

**BEFORE THE  
ACUPUNCTURE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Soon Park  
548 Carnes Circle  
Redlands, CA 92374

Acupuncture License No. AC 12047

Respondent

Case No. 1A-2016-22

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Acupuncture Board, Department of Consumer Affairs, State of California, as its Decision in the above-entitled matter.

This Decision shall become effective on June 5, 2018.

IT IS SO ORDERED May 7, 2018.



Benjamin Bodea, Executive Officer  
Acupuncture Board  
Department of Consumer Affairs  
State of California

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
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8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
11 **ACUPUNCTURE BOARD**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 1A-2016-22

14 **SOON PARK**  
15 **548 Carnes Circle**  
**Redlands, CA 92374**

**STIPULATED SURRENDER OF  
LICENSE AND DISCIPLINARY ORDER**

16 **Acupuncturist License No. AC12047,**

17 Respondent.

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Benjamin Bodea (Complainant) is the Executive Officer of the Acupuncture Board,  
23 Department of Consumer Affairs (Board). He brought this action solely in his official capacity as  
24 such, and is represented in this matter by Xavier Becerra, Attorney General of the State of  
25 California, by Christine A. Rhee, Deputy Attorney General.

26 2. Soon Park (Respondent) is representing himself in this proceeding and has chosen not  
27 to exercise his right to be represented by counsel.

28 ///

**JURISDICTION**

1  
2           3.     On or about October 18, 2007, the Board issued Acupuncturist License No. AC12047  
3 to Respondent. On or about February 22, 2016, in *The People of the State of California v. Soon*  
4 *Park*, San Bernardino Superior Court of California Case No. FWV1600414, Respondent was  
5 prohibited from practicing any aspect of acupuncture pending the resolution of the criminal matter  
6 pursuant to Penal Code section 23. Acupuncturist License No. AC12047 expired on April 30,  
7 2017, and has not been renewed. Acupuncturist License No. AC12047 was in full force and  
8 effect at all times relevant to the charges brought in Accusation No. 1A-2016-22.

9           4.     On January 2, 2018, Accusation No. 1A-2016-22 was filed before the Board and is  
10 currently pending against Respondent. A true and correct copy of Accusation No. 1A-2016-22  
11 and all other statutorily required documents were properly served on Respondent on January 2,  
12 2018. A true and correct copy of Accusation No. 1A-2016-22 is attached hereto as Exhibit A and  
13 incorporated by reference as if fully set forth herein.

**ADVISEMENTS AND WAIVERS**

14  
15           5.     Respondent has carefully read and fully understands the charges and allegations in  
16 Accusation No. 1A-2016-22. Respondent also has carefully read and fully understands the effects  
17 of this Stipulated Surrender of License and Disciplinary Order.

18           6.     Respondent is fully aware of his legal rights in this matter, including the right to a  
19 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine  
20 the witnesses against him; the right to present evidence and to testify on his own behalf; the right  
21 to the issuance of subpoenas to compel the attendance of witnesses and the production of  
22 documents; the right to reconsideration and court review of an adverse decision; and all other  
23 rights accorded by the California Administrative Procedure Act and other applicable laws.

24           7.     Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
25 every right set forth above.

26     ///

27     ///

28     ///

1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 1A-2016-22. Respondent admits that cause exists for discipline and hereby surrenders his  
4 Acupuncture License No. AC12047 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation, he enables the Board to issue  
6 an order accepting the surrender of his Acupuncturist License No. AC12047 without notice to, or  
7 opportunity to be heard by, Respondent.

8 CONTINGENCY

9 10. The parties agree that this Stipulated Surrender of License and Disciplinary Order  
10 shall be submitted to the Board for its consideration in the above-entitled matter and, further, that  
11 the Board shall have a reasonable period of time in which to consider and act on this Stipulated  
12 Surrender of License and Disciplinary Order after receiving it.

13 11. The parties agree that this Stipulated Surrender of License and Disciplinary Order  
14 shall be null and void and not binding upon the parties unless approved and adopted by the Board,  
15 except for this paragraph, which shall remain in full force and effect. Respondent fully  
16 understands and agrees that in deciding whether to approve and adopt this Stipulated Surrender of  
17 License and Disciplinary Order, the Board may receive oral and written communications from its  
18 staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not  
19 disqualify the Board, any member thereof, and/or any other person from future participation in  
20 this or any other matter affecting or involving Respondent. In the event the Board does not, in its  
21 discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with  
22 the exception of this paragraph, it shall not become effective, shall be of no evidentiary value  
23 whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party  
24 hereto. Respondent further agrees that should this Stipulated Surrender of License and  
25 Disciplinary Order be rejected for any reason by the Board, Respondent will assert no claim that  
26 the Board, or any member thereof, was prejudiced by its/his/her review, discussion and/or  
27 consideration of this Stipulated Surrender of License and Disciplinary Order or of any matter or  
28 matters related hereto.

1 **ADDITIONAL PROVISIONS**

2 12. This Stipulated Surrender of License and Disciplinary Order is intended by the parties  
3 herein to be an integrated writing representing the complete, final and exclusive embodiment of  
4 the agreements of the parties in the above-entitled matter.

5 13. The parties agree that copies of this Stipulated Surrender of License and Disciplinary  
6 Order, including copies of the signatures of the parties, may be used in lieu of original documents  
7 and signatures and, further, that such copies shall have the same force and effect as originals.

8 14. In consideration of the foregoing admissions and stipulations, the parties agree the  
9 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter  
10 the following Disciplinary Order:

11 **ORDER**

12 IT IS HEREBY ORDERED that Acupuncturist License No. AC12047, issued to  
13 Respondent Soon Park, is surrendered and accepted by the Acupuncture Board

14 1. The surrender of Respondent's Acupuncturist License and the acceptance of the  
15 surrendered license by the Board shall constitute the imposition of discipline against Respondent.  
16 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
17 license history with the Board.

18 2. Respondent shall lose all rights and privileges as an acupuncturist in California as of  
19 the effective date of the Board's Decision and Order.

20 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was  
21 issued, his wall certificate on or before the effective date of the Decision and Order.

22 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
23 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
24 comply with all the laws, regulations, and procedures for reinstatement of a revoked license in  
25 effect at the time the petition is filed, and all of the charges and allegations contained in  
26 Accusation No. 1A-2016-22 shall be deemed to be true, correct, and admitted by Respondent  
27 when the Board determines whether to grant or deny the petition.

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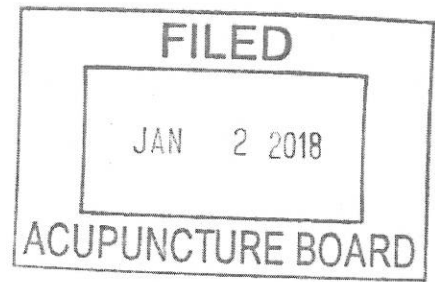
Exhibit A:

Accusation No. 1A-2016-22



1 XAVIER BECERRA  
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2 ALEXANDRA M. ALVAREZ  
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3 CHRISTINE A. RHEE  
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8 *Attorneys for Complainant*



10 **BEFORE THE**  
11 **ACUPUNCTURE BOARD**  
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13 In the Matter of the Accusation Against:

Case No. 1A-2016-22

14 **SOON PARK**  
15 **548 Carnes Circle**  
16 **Redlands, CA 92374**

**A C C U S A T I O N**

16 **Acupuncturist License No. AC12047,**

17 Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Benjamin Bodea (Complainant) brings this Accusation solely in his official capacity  
22 as the Executive Officer of the Acupuncture Board, Department of Consumer Affairs (Board).

23 2. On or about October 18, 2007, the Board issued Acupuncturist License No. AC12047  
24 to Soon Park (Respondent). On or about February 22, 2016, in *The People of the State of*  
25 *California v. Soon Park*, San Bernardino Superior Court of California Case No. FWV1600414,  
26 Respondent was prohibited from practicing any aspect of acupuncture pending the resolution of  
27 that criminal matter pursuant to Penal Code section 23. Acupuncturist License No. AC12047

28 *///*

1 expired on April 30, 2017, and has not been renewed. Acupuncturist License No. AC12047 was  
2 in full force and effect at all times relevant to the charges brought herein.

### 3 JURISDICTION

4 3. This Accusation is brought before the Board under the authority of the following  
5 laws. All section references are to the Business and Professions Code (Code) unless otherwise  
6 indicated.

7 4. Section 118 of the Code states, in pertinent part:

8 “... ”

9 “(b) The suspension, expiration, or forfeiture by operation of law of a license  
10 issued by a board in the department, or its suspension, forfeiture, or cancellation by  
11 order of the board or by order of a court of law, or its surrender without the written  
12 consent of the board, shall not, during any period in which it may be renewed, restored,  
13 reissued, or reinstated, deprive the board of its authority to institute or continue a  
14 disciplinary proceeding against the licensee upon any ground provided by law or to  
15 enter an order suspending or revoking the license or otherwise taking disciplinary  
16 action against the licensee on any such ground.

17 “(c) As used in this section, ‘board’ includes an individual who is authorized by  
18 any provision of this code to issue, suspend, or revoke a license, and ‘license’ includes  
19 ‘certificate,’ ‘registration,’ and ‘permit.’”

20 5. Section 726 of the Code states, in pertinent part:

21 “(a) The commission of any act of sexual abuse, misconduct, or relations with a  
22 patient, client, or customer constitutes unprofessional conduct and grounds for  
23 disciplinary action for any person licensed under this or under any initiative act referred  
24 to in this division.

25 “... ”

26 6. Section 4955 of the Code states, in pertinent part:

27 “The board may deny, suspend, or revoke, or impose probationary conditions  
28 upon, the license of any acupuncturist if he or she is guilty of unprofessional conduct.

1 “Unprofessional conduct shall include, but not be limited to, the following:

2 “...

3 “(d) Aiding or abetting in, or violating or conspiring in, directly or indirectly, the  
4 violation of the terms of this chapter or any regulation adopted by the board pursuant to  
5 this chapter.

6 “...”

7 7. Section 4955.1 of the Code states, in pertinent part:

8 “The board may deny, suspend, revoke, or impose probationary conditions upon  
9 the license of any acupuncturist if he or she is guilty of committing a fraudulent act  
10 including, but not be limited to, any of the following:

11 “...

12 “(c) Committing any act involving dishonesty or corruption with respect to the  
13 qualifications, functions, or duties of an acupuncturist.

14 “...”

15 8. Section 1399.469.1 of title 16 of the California Code of Regulations states, in  
16 pertinent part:

17 “(a) Except as otherwise provided, if an individual is required to register as a sex  
18 offender pursuant to Section 290 of the Penal Code, or the equivalent in another state  
19 or territory, or military or federal law, the board shall:

20 “Promptly revoke the license of the individual, in accordance with the procedures  
21 set forth in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title  
22 2 of the Government Code, and shall not stay the revocation nor place the license on  
23 probation.

24 “...”

25 9. Section 289 of the Penal Code states, in pertinent part:

26 “(a)(1)(A) Any person who commits an act of sexual penetration when the act is  
27 accomplished against the victim’s will by any means of force, violence, duress,  
28 menace, or fear of immediate and unlawful bodily injury on the victim or another

1 person shall be punished by imprisonment in the state prison for three, six, or eight  
2 years.

3 “...”

4 10. Section 290 of the Penal Code states, in pertinent part:

5 “(a) Sections 290 to 290.024, inclusive, shall be known and may be cited as the  
6 Sex Offender Registration Act...

7 “(c) The following persons shall be required to register:

8 “Any person who, since July 1, 1944, has been or is hereafter convicted in any  
9 court in this state or in any federal or military court of a violation of Section 187  
10 committed in the perpetration, or an attempt to perpetrate, rape or any act punishable  
11 under Section 286, 288, 288a, or 289, Section 220, except assault to commit mayhem,  
12 subdivision (b) and (c) of Section 236.1, Section 243.4, paragraph (1), (2), (3), (4), or  
13 (6) of subdivision (a) of Section 261, paragraph (1) of subdivision (a) of Section 262  
14 involving the use of force or violence for which the person is sentenced to the state  
15 prison, Section 264.1, 266, or 266c, subdivision (b) of Section 266h, subdivision (b) of  
16 Section 266i, Section 266j, 267, 269, 285, 286, 288, 288a, 288.3, 288.4, 288.5, 288.7,  
17 289, or 311.1, subdivision (b), (c), or (d) of Section 311.2, Section 311.3, 311.4,  
18 311.10, 311.11, or 647.6, former Section 647a, subdivision (c) of Section 653f,  
19 subdivision 1 or under Section 272, or any felony violation of Section 288.2; any  
20 statutory predecessor that includes all elements of one of the above-mentioned  
21 offenses; or any person who since that date has been or is hereafter convicted of the  
22 attempt or conspiracy to commit any of the above-mentioned offenses.”

23 **COST RECOVERY**

24 11. Section 4959 of the Code states:

25 “(a) The board may request the administrative law judge, under his or her  
26 proposed decision in resolution of a disciplinary proceeding before the board, to direct  
27 any licensee found guilty of unprofessional conduct to pay to the board a sum not to  
28 exceed actual and reasonable costs of the investigation and prosecution of the case.



1           15. On or about January 14, 2016, Patient A woke up when Respondent was removing the  
2 needles from her body. Respondent then proceeded to work on Patient A's pressure points and  
3 massage her upper back and shoulders. At some point, Patient A had flipped over so that she was  
4 lying down on her back. Respondent then proceeded to massage Patient A's arm, shoulders, neck,  
5 chest, and stomach.

6           16. On or about January 14, 2016, after massaging Patient A's stomach per their usual  
7 routine, Respondent used his hand to reach underneath Patient A's underwear and digitally  
8 penetrated her vagina.

9           17. On or about January 14, 2016, Patient A reported the incident to the Fontana Police  
10 Department.

11           18. On or about February 4, 2016, in *The People of the State of California v. Soon Park*,  
12 San Bernardino Superior Court of California Case No. FWV1600414, a Complaint was filed,  
13 charging Respondent with one felony count of a violation of Penal Code section 289, subdivision  
14 (a)(1)(A), sexual penetration by a foreign object.

15           19. On or about February 19, 2016, in *The People of the State of California v. Soon Park*,  
16 San Bernardino Superior Court of California Case No. FWV1600414, an Information was filed,  
17 charging Respondent with one felony count of a violation of Penal Code section 289, subdivision  
18 (a)(1)(A), sexual penetration by a foreign object.

19           20. On or about July 8, 2016, in *The People of the State of California v. Soon Park*, San  
20 Bernardino Superior Court of California Case No. FWV1600414, Respondent was convicted  
21 following a jury trial, of one felony count of a violation of Penal Code section 289, subdivision  
22 (a)(1)(A), sexual penetration by a foreign object.

23           21. On or about September 23, 2016, in *The People of the State of California v. Soon*  
24 *Park*, San Bernardino Superior Court of California Case No. FWV1600414, Respondent was  
25 sentenced to three years in prison.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Committing Any Act Involving Corruption with Respect to the Qualifications, Functions,  
3 or Duties of an Acupuncturist)**

4 22. Respondent's Acupuncture License No. AC12047 is further subject to disciplinary  
5 action under section 4955.1, subdivision (c), of the Code, in that he committed a corrupt act with  
6 respect to the qualifications, functions or duties of an acupuncturist, as more particularly alleged  
7 in paragraphs 13 through 21, above, which are hereby incorporated by reference and re-alleged as  
8 if fully set forth herein.

9 **THIRD CAUSE FOR DISCIPLINE**  
10 **(Unprofessional Conduct)**

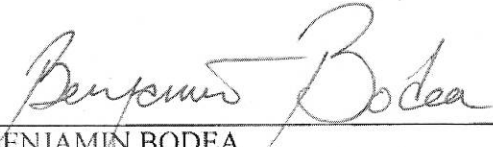
11 23. Respondent's Acupuncture License No. AC12047 is further subject to disciplinary  
12 action under section 4995 of the Code, in that he committed unprofessional conduct, as more  
13 particularly alleged in paragraphs 13 through 21, above, which are hereby incorporated by  
14 reference and re-alleged as if fully set forth herein.

15 **PRAYER**

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
17 and that following the hearing, the Acupuncture Board issue a decision:

- 18 1. Revoking Acupuncturist License No. AC12047, issued to Respondent Soon Park;  
19 2. Ordering Respondent Soon Park to pay the Board the reasonable costs of the  
20 investigation and enforcement of this case, pursuant to Business and Professions Code section  
21 4959; and,  
22 3. Taking such other and further action as deemed necessary and proper.

23 DATED: JAN 02 2018

  
24 BENJAMIN BODEA  
25 Executive Officer  
26 Acupuncture Board  
27 State of California  
28 *Complainant*

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