



COMMONWEALTH of VIRGINIA

Department of Health Professions
Board of Medicine

John Hasty
Director of the Department

Warren W. Koontz, M.D.
Executive Director of the Board

September 22, 1997

6606 West Broad Street
4th Floor
Richmond, Virginia 23230-1717
(804) 662-9908
FAX (804) 662-9943

Kyung S. Park, M.D.
1050 North Falls Court
Great Falls, Virginia 22066

CERTIFIED MAIL
Z 356 167 689

Re: License No.: 0101-042804

Dear Dr. Park:

This letter is official notification that an informal conference of the Virginia Board of Medicine ("Board") will be held on Tuesday, October 28, 1997, at 11:30 a.m. at the Sheraton Inn, 2801 Plank Road, Fredericksburg, Virginia. The conference will be conducted pursuant to Sections 54.1-2919 and 9-6.14:11 of the Code of Virginia (1950), as amended ("Code").

An Informal Conference Committee ("Committee"), composed of three members of the Board, will inquire into allegations that you may have violated certain laws governing the practice of medicine in Virginia. Specifically, you may have violated Section 54.1-2915.A(3), as further defined in Section 54.1-2914.A(9), (10), (14), (15) and (16), Sections 54.1-3303(A) and 54.1-3408(A) of the Code, and Section 18 VAC 85-20-100 of the Virginia Board of Medicine Regulations in that, during the course of your psychiatric treatment of Patient A from about August 1994, to August 1995, and subsequent to your treatment of the patient, you acted unprofessionally and in a manner that endangered the patient's health and welfare. Specifically:

1. In approximately December 1995, you entered into a sexual relationship with Patient A by virtue of and as a result of your practitioner-patient relationship.

2. From about March 17, 1995, to August 3, 1996, you unlawfully and indiscriminately prescribed to Patient A for medical conditions for which you did not have physical examination, diagnosis and treatment records. Specifically:

a. You prescribed oxycodone and acetaminophen (i.e., Percocet, Roxicet), 242 tablets (Schedule II) and Tylenol (acetaminophen) with Codeine, 780 tablets (Schedule III), controlled substances of high addiction and abuse potential.

b. You prescribed Ery-tab (erythromycin), 333 mg, 126 tablets (Schedule VI), Inderal (propranolol hydrochloride) 20 mg, 70 tablets (Schedule VI), and tetracycline, 250 mg, 84 capsules (Schedule VI).

3. From about December 1995, to February 1996, you prescribed to Patient A the anti-anxiety medication diazepam, 2 mg, 20 tablets (Schedule IV) and the anti-depressant medication trazodone HCl, 50 mg, 42 tablets (Schedule VI) during a time that you did not have psychiatric treatment records for the patient.

In order to protect the privacy of your patient, the individual has been referred to by letter only. Please see Attachment I of this notice for the identity of the individual referenced above.

The following actions may be taken by this Committee:

1. If a majority of the Committee is of the opinion that a suspension or revocation of your license may be justified, the Committee shall present to the Board in writing its findings, and the Board may proceed with a formal hearing;
2. The Committee may notify you in writing that you are fully exonerated of any charge that might affect your right to practice medicine in Virginia;
3. The Committee may reprimand or censure you, or;
4. The Committee may place you on probation for such time as it may designate and direct that during such period you furnish the Committee or its chairman, at such intervals as the Committee may direct, evidence that you are not practicing in violation of the provisions of Chapter 29, Title 54.1 of the Code, which governs the practice of medicine in Virginia.


You have the right to information which will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents which will be distributed to the members of the Committee and will be considered by the Committee when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. If you have additional documents for review which are not contained in this package, please bring at least six copies with you to the meeting. I also enclose relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia.

A request to continue this proceeding must be made in writing and directed to me at the address listed on this letter. Such request must be received by 5:00 p.m. on October 6, 1997. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after October 6, 1997, will not be considered.

You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by October 6, 1997. Further, it is your responsibility to provide the enclosed materials to your attorney.

Should you fail to appear at the informal conference the Board may proceed to a formal administrative hearing in order to impose sanctions. Should you have any questions regarding this notice, please contact Karen W. Perrine, Deputy Executive Director, Discipline, at (804) 662-7693.

Sincerely,


Warren W. Koontz, M.D.
Executive Director
Virginia Board of Medicine

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cc: Paul M. Spector, D.O., President
John W. Hasty, Director, Department of Health Professions
James L. Banning, Director, Administrative Proceedings Division
Virginia A. Scher, Senior Legal Assistant
Informal Conference Committee
Charles F. Johnson, Senior Investigator (96-01058)
Kelli Moss, Senior Administrative Assistant

Enclosures:

Virginia Code Sections:

54.1-2914
54.1-2915
54.1-3303
54.1-3408
54.1-2919
9-6.14:11

Virginia Board of Medicine Regulations:

18 VAC 85-20-100

Informal Conference Package

Attachment I

Map

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: KYUNG S. PARK, M.D.
License No.: 0101-042804

ORDER

In accordance with Sections 54.1-2919 and 9-6.14:11 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Kyung S. Park, M.D., on October 28, 1997, in Fredericksburg, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Informal Conference Committee ("Committee") were: Anthony U. Moore, Chairman; Robert J. Bettini, M.D.; and Paul M. Spector, D.O. Dr. Park appeared personally and was represented by legal counsel, Joseph J. Aronica, Esquire. The purpose of the informal conference was to inquire into allegations that Dr. Park may have violated certain laws and regulations governing the practice of medicine in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated September 22, 1997.

FINDINGS OF FACT

Now, having properly considered the evidence and testimony presented, the Committee makes the following Findings of Fact:

1. In approximately December 1995, Dr. Park entered into a sexual relationship with Patient A by virtue of and as a result of the practitioner-patient relationship.
2. From approximately the end of September 1995, through August 3, 1996, Dr. Park inappropriately prescribed for Patient A, an individual who was no longer her patient and with whom, by her own admission, she had a personal relationship, controlled substances of addictive and abuse potential.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Committee concludes that Dr. Park is in violation of Section 54.1-2915.A(3), as further defined in Section 54.1-2914.A(9), (14) and (16), Sections 54.1-3303(A) and 54.1-3408(A) of the Code, and Section 18 VAC 85-20-100 of the Virginia Board of Medicine Regulations.

Dr. Park

ORDER


Based on the foregoing Findings of Fact and Conclusions of Law, it is ORDERED that Kyung S. Park, M.D., be issued a REPRIMAND.

Pursuant to Section 9-6.14:14 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2919 of the Code of Virginia, 1950, as amended, Dr. Park may, not later than 5:00 p.m., on December 9, 1997, notify Warren W. Koontz, M.D., Executive Director at 6606 West Broad Street, Richmond, Virginia 23230, in writing that she desires a hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this order shall be vacated.

Therefore, this order shall become final on December 9, 1997, unless a request for a hearing is received as described above.

FOR THE BOARD



Warren W. Koontz, M.D.
Executive Director
Virginia Board of Medicine

Entered: MAY 5, 1997

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