

**BEFORE THE MINNESOTA
BOARD OF PODIATRIC MEDICINE**

In the Matter of
Grace Ouyang, DPM
License No. 989

**AGREEMENT FOR
CORRECTIVE ACTION**

This Agreement is entered into by and between Grace Ouyang (“Licensee”) and the Complaint Resolution Committee (“Committee”) of the Minnesota Board of Podiatric Medicine (“Board”) pursuant to the authority of Minnesota Statutes section 214.103, subdivision 6(a)(2). Licensee is represented by Christine Chambers, Arthur Chapman Kettering Smetak & Pikala, P.A., 500 Young Quinlan Building, 81 South Ninth Street, Minneapolis, MN 55402. The Committee is represented by Allan Aguilar, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101. Licensee and the Committee hereby agree as follows:

FACTS

1. The Minnesota Board of Podiatric Medicine (“Board”) is authorized under Minnesota Statutes chapter 153 to license and regulate doctors of podiatric medicine and to take disciplinary action as appropriate.

2. Licensee holds a license from the Board to practice podiatric medicine in the State of Minnesota and is subject to the Board's jurisdiction with respect to the matters referred to in this Agreement for Corrective Action.

3. On March 2, 2023, the Board received a complaint regarding multiple surgical procedures performed by Licensee on September 30, 2021 and December 28, 2021 on a patient (“Patient”). The Committee reviewed Patient’s medical records and found concerns consistent with those raised in the Stipulation and Consent Order dated February 2, 2023 regarding Patient A, Patient B, and the audit of selected patient medical records between August 2018 and August 2020.

4. Based on a careful review of all available information, the Committee believes Licensee's practice violated Minn. Stat. §153.19, subd. 1(11) and subd. 1(14).

CORRECTIVE ACTION

5. Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify corrective action. Licensee agrees to address the concerns identified above by taking the following corrective actions:

a. Supervision of Osseus Forefoot and Midfoot Surgical Procedures. Following the effective date of this Agreement for Corrective Action, the next five (5) osseus forefoot and/or midfoot surgical procedures performed by Licensee must be supervised in person by a Minnesota licensed doctor of podiatric medicine who has been pre-approved by the Committee. Toe amputations shall not count toward the five required procedures, and do not need to be supervised.

b. Reconstructive Rearfoot/Ankle Education. Within 6 months of the effective date of this Agreement for Corrective Action, Licensee will complete the Rearfoot & Ankle Cadaver Surgical Skills Course offered by The Podiatry Institute, Inc. or another Committee approved course.

c. Supervision of Reconstructive Rearfoot/Ankle Surgical Procedures. Following the effective date of this Agreement for Corrective Action, the next five (5) reconstructive rearfoot/ ankle surgical procedures performed by Licensee must be supervised by the Committee. Licensee must submit a surgical plan, together with supporting imagery, to the Committee for review prior to surgery. Soft tissue mass removal, wound debridement, and tendoachilles lengthening shall not count toward the five required procedures, and do not need to be supervised.

d. Reporting by Licensee. For each of the ten (10) procedures cited in 5.a. and 5.c., above, Licensee must submit to the Committee a full post-operative report, but with the personally identifying information of the patient redacted.

e. Reporting by Supervisor. For each of the five (5) procedures cited in 5.a., above, the supervising doctor must submit to the Committee a review stating whether the care

provided by Licensee conformed to the minimal standards of acceptable and prevailing podiatric medical practice.

f. Committee Review. For each of the ten (10) procedures cited in 5.a. and 5.c., above, the Committee will review the reporting by Licensee and Supervisor and shall determine, in its sole discretion, whether the care provided by Licensee conformed to the minimal standards of acceptable and prevailing podiatric medical practice. Should the Committee determine that a given procedure did not conform to the minimum standards, said procedure shall not count toward the ten required procedures.

OTHER INFORMATION

6. Upon Licensee's satisfactory completion of the corrective action referred to above, the Committee agrees to dismiss the complaint(s) concerning the matters referred to in paragraphs 1 through 4. Licensee agrees that the Committee shall be the sole judge of satisfactory completion. Licensee understands and further agrees that if, after closure, the Committee receives additional complaints alleging conduct similar to the information referred to in paragraphs 1 through 4, the Committee may reopen the closed complaint(s).

7. If Licensee fails to complete the corrective action satisfactorily, or if the Committee receives complaints alleging conduct similar to that referred to in the facts above, the Committee may, in its discretion, open an investigation and proceed according to Minnesota Statutes chapters 14, 153.01-153.26, and 214. Failure to complete corrective action satisfactorily constitutes failure to cooperate under Minnesota Statutes section 153.20 and may subject Licensee to disciplinary action by the Board. In any subsequent proceeding, the Committee may use Licensee's agreements herein as evidence.

8. The effective date of this Agreement shall be the date it is executed by the Committee. The Agreement shall remain in effect until the Committee terminates the Agreement in its sole discretion, unless the Committee receives additional information which renders the corrective

action set forth in the Agreement inappropriate. Upon receipt of such information, the Committee may, in its discretion, proceed according to Minnesota Statutes chapters 14, 153.01-153.26, and 214.

9. Licensee understands this Agreement does not constitute disciplinary action. Licensee further understands and acknowledges this Agreement and the termination letter issued upon successful completion of the corrective action are classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5.

10. Licensee hereby acknowledges that Licensee has read and understands this Agreement and has voluntarily entered into it. This Agreement contains the entire agreement between the Committee and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.


GRACE OUYANG, D.P.M.
Licensee

Dated: 11/28/2023


PAUL BAKKEN
Executive Director

Dated: 12/5/2023