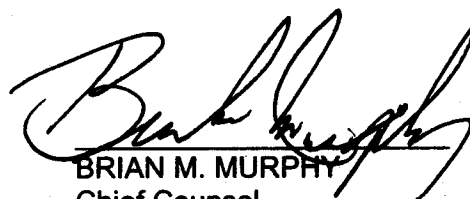
1. The facts in Paragraphs A and/or B.

SECOND SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having 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: *February 16*, 2006
Albany, New York



BRIAN M. MURPHY
Chief Counsel
Bureau of Professional Medical Conduct

ORDER


Upon the proposed agreement of **MYOUNG SUP KIM, 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: 2-28, 2006


KENDRICK A. SEARS, M.D.
Chair
State Board for Professional
Medical Conduct