

BEFORE THE
ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

HEATHER LORRAINE RICE, L.AC.
900 W. Broadway
Anaheim, CA 92805
Acupuncturist License No. AC 8567

Respondent.

Case No. 1A-2011-87

OAH No. 2014060213

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the
Acupuncture Board, as its Decision in this matter.

This Decision shall become effective on MAY 29 2015.

It is so ORDERED APR 29 2015.



FOR THE ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 WENDY WIDLUS
Deputy Attorney General
4 State Bar No. 82958
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, California 90013
6 Telephone: (213) 897-2867
Facsimile: (213) 897-9395
7 E-mail: Wendy.Widlus@doj.ca.gov
Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 1A-2011-87

13 HEATHER LORRAINE RICE, L.AC.
900 W. Broadway
14 Anaheim, CA 92805
Acupuncturist License No. AC 8567,
15
16 Respondent.

OAH No. 2014060213

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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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 Heather Lorraine Rice, L.Ac. (Respondent) is represented in this
26 proceeding by attorney Raymond J. McMahon, whose address is: Bonne Bridges Mueller
27 O'Keefe & Nichols - Orange County, 1851 East First St., Ste. 810, Santa Ana, CA 92705-4041.
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1 penalty of perjury on forms provided by the Board, stating whether there has been compliance
2 with all the conditions of probation.

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

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

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

13 6. COST RECOVERY Respondent shall pay to the Board its costs of investigation and
14 enforcement in the amount of \$4,632.50. This amount shall be paid in full directly to the Board
15 within six (6) months prior to the termination date of the decision. Cost recovery will not be
16 tolled. Respondent understands that failure to timely pay costs is a violation of probation, and
17 submission of evidence demonstrating financial hardship does not preclude the Board from
18 pursuing further disciplinary action. However, Respondent understands that providing evidence
19 and supporting documentation of financial hardship may delay further disciplinary action.
20 Consideration to financial hardship will not be given should Respondent violate this term and
21 condition, unless an unexpected AND unavoidable hardship is established from the date of this
22 order the day payment(s) is due.

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

1 petition to revoke probation pending against Respondent.

2 8. COMPLETION OF PROBATION Upon successful completion of probation,
3 Respondent's license will be fully restored.

4 **ACCEPTANCE**

5 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
6 discussed it with my attorney, Raymond J. McMahon. I understand the stipulation and the effect
7 it will have on my Acupuncture License. I enter into this Stipulated Settlement and Disciplinary
8 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
9 of the Acupuncture Board.

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11 DATED: _____

_____ HEATHER LORRAINE RICE, L.AC.
Respondent

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14 I have read and fully discussed with Respondent HEATHER LORRAINE RICE, L.Ac. the
15 terms and conditions and other matters contained in the above Stipulated Settlement and
16 Disciplinary Order. I approve its form and content.

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19 DATED: _____

_____ Raymond J. McMahon
Attorney for Respondent

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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
JUDITH T. ALVARADO
Supervising Deputy Attorney General

WENDY WIDLUS
Deputy Attorney General
Attorneys for Complainant

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1 petition to revoke probation pending against Respondent.

2 8. COMPLETION OF PROBATION Upon successful completion of probation,
3 Respondent's license will be fully restored.

4 **ACCEPTANCE**

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7 it will have on my Acupuncture License. I enter into this Stipulated Settlement and Disciplinary
8 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
9 of the Acupuncture Board.

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11 DATED: 8-22-14

Heather Rice
HEATHER LORRAINE RICE, L.AC.
Respondent

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14 I have read and fully discussed with Respondent HEATHER LORRAINE RICE, L.Ac. the
15 terms and conditions and other matters contained in the above Stipulated Settlement and
16 Disciplinary Order. I approve its form and content.

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19 DATED: August 22, 2014

Raymond J. McMahon
Raymond J. McMahon
Attorney for Respondent

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ENDORSEMENT

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

Dated: *August 25, 2014*

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General



WENDY WIBLUS
Deputy Attorney General
Attorneys for Complainant

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