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

12 In the Matter of the Accusation Against:

Case No. 1A-2015-199

13 **WEI XIA XUE, L.AC.**

**ACCUSATION**

14 6254 Main Branch Road  
15 San Ramon CA 94582

16 Acupuncturist License No. AC 16192

17 Respondent.

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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.

23 2. On or about September 25, 2014, the Acupuncture Board issued Acupuncturist  
24 License Number AC 16192 to WEI XIA XUE, L.Ac. (Respondent). The Acupuncturist License  
25 was in full force and effect at all times relevant to the charges brought herein and will expire on  
26 January 31, 2020, unless renewed.  
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**JURISDICTION**

3. This Accusation is brought before the Acupuncture Board (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 4928 provides that the Board shall administer and enforce the laws pertaining to licensing acupuncturists in California.

5. Section 4928.1 makes protection of the public the Board’s highest priority.

6. Section 4955 empowers the Board to deny, suspend, revoke, or impose probationary conditions upon, the license of an acupuncturist guilty of unprofessional conduct, which includes, pursuant to subsection (d), “Aiding or abetting in, or violating or conspiring in, directly or indirectly, the violation of the terms of this chapter or any regulations adopted by the board pursuant to this chapter.” (Chapter 12, Division 2 of the Code.)

7. Section 4955.1 of the Code states:

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

(a) Securing a license by fraud or deceit.

(b) Committing a fraudulent or dishonest act as an acupuncturist.

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

(d) Altering or modifying the medical record of any person, with fraudulent intent, or creating any false medical record.

(e) Failing to maintain adequate and accurate records relating to the provision of services to their patients.

8. Section 4959 of the Code allows the Board to request that the proposed decision of an administrative law judge in resolution of any disciplinary proceeding before the Board include a direction that the licensee found guilty of unprofessional conduct pay the Board the actual and reasonable costs of investigation and prosecution of the case.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 (Obtaining License by Fraud)

3 9. Respondent is subject to disciplinary action under Code section 4955.1 in that she  
4 procured her acupuncture license by means of knowingly submitting false and fraudulent  
5 documents. The circumstances are as follows:

6 10. On April 17, 2014, the Board received an application for examination from  
7 Respondent Wei Xia Xue, as the necessary precursor to granting an acupuncture license to an  
8 applicant who graduated from a foreign educational institution. The application, signed by  
9 Respondent on April 5, 2014, attested to the facts asserted in the application, including documents  
10 evidently supporting both Respondent's claim that she graduated from Heilongjiang University of  
11 Chinese Medicine and her claim that the credentials she presented certifying her satisfaction of  
12 the Cardio-Pulmonary Resuscitation and Clean Needle Technique training requirements were  
13 valid.

14 11. Based on the representations in Respondent's application, the Board issued  
15 Acupuncture License No. AC 16192 to Respondent on September 25, 2014.

16 12. After receiving a complaint alleging Respondent had not actually fulfilled the  
17 preliminary requirements for licensure as she had alleged in her application, the Board requested  
18 an investigation of the matter by the Division of Investigation of the Department of Consumer  
19 Affairs. The Board also undertook a comprehensive review of the validity of the documents  
20 Respondent has provided in support of her application.

21 13. The Board's review included corresponding directly with the entities which  
22 purportedly issued the certifications to Respondent attesting to her completion of the Cardio-  
23 Pulmonary Resuscitation and Clean Needle Technique requirements. The Board's review  
24 revealed that the certificates Respondent had submitted to satisfy these requirements were  
25 fraudulent.

26 14. The investigation conducted by the Division of Investigation, assisted by the U.S.  
27 State Department, established that Respondent had not graduated, nor even attended,  
28 Heilongjiang University of Chinese Medicine.



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2. Ordering Respondent to pay the actual and reasonable costs of investigation and prosecution of this case, pursuant to Code section 4959; and

3. Taking such other and further action as deemed necessary and proper.

DATED: 10/11/2019

Original Signature on File  
BENJAMIN BODEA  
Executive Officer  
Acupuncture Board  
Department of Consumer Affairs  
State of California  
*Complainant*