

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **MIN Y. LIM, M.D.**

4 Holder of License No. 40179
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-14-1331A

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER FOR DECREE
OF CENSURE**

6 The Arizona Medical Board ("Board") considered this matter at its public meeting on
7 December 4, 2020. Min Y. Lim, M.D. ("Respondent"), appeared with legal counsel, Steve
8 W. Myers, Esq., before the Board for a Formal Interview pursuant to the authority vested in
9 the Board by A.R.S. § 32-1451(H). The Board voted to issue Findings of Fact, Conclusions
10 of Law and Order for Decree of Censure after due consideration of the facts and law
11 applicable to this matter.

12 **FINDINGS OF FACT**

13 1. The Board is the duly constituted authority for the regulation and control of
14 the practice of allopathic medicine in the State of Arizona.

15 2. Respondent is the holder of license number 40179 for the practice of
16 allopathic medicine in the State of Arizona.

17 3. The Board initiated case number MD-14-1331A after receiving a self-report
18 from Respondent that nurses at the Hospital where Respondent held privileges reported
19 that she appeared impaired while on duty.

20 4. Respondent's employee file from the Hospital reflected that she had been
21 put on a Performance Plan for tardiness as well as delayed and inaccurate charting. On
22 August 1, 2014, Respondent agreed to voluntarily refrain from exercising her privileges
23 while under investigation and reported to the Board that she was subsequently allowed to
24 return to practice following an independent evaluation.
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1 5. On October 24, 2014, Respondent underwent an Assessment with a Board
2 approved Contractor. The Assessor determined that Respondent is safe to practice
3 medicine. The Assessor also determined that Respondent had been inappropriately
4 consuming controlled substances, and had diverted controlled substances from her
5 husband who was also a physician. The Assessor determined that Respondent had failed
6 to provide truthful responses regarding her controlled substance use.

7 6. On December 4, 2014 Respondent entered into an Interim Consent
8 Agreement for Practice Restriction.

9 7. Respondent subsequently provided a narrative response apologizing for her
10 lack of candor to the Contractor and accepted responsibility for her errors in judgment
11 regarding her controlled substance use and diversion.

12 8. During the course of this matter, Respondent underwent evaluations and
13 treatment at multiple facilities and with treatment providers to address a chronic health
14 condition that impaired her ability to safely practice medicine.

15 9. Respondent's license expired on June 6, 2018.

16 10. During a Formal Interview on this matter, Respondent testified regarding the
17 medical condition and the incidents that resulted in restriction from practice. Respondent
18 additionally testified regarding her ongoing medical treatment and recovery activities.
19 Respondent expressed regret over her actions.

20 11. During that same Formal Interview, Board members acknowledged
21 Respondent's testimony that she viewed her decision to self-prescribe as a mistake.
22 Board members agreed that the conduct nonetheless violated Board statutes and
23 warranted disciplinary action.

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1 **CONCLUSIONS OF LAW**

2 1. The Board possesses jurisdiction over the subject matter hereof and over
3 Respondent.

4 2. The conduct and circumstances described above constitute unprofessional
5 conduct pursuant to A.R.S. § 32-1401(27)(f) ("Exhibiting a pattern of using or being under
6 the influence of alcohol or drugs or a similar substance while practicing medicine or to the
7 extent that judgment may be impaired and the practice of medicine detrimentally
8 affected.").

9 3. The conduct and circumstances described above constitute unprofessional
10 conduct pursuant to A.R.S. § 32-1401(27)(g) ("Using controlled substances except if
11 prescribed by another physician for use during a prescribed course of treatment.").

12 4. The conduct and circumstances described above constitute unprofessional
13 conduct pursuant to A.R.S. § 32-1401(27)(h) ("Prescribing or dispensing controlled
14 substances to members of the physician's immediate family.").

15 5. The conduct and circumstances described above constitute unprofessional
16 conduct pursuant to A.R.S. § 32-1401(27)(j) ("Prescribing, dispensing or administering any
17 controlled substance or prescription-only drug for other than accepted therapeutic
18 purposes.").

19 6. The conduct and circumstances described above constitute unprofessional
20 conduct pursuant to A.R.S. § 32-1401(27)(kk) ("Knowingly making a false or misleading
21 statement to the board or on a form required by the board or in a written correspondence,
22 including attachments, with the board.").

23 **ORDER**

24 IT IS HEREBY ORDERED THAT:

25 1. Respondent is issued a Decree of Censure.

1 EXECUTED COPY of the foregoing mailed
this 10th day of February, 2021 to:

2
3 Stephen W. Myers, Esq.
4 Mitchell Stein Carey Chapman
5 One Renaissance Square
6 2 North Central Avenue, Suite 1450
7 Phoenix, AZ 85004
8 Attorney for Respondent

9 ORIGINAL of the foregoing filed
this 10th day of February, 2019 with:

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11 Arizona Medical Board
12 1740 West Adams, Suite 4000
13 Phoenix, Arizona 85007

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Michelle Probes
Board staff