

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

YOUNG H. KIM, M.D.  
License No. 43-01-040478,  
Respondent.

File No. 43-22-002452

CONSENT ORDER

On September 12, 2022, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 et seq.

Respondent has admitted that the facts alleged in the Complaint are true and constitute violation(s) of the Public Health Code. The Michigan Board of Medicine's Disciplinary Subcommittee (DSC) has reviewed this Consent Order and Stipulation and agrees that the public interest is best served by resolution of the outstanding Complaint.

Therefore, IT IS FOUND that the facts alleged in the Complaint are true and constitute violation(s) of MCL 333.16221(a) and (b)(i).

Accordingly, IT IS ORDERED that for the cited violation(s) of the Public Health Code:

Respondent is placed on PROBATION for a minimum of one (1) day and not to exceed 60 days, commencing on the effective date of this Order. The terms of probation shall be as follows:

1. CONTINUING MEDICAL EDUCATION: Respondent shall successfully complete and submit satisfactory evidence of completing a minimum of four (4) hours of continuing medical education (CME) acceptable to the Board in the area of Psychiatric Pharmacology.

This continuing education **shall not** apply in computing Respondent's current continuing education requirements for license renewal.

Respondent shall send requests for pre-approval and proof of the successful completion of the CE to the Department at the email address set forth below.

2. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated under the Public Health Code.

Respondent shall be automatically discharged from probation upon receipt by the Department of satisfactory evidence of the successful completion of the probationary terms as set forth above, PROVIDED compliance occurs within the maximum 60-day period, Respondent has paid the fine set forth below, has complied with the terms of this Order and has not violated the Public Health Code.

Respondent is FINED \$1,500.00 to be paid to the State of Michigan within 60 days of the effective date of this Order. Respondent shall **direct payment** to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by

check or money order, made payable to the State of Michigan, and shall clearly display **File Number 43-22-002452.**

Respondent shall direct all communications, except fines, required by the terms of this order to: [BPL-Monitoring@michigan.gov](mailto:BPL-Monitoring@michigan.gov).

Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

If Respondent fails to comply with the terms and conditions of this Order, Respondent's license shall be automatically suspended for a minimum of one (1) day. If, within six (6) months of the suspension of the license, Respondent complies with the terms of this Order, the license shall be automatically reinstated.

If Respondent's license remains suspended for more than six (6) months, reinstatement is not automatic. If Respondent applies for reinstatement of the license, application for reinstatement shall be in accordance with sections MCL 333.16245 and 333.16247.

In the event Respondent's license is suspended, pursuant to MCL 333.7311(6), Respondent's controlled substance license is automatically void, commencing on the effective date that Respondent's license to practice medicine in the state of Michigan is suspended.

If Respondent violates any provision of this Order, or fails to complete any terms of the Order, the DSC may take disciplinary action pursuant to Mich. Admin. Code, R.338.1632 and MCL 333.16221(h).

This Order shall be effective 30 days from the date signed by the DSC, as set forth below.

**MICHIGAN BOARD OF MEDICINE**

By: Lauren Brown for \_\_\_\_\_  
Chairperson, Disciplinary Subcommittee

Dated: July 19, 2023

**STIPULATION**

1. The facts alleged in the Complaint are true and constitute violation(s) of MCL 333.16221(a) and (b)(i).

2. Respondent understands and intends that, by signing this Stipulation, Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 *et seq.*, to require the Department to prove a violation of the Public Health Code by presentation of evidence and legal authority, and Respondent is waiving the right to appear with an

attorney and such witnesses as Respondent may desire to present a defense to the charges.

3. This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

4. Factors considered in the formulation of this Order are as follows:

- a. During a compliance conference, Respondent stated that he did not prescribe the lithium to treat the patient's depression, but rather to treat bipolar disorder which was documented as a working diagnosis. Respondent also stated that a previous provider prescribed the patient a short-acting benzodiazepine and Respondent replaced the short-acting benzodiazepine with a long-acting one with the intent of weaning the patient from the medication. The patient had allergies to certain medications which limited medication options for treating her mood disorder.
- b. Dr. Don Tynes, M.D., reviewed this matter and had no issues reading Respondent's handwriting.

5. Dr. Don Tynes, M.D., a member of the Michigan Board of Medicine who supports this proposal, and the Department's representative are both free to discuss this matter with the DSC and recommend acceptance of the resolution set forth in this Order.

6. This Order is approved as to form and substance by Respondent and the Department and may be entered as the final order of the DSC in this matter.

7. This proposal is conditioned upon acceptance by the DSC. Respondent and the Department expressly reserve the right to further proceedings without prejudice should this Order be rejected.

AGREED TO BY:



Forrest Pasanski, Director  
Enforcement Division  
Bureau of Professional Licensing

Dated: 3-27-2023

AGREED TO BY:



Young H. Kim, M.D.  
Respondent

Dated: 2/13/2023

sgc

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF PROFESSIONAL LICENSING  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

YOUNG H. KIM, M.D.  
License No. 43-01-040478,  
Respondent.

File No. 43-22-002452

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Forrest Pasanski, Enforcement Division Director, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline persons for violations of the Public Health Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and holds a controlled substance license.

3. At all relevant times, Respondent was engaged in private practice in Auburn Hills, Michigan.

4. On January 13, 2020, patient S.A.<sup>1</sup> presented to Respondent with onset depression and anxiety. Respondent performed a psychiatric evaluation and diagnosed patient S.A. with major depression, recurrent, moderate; alcohol dependence; and generalized anxiety disorder. Respondent prescribed clonazepam<sup>2</sup> and 300 mg per day of lithium<sup>3</sup>.

5. Respondent increased patient S.A.'s prescription for lithium to 600 mg per day on January 23, 2020, and to 900 mg per day on February 5, 2020. Following Patient S.A.'s complaints of leg weakness on April 21, 2020, Respondent lowered patient S.A.'s prescription for lithium back to 600 mg per day.

6. From January 2020 through about May of 2020 when patient S.A. ceased taking the lithium, Respondent directed patient S.A. to submit to a blood test only once on February 4, 2020, to check her blood-lithium level, which at that time was within low therapeutic range.

7. From June 19, 2020, to June 23, 2020, patient S.A. was admitted to a hospital for symptoms related to her not-yet-diagnosed idiopathic peripheral neuropathy. While at the hospital, health professionals noted patient S.A.'s medical records documented a history of benzodiazepine abuse/sedative, hypnotic, or anxiolytic use disorder, severe, dependence.

---

<sup>1</sup> Initials are used to protect the patient's identity.

<sup>2</sup> Clonazepam is a benzodiazepine sedative and a schedule 4 controlled substance used to treat seizures, panic disorders, and anxiety.

<sup>3</sup> Lithium is a mood stabilizer used to treat mood disorders.



8. As a part of the Department's investigation into Respondent's care of patient S.A., an expert was retained to review the matter and found that Respondent failed to exercise due care and failed to conform to minimal standards of acceptable care.

The expert opined the following:

- a. Major depression is not a common diagnosis for which lithium is prescribed, and lithium levels should be checked at least once per month and particularly after a change in dose. Respondent certainly should have ordered a lithium level on April 21, 2020, when patient S.A. complained of leg weakness.
- b. It was a violation of general duty for Respondent to prescribe clonazepam to a known diagnosed alcoholic who also has a history of benzodiazepine use disorder or anxiolytic use disorder. Prescribing clonazepam places the patient at an elevated risk for relapse to alcohol and/or benzodiazepines with adverse consequences.
- c. Respondent's notes were handwritten and often unintelligible to read, and he provided no rationale for his prescribed use of lithium for this patient, when lithium is not a common treatment for major depression, and no rationale for his prescribing of clonazepam to a patient with use disorders as noted above.

#### COUNT I

Respondent's conduct, as set forth above, evidences a violation of general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury results, in violation of MCL 333.16221(a).

## COUNT II

Respondent's conduct, as set forth above, demonstrates Respondent's "departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for the health profession, whether or not actual injury to an individual occurs", and accordingly "incompetence," in violation of MCL 333.16221(b)(i).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained in it. Pursuant to section 16192(2) of the Code, Respondent is deemed to be in receipt of the complaint 3 days after the date of mailing listed in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to [LARA-BPL-RegulationSection@michigan.gov](mailto:LARA-BPL-RegulationSection@michigan.gov). If unable to submit a response by email, Respondent may submit by regular mail to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Dated: Septmeber 12, 2022

 signing for  
\_\_\_\_\_  
Forrest Pasanski, Director  
Enforcement Division  
Bureau of Professional Licensing

sgc