

FILED OF RECORD

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K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2129

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY GENE HYUNG LEE, M.D., LICENSE NO. 52005,
801 SOUTH STREET, APARTMENT 4422, HONOLULU, HAWAII 96813

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel A, and Gene Hyung Lee, M.D. (hereafter "the licensee"), and, based upon their mutual desire to resolve this pending investigation without an evidentiary hearing, hereby ENTER INTO the following **AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Agreed Order:

1. At all relevant times, Gene Hyung Lee, M.D. ("the licensee"), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. The licensee is also licensed by the West Virginia Board of Medicine ("the West Virginia Board").
4. On or about June 12, 2023, the West Virginia Board found that the licensee violated West Virginia statutes when the licensee was originally granted an expedited West Virginia medical license on February 19, 2019, through the Interstate Medical Licensure Compact ("IMLC") licensure pathway but failed to timely submit a West Virginia License Renewal Application Addendum ("the Addendum"). After notification that he failed to complete and return the Addendum, he still failed to

return it. After another notification, he again failed to complete and return the Addendum.

5. The licensee and the West Virginia Board stipulated to terms including, in pertinent part,
 - a. On or before June 9, 2023, Dr. Lee shall complete and return the IMLC Renewal Addendum to the Board.
 - b. Dr. Lee is hereby assessed a CIVIL FINE in the amount of five hundred dollars (\$500.00) for his failure to complete all component parts of the West Virginia Board of Medicine's 2022 renewal process for IMLC pathway licensees, including timely completion of the IMLC Renewal Addendum.
6. The Board received notice of the West Virginia Board action via a report from the Federation of State Medical Boards. The licensee did not report the disciplinary action taken by the West Virginia Board within ten days of the June 12, 2023 Consent Order as required by 201 KAR 9:081(9)(2)(a)(2). Further, the licensee did not provide this Board a copy of the order issued by the West Virginia Board within ten days of the June 12, 2023 Consent Order.
7. The licensee agreed to enter into this Agreed Order, in lieu of the issuance of a Complaint.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(12) and (17). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.

3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Agreed Order.

AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, the parties hereby ENTER INTO the following **AGREED ORDER**:

1. During the effective period of this Agreed Order, the licensee's medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
 - a. Pursuant to KRS 311.565(1)(v), the licensee SHALL submit payment of a FINE in the amount of \$1,000.00, within three (3) months of the filing of this Agreed Order; and
 - b. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
2. Upon verification of full payment of the fine in the amount of \$1,000.00, the Board agrees to terminate this Agreed Order.
3. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the

parties agree and stipulate that a violation of any term or condition of this Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Agreed Order.

4. The licensee understands and agrees that any violation of the terms of this Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13).

SO AGREED on this 13 day of November, 2023.

FOR THE LICENSEE:




GENE HYUNG LEE, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE)

FOR THE BOARD:



WAQAR A. SALEEM, M.D.
CHAIR, INQUIRY PANEL A



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