

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
JONG W. KIM, M.D., :  
RESPONDENT. : **0002536**

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Division of Legal Services and Compliance Case No. 13 MED 131

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Jong W. Kim, M.D.  
8100 Twisted Hickory Road  
Bladenboro, NC 28320

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Jong W. Kim, M.D., (dob February 3, 1947), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 38521-20, first issued on February 7, 1997, with registration current through October 31, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8100 Twisted Hickory Road, Bladenboro, North Carolina 28320.

2. On March 13, 2013, the North Carolina Medical Board issued a Consent Order which reprimanded Respondent for having an inappropriate relationship with a patient. A true and correct copy of the North Carolina Board's Consent Order is attached to this document as Exhibit A. Exhibit A is incorporated into this document by reference.

3. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

### CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Jong W. Kim, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § Med 10.02(2)(q) by having adverse action taken by another jurisdiction against his license to practice medicine and surgery.

3. As a result of the above conduct, Jong W. Kim, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

### ORDER

1. The attached Stipulation is accepted.

2. Respondent Jong W. Kim, M.D., is REPRIMANDED.

3. The medicine and surgery license issued to Jong W. Kim, M.D., (license number 38521-20) is LIMITED as follows:

a. Respondent is to maintain full and complete compliance with all other terms, limitations, and conditions imposed against his medical license by the North Carolina Medical Board.

b. Respondent shall provide the State of Wisconsin Medical Examining Board with a copy of any document issued by the North Carolina Medical Board which alters the conditions of Respondent's continued practice of medicine in the State of North Carolina, including any document advising reinstatement of full licensure.

c. In the event Respondent plans to practice medicine and surgery in the State of Wisconsin, he shall notify the Board of his intentions and practice address at least ninety (90) days prior to his return.

d. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the March 13, 2013, Order of the North Carolina Medical Board, the Board or its designee shall issue an Order removing the limitation on Respondent's license.

4. Within 90 days from the date of this Order, Jong W. Kim, M.D., shall pay COSTS of this matter in the amount of \$100.00.

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

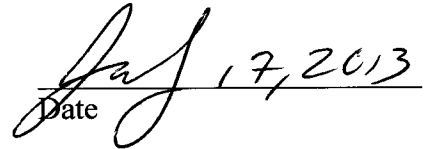
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered, Respondent's license (no. 38521-20) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

7. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

by:   
A Member of the Board

  
Date

BEFORE THE  
NORTH CAROLINA MEDICAL BOARD

In re: )  
 )  
Jong Whan Kim, M.D. ) CONSENT ORDER  
 )  
Respondent. )

This matter is before the North Carolina Medical Board ("Board") on information regarding Jong Whan Kim, M.D. ("Dr. Kim"). Dr. Kim admits and the Board finds and concludes that:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

On or about November 16, 2001, the Board issued Dr. Kim a license to practice medicine, license number 200101455.

During the relevant times herein, Dr. Kim practiced geriatric medicine in Elizabethtown, North Carolina.

On February 20, 2012, the Board received a complaint against Dr. Kim claiming that he had an inappropriate relationship with Patient A. At the time of the complaint, Dr. Kim had been treating Patient A for approximately four years for

EXHIBIT A

conditions that included pain, depression, insomnia and post-traumatic stress disorder. Dr. Kim denies having had an inappropriate relationship with Patient A or any other patient.

In February, 2012, Patient A contacted Dr. Kim on his cell phone and told him that she had a burn that she would like him to look at. Dr. Kim then met Patient A at a hotel in Wilmington, North Carolina, and treated her in her hotel room for the burn. Dr. Kim failed to make any record of this treatment.

#### CONCLUSIONS OF LAW

Dr. Kim's treatment of Patient A without making any record of this treatment constitutes unprofessional conduct within the of N.C. Gen. Stat. § 90-14(a)(6) and grounds exist under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition or limit Dr. Kim's license or to deny any application he might make in the future.

#### PROCEDURAL STIPULATIONS

Dr. Kim acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Kim knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Kim acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Kim would like to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

Now, therefore, with Dr. Kim's consent, it is ORDERED that:

1. Dr. Kim is hereby REPRIMANDED.
2. Within six (6) months of the date of this Consent Order, Dr. Kim shall attend the "Maintaining Proper Boundaries" course at Vanderbilt Medical Center's Center for Professional Health. Dr. Kim shall provide proof of satisfactory completion of the course to the Director of Investigations, North Carolina Medical Board, P.O. Box 20007, Raleigh, NC 27619-0007 within thirty (30) days of completing the course.
3. Dr. Kim shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.
4. Dr. Kim shall notify the Board in writing of any change in his residence and practice addresses within ten (10) days of the change.
5. Dr. Kim shall meet the Board or members of the Board for an investigative interview at such times as requested by the Board.

6. If Dr. Kim fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, revoke, condition or limit Dr. Kim's license to practice medicine and surgery or to deny any application he might make in the future or then have pending for a license.

7. This Consent Order shall take effect immediately upon its execution by both Dr. Kim and the Board and it shall continue in effect until specifically ordered otherwise by the Board.


8. Dr. Kim hereby waives any requirement under any law or rule that this Consent Order be served on him.

9. Upon execution by Dr. Kim and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies and clearinghouses as required and permitted by law including, but not limited to, the National Practitioners Data Bank and the Health Integrity and Protection Data Bank.



By Order of the North Carolina Medical Board this the 13<sup>th</sup>  
day of March, 2013.

NORTH CAROLINA MEDICAL BOARD

By:   
William A. Walker, M.D.  
President