

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR
LICENSURE TO PRACTICE MEDICINE AND
SURGERY OF

MY-MY HUYNH, MD
APPLICANT

:
:
:
:
:
:

ORDER GRANTING
LIMITED LICENSE

0004416

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

MY-MY HUYNH, MD
11050 BEGONIA AVENUE
FOUNTAIN VALLEY, CA 92708

WISCONSIN MEDICAL EXAMINING BOARD
1400 EAST WASHINGTON AVENUE
P.O. BOX 8935
MADISON, WI 53708-8935

FINDINGS OF FACT

1. MY-MY HUYNH, MD (Applicant) has filed an application (#519349) for a license to practice Medicine and Surgery in Wisconsin.
2. Information received in the application process reflects the following:
 - A. On or about May 1997, Applicant graduated from Bradley University with a Bachelor of Science Degree.
 - B. On or about December 2000, Applicant graduated from Southern California University of Health Science with a Doctor of Health Science Degree.
 - C. On or about September 9, 2002, Applicant began study for a degree as a Doctor of Medicine at Ross University (Roseau, Dominica).
 - i. During the period of January 13, 2003 through April 25, 2003 Applicant was put on academic probation for unsatisfactory performance in Medical Genetics. Applicant successfully remediated the course in the following semester.
 - D. On or about April 29, 2005, Applicant failed the USMLE Step 1 exam.
 - E. On or about September 12, 2005, Applicant passed the USMLE Step 1 exam.
 - F. On or about October 21, 2006, Applicant passed the USMLE Clinical Skills exam.
 - G. On or about March 26, 2007, Applicant failed the USMLE Step 2 exam.
 - H. On or about September 25, 2007, Applicant passed the USMLE Step 2 exam.
 - I. On or about November 30, 2007, Applicant was awarded the degree of Doctor of Medicine from Ross University.

- J. On or about July 1, 2008, Applicant began her internship training level 1-1 at Baton Rouge General Medical Center. This was an ACGME accredited program.
 - i. The Program Director explained that during Applicant's PGY-1 year, concerns about Applicant's medical knowledge and overall performance were reviewed with her. During her April review, the faculty felt Applicant was not demonstrating the ability to perform consistently at the level expected. Applicant took these concerns very seriously. Under more direct supervision, Applicant did an excellent job and demonstrated appropriate PGY-1 skills.
 - ii. Applicant successfully completed and received credit for 12 months of ACGME accredited postgraduate training.
- K. On or about April 3, 2009, Applicant failed the USMLE Step 3 exam.
- L. On or about July 1, 2009, Applicant was promoted to a PGY-2 level at Baton Rouge General Medical Center.
- M. On or about November 12, 2009, Applicant resigned from her internship at Baton Rouge General Medical Center. Applicant did not successfully complete her PGY-2 level postgraduate training.
- N. On or about February 10, 2010, Applicant passed the USMLE Step 3 exam.
- O. On or about July 10, 2010, Applicant began a Residency program, PGY-2 level, in Family Medicine at the Tacoma Family Medicine institution.
 - i. The Program Director explained that
 - i. Applicant failed her first obstetrics rotation, which she subsequently remediated.
 - ii. Applicant then failed a one month rigorous inpatient pediatric rotation and also failed an attempted remediation. She was then placed on intensive academic intervention (probation).
 - iii. Applicant participated for 6 days on an outpatient Family Medicine rotation, followed by a leave of absence.
- P. On or about October 21, 2011, Applicant resigned from the Residency program at the Tacoma Family Medicine institution. She did not successfully complete her PGY-2 level postgraduate training.
- Q. Applicant has not practiced medicine and surgery since 2011.
- R. On or about October 24, 2014, Applicant applied for a license to practice Medicine and Surgery in Wisconsin.
- S. Based on concerns regarding Applicant's prior adverse formal action during the course of her medical education, postgraduate training, hospital practice, or other medical employment, Applicant was informed the Board wished to interview her. The two member Board interview occurred on May 20, 2015.
- T. On July 17, 2015 Applicant appeared before the full Board for an interview to address concerns about the Applicant's education, training or performance in past practice.

3. The facts and circumstances outlined above have raised concerns with the Board that based on considerations of public health and safety, the Applicant has not demonstrated adequate education, training, or performance in past practice.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction over this matter pursuant to Wis. Stat. §§ 15.08(5)(c), 227.44(5), 448.02(1), 448.03(1), 448.05(1), and 448.05(2).
2. The Wisconsin Medical Examining Board has authority to issue this Order pursuant to Wis. Stat. § 448.06(1m).

ORDER

NOW, THEREFORE, IT IS ORDERED that MY-MY HUYNH, MD is GRANTED A LICENSE TO PRACTICE MEDICINE AND SURGERY subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Practice Limitations

1. Within thirty (30) days of the date of this Order, Applicant shall retain a professional mentor who shall be pre-approved by the Board or its designee. Approval shall be obtained through correspondence with the Department of Safety and Professional Services Monitor (Department Monitor). Applicant may not practice Medicine and Surgery until a professional mentor is retained.
2. The professional mentor shall have no relationship that could reasonably be expected to compromise the ability of the professional mentor to render fair and unbiased reports to the Department. For purposes of this Order, a professional mentor shall be a physician or other health care professional holding a valid Wisconsin credential in a relevant health care field, who shall have read this Order, and who shall agree to be Applicant's professional mentor.
3. Following the retention of a professional mentor, Applicant shall only practice Medicine and Surgery under the direct supervision of the professional mentor or supervisor. Direct supervision means on the premises and immediately available to coordinate, direct, and inspect Applicant's work. The professional mentor shall offer feedback and direction to Applicant for the purposes of assisting Applicant in continued compliance with the standards of the profession. Applicant shall follow the appropriate guidance of the mentor.
4. Commencing the first week of employment, Applicant and the professional mentor shall have weekly meetings to review patient health care records from among patients seen by Applicant. The mentor shall review the records with the Applicant to determine whether they are accurate and complete.
5. The scope of Applicant's practice is limited to Adult Primary Care, excluding Obstetrics and Surgery.
6. After six (6) months of practice under the supervision of the professional mentor, the professional mentor shall identify and recommend to the Board or its designee, courses of continuing education that would benefit Applicant's practice.

7. After receipt of the identified courses of continuing education, Applicant shall successfully complete a minimum of thirty (30) hours of continuing education within the subsequent twelve (12) month period. Courses shall be preapproved by the Board or its designee. Courses not preapproved shall NOT be accepted to fulfill this requirement. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board.

Reporting Requirements

8. Applicant shall arrange for the professional mentor to submit formal written reports to the Department Monitor at the address below, on a monthly basis for one (1) year, then at a frequency to be determined by the Board or its designee, or as otherwise directed by the Department Monitor.
 - a. Formal written reports from the professional mentor shall assess Applicant's work performance and describe the circumstances of her employment, including the nature and extent of the Applicant's activities and whether she has practiced in compliance with all laws and rules governing the practice of Medicine and Surgery.
9. Applicant's professional mentor shall immediately report to the Department Monitor any action or inaction by the Applicant which may constitute unprofessional conduct, including any deficiency in prescribing or medical record keeping, any violation of this Order, or any other danger to the public or patient.
10. Applicant shall file with the Board quarterly reports commencing ninety (90) days after Applicant commences employment. Each report shall include the following:
 - a. The name, address and telephone number of the Applicant, and name, address and telephone number of her employer;
 - b. Applicant shall report to the Department Monitor any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
 - c. A statement attesting whether the Applicant has been in compliance with the terms of the Order.
11. Applicant shall arrange for written reports from her supervisor(s) to be provided to Department Monitor on a quarterly basis, commencing ninety (90) days after Applicant commences employment. These reports shall assess Applicant's work performance and describe the circumstances of her employment, including the nature and extent of the Applicant's activities and whether she has practiced in compliance with all laws governing the practice of Medicine and Surgery.
12. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order.
13. The Department Monitor is the individual designated by the department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports or other information required by this Order shall be mailed, faxed or delivered to:

DEPARTMENT MONITOR
Department of Safety and Professional Services
Division of Legal Services & Compliance
1400 East Washington Ave., P.O. Box 7190
Madison, WI 53707-7190
Fax: (608) 266-2264
Telephone: (608) 267-3817
dpsmonitoring@wi.gov

Petitions for Modification

14. After four (4) months, the Applicant may petition for a reduction in the frequency of meetings to review patient health care records with the professional mentor. Any petition for modification must include a written recommendation in support of the modification from the professional mentor.
15. Applicant may petition for modification of the limitation on the scope of practice after completion of one (1) year of successful practice in compliance with all terms and conditions of this Order. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board. Any petition for modification must include a written recommendation in support of the modification from the professional mentor.
16. Applicant may petition the Department Monitor for modification of the level of supervision required by the professional mentor after completion of one (1) year of successful practice in compliance with all terms and conditions of this Order. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board. Any petition for modification must include a written recommendation in support of the modification from the professional mentor.
17. Applicant may petition the Board for full, unrestricted licensure upon demonstration of continuous, successful compliance with the terms of the Order for at least two (2) years, including at least 600 hours of active medical practice each year. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board. Applicant's petition must include her history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling two years of practice. Any such petition shall be accompanied by a written recommendation from Applicant's professional mentor and current employer that includes, among other things, the dates of employment and scope of responsibility during such employment. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stat. §§ 227.01(3), or 227.42, or Wis. Admin. Code ch. SPS 1, and shall not be subject to any right to further hearing or appeal.
18. The Board may, on its own motion or at the request of the Department Monitor, grant full Wisconsin licensure at any time.

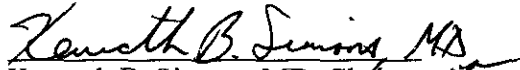
Costs

19. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Summary Suspension/Additional Discipline

20. In the event that Applicant violates any term of this Order, Applicant's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

Dated at Madison, Wisconsin this 4th day of December, 2015



Kenneth B. Simons, MD, Chairperson
Medical Examining Board

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR :
LICENSURE TO PRACTICE MEDICINE AND :
SURGERY OF :

MY-MY HUYNH, MD :
APPLICANT :

STIPULATION

0004416

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Medical Examining Board as follows:

The Applicant has filed an application for a license to practice Medicine and Surgery. Information received by the Board has raised concerns that Applicant has not demonstrated adequate education, training or performance in past practice. Based upon the information of record, and based upon considerations of public health and safety, the Board agrees to issue and the Applicant agrees to accept a non-disciplinary Limited License to practice Medicine and Surgery subject to the terms and conditions set forth in the attached Order.


Dated this 30th day of November, 2015



My-My Huynh, MD, Applicant

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

Dated this 4th day of December, 2015

By: 
Kenneth B. Simons, MD, Chairperson
Medical Examining Board