

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

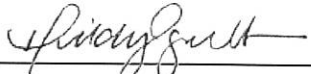
In the Matter of the Accusation Against:)	Case No. 1A-2011-164
)	
CHIN CHUAN LIANG, L.Ac.)	OAH Number 2014110944
9819 Las Tunas Drive)	
Temple City, CA 91780)	
)	
Acupuncture License No. AC-2225)	
)	
Respondent.)	
_____)	

DECISION AND ORDER

The attached Stipulated Settlement and Order is hereby adopted by the California Acupuncture Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on June 30, 2016.

IT IS SO ORDERED May 31, 2016.



Hildegard B. Aguinaldo, President
Acupuncture Board
Department of Consumer Affairs
State of California

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Attorney General of California
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9 **BEFORE THE**
ACUPUNCTURE BOARD
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
11

12 In the Matter of the First Amended Accusation
Against:

13 **CHIN CHUAN LIANG, L.Ac.**
14 **9819 Las Tunas Dr.**
Temple City, CA 91780

15 **Acupuncturist License Number AC 2225**

16 Respondent.
17

Case Number 1A-2011-164

OAH Number 2014110944

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

20 **PARTIES**

21 1. Terri Thorfinnson (Complainant) is the Executive Officer of the Acupuncture Board
22 (Board.) She brought this action solely in her official capacity and is represented in this matter by
23 Kamala D. Harris, Attorney General of the State of California, by Wendy Widlus, Deputy
24 Attorney General.

25 2. Respondent Chin Chuan Liang, L.Ac. (Respondent) is represented in this proceeding
26 by attorney Kevin D. Cauley, whose address is: 624 South Grand Avenue, 22nd Floor, Los
27 Angeles, CA 90017.

28 3. On or about December 29, 1983, the Acupuncture Board issued Acupuncturist

1 License Number AC 2225 to Chin Chuan Liang, L.Ac. The Acupuncturist License was in full
2 force and effect at all times relevant to the charges brought in First Amended Accusation Number
3 AC 2225 and will expire on July 31, 2016, unless renewed.

4 **JURISDICTION**

5 4. First Amended Accusation Number 1A-2011-164 was filed before the Board, and is
6 currently pending against Respondent. The First Amended Accusation and all other statutorily
7 required documents were properly served on Respondent on September 28, 2015. Respondent
8 timely filed his Notice of Defense.

9 5. A copy of First Amended Accusation Number 1A-2011-164 is attached as exhibit A
10 and incorporated herein by reference.

11 **ADVISEMENT AND WAIVERS**

12 6. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in First Amended Accusation Number 1A-2011-164. Respondent has
14 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated
15 Settlement and Disciplinary Order.

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

23 **CULPABILITY**

24 8. Respondent understands that the charges and allegations in First Amended
25 Accusation Number 1A- 2011-164, if proven at a hearing, constitute cause for imposing
26 discipline on his Acupuncturist License Number AC 2225.

27 9. For the purposes of resolving the First Amended Accusation without the expense and
28 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could

1 establish a factual basis for the charges in the First Amended Accusation and that those charges
2 constitute cause for discipline.

3 10. Respondent hereby voluntarily, knowingly, and intelligently waives and gives up his
4 right to contest that cause for discipline exists based on those charges.

5
6 **RESERVATION**

7 11. The admissions made by Respondent herein are only for the purposes of this
8 proceeding, or any other proceedings in which the Acupuncture Board or other professional
9 licensing agency is involved, and shall not be admissible in any other criminal or civil
10 proceeding.

11 12. Respondent agrees that his Acupuncturist License is subject to discipline and he
12 agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order
13 below.

14 **CONTINGENCY**

15 13. This stipulation shall be subject to approval by the Acupuncture Board. Respondent
16 understands and agrees that counsel for Complainant and the staff of the Acupuncture Board may
17 communicate directly with the Board regarding this stipulation and settlement, without notice to
18 or participation by Respondent or his counsel. By signing the stipulation, Respondent
19 understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation
20 prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation
21 as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or
22 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,
23 and the Board shall not be disqualified from further action by having considered this matter.

24 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
25 copies of this Stipulated Settlement and Disciplinary Order shall have the same force and effect as
26 the originals.

27 15. In consideration of the foregoing admissions and stipulations, the parties agree that
28 the Board may, without further notice or formal proceeding, issue and enter the following
Disciplinary Order:

1 **DISCIPLINARY ORDER**

2 **IT IS HEREBY ORDERED** that Acupuncturist License Number AC 2225 issued to
3 Respondent CHIN CHUAN LIANG, L.Ac. (Respondent) is revoked. However, the revocation is
4 stayed and Respondent is placed on probation for three (3) years on the following terms and
5 conditions.

6 1. SEPARATION OF ACUPUNCTURE PRACTICE FROM INTEGRATIVE
7 MEDICINE PRACTICE Respondent shall separate his acupuncture and integrative medicine
8 practice by delineating between services offered to his patients as follows:

9 A. Respondent shall maintain separate patient records for his acupuncture practice and
10 his integrative medicine practice.

11 B. Respondent will follow standard acupuncture protocol for all patients seeking and or
12 obtaining acupuncture services.

13 C. Respondent will provide each patient seeking integrative medical treatment with
14 notice and written acknowledgment, stating the following:

- 15 • Respondent is not a licensed physician;
- 16 • The alternative or complementary services to be provided are not licensed by
17 the State of California.

18 2. REIMBURSEMENT FOR PROBATION SURVEILLANCE MONITORING
19 Respondent shall reimburse the Board for the hourly costs it incurs in monitoring the probation to
20 ensure compliance for the duration of the probation period.

21 3. OBEY ALL LAWS Respondent shall obey all federal, state and local laws and all
22 regulations governing the practice of acupuncture in California. A full and detailed account of
23 any and all violations of law shall be reported by the Respondent to the Board in writing within
24 seventy-two (72) hours of occurrence.

25 4. QUARTERLY REPORTS Respondent shall submit quarterly declarations under
26 penalty of perjury on forms provided by the Board, stating whether there has been compliance
27 with all the conditions of probation.

28 5. SURVEILLANCE PROGRAM Respondent shall comply with the Board's probation

1 surveillance program and shall, upon reasonable notice, report to the assigned investigative
2 district office. Respondent shall contact the assigned probation surveillance monitor regarding
3 any questions specific to the probation order. Respondent shall not have any unsolicited or
4 unapproved contact with 1) victims or complainants associated with the case; 2) Board members
5 or members of its staff; or 3) persons serving the Board as expert examiners.

6 6. INTERVIEW WITH THE BOARD OR ITS DESIGNEE Respondent shall appear in
7 person for interviews with the Board or its designee upon request at various intervals and with
8 reasonable notice.

9 7. CHANGES OF EMPLOYMENT Respondent shall notify the Board in writing,
10 through the assigned probation surveillance compliance officer of any and all changes of
11 employment, location and address within 30 days of such change.

12 8. TOLLING FOR OUT-OF-STATE PRACTICE OR RESIDENCE In the event
13 Respondent should leave California to reside or to practice outside the State, Respondent must
14 notify the Board in writing of the dates of departure and return. Periods of residency or practice
15 outside California will not apply to the reduction of this probationary period.

16 9. EMPLOYMENT AND SUPERVISION OF TRAINEES Respondent shall not
17 employ or supervise or apply to employ or supervise acupuncture trainees during the course of
18 this probation. Respondent shall terminate any such supervisory relationship in existence on the
19 effective date of this probation.

20 10. COST RECOVERY Respondent shall pay to the Board its costs of investigation and
21 enforcement less 25% in the total amount of \$11,560.31. This amount shall be paid in full,
22 directly to the Board within six (6) months prior to the termination date of probation. Cost
23 recovery will not be tolled. Respondent understands that failure to timely pay costs is a violation
24 of probation, and submission of evidence demonstrating financial hardship does not preclude the
25 Board from pursuing further disciplinary action. However, Respondent understands that
26 providing evidence and supporting documentation of financial hardship may delay further
27 disciplinary action. Consideration to financial hardship will not be given should Respondent
28 violate this term and condition, unless an unexpected AND unavoidable hardship is established

1 from the date of this order to the date payment(s) is due.

2 11. VIOLATION OF PROBATION If Respondent violates probation in any respect, the
3 Board may, after giving Respondent notice and the opportunity to be heard, revoke probation and
4 carry out the disciplinary order that was stated. If an accusation or petition to revoke probation is
5 filed against Respondent during probation, the Board shall have continuing jurisdiction until the
6 matter is final, and the period of probation shall be extended until the matter is final. No petition
7 for modification or termination of probation shall be considered while there is an accusation or
8 petition to revoke probation pending against Respondent.

9 12. COMPLETION OF PROBATION Upon successful completion of probation,
10 Respondent's license will be fully restored.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Kevin D. Cauley. I understand the stipulation and the effect it will have on my Acupuncturist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Acupuncture Board.

DATED: _____
Chin Chuan Liang, L.Ac.
Respondent

I have read and fully discussed with Respondent CHIN CHUAN LIANG, L.Ac. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____
Kevin D. Cauley
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Acupuncture Board.

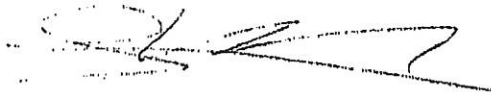
Dated: _____
Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General

WENDY WIDLUS
Deputy Attorney General
Attorneys for Complainant

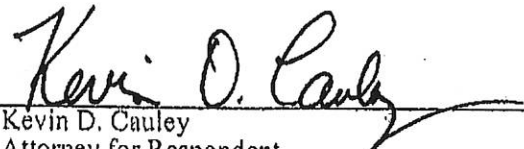
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DATED: 10/29/15 
Chin Chuan Liang, L.Ac.
Respondent

I have read and fully discussed with Respondent CHIN CHUAN LIANG, L.Ac. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 10/29/15 
Kevin D. Cauley
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Acupuncture Board.

Dated: October 29, 2015 Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General



WENDY WIDLUS
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Amended Accusation Number 1A-2011-164