

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 JOCELYN PARK
Deputy Attorney General
4 State Bar No. 274738
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, California 90013
6 Telephone: (213) 269-6412
Facsimile: (916) 731-2117
7 E-mail: Jocelyn.Park@doj.ca.gov
Attorneys for Complainant
8

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

13 In the Matter of the Accusation Against:

Case No. 1A-2019-2

14 **TERESA TRANG NGUYEN, L.AC.**
15 **2081 South Gail Lane**
16 **Anaheim, CA 92802**

ACCUSATION

17 **Acupuncturist License No. AC 8980,**

Respondent.

18 **PARTIES**

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

21 2. On or about March 14, 2003, the Acupuncture Board issued Acupuncturist License
22 No. AC 8980 to Teresa Trang Nguyen, L.Ac. (Respondent). The Acupuncturist License was in
23 full force and effect at all times relevant to the charges brought herein and will expire on April 30,
24 2020, unless renewed.

25 **JURISDICTION**

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

1 4. Section 4955 of the Code states in pertinent part:

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

4 "Unprofessional conduct shall include, but not be limited to, the following:

5 ". . .

6 "(d) Aiding or abetting in, or violating or conspiring in, directly or indirectly,
7 the violation of the terms of this chapter or any regulation adopted by the board
8 pursuant to this chapter.

9 ". . .

10 "(h) Disciplinary action taken by any public agency for any act substantially
11 related to the qualifications, functions, or duties of an acupuncturist or any
12 professional health care licensee.

13 "(i) Any action or conduct that would have warranted the denial of the
14 acupuncture license.

15 ". . ."

16 **PRIOR DISCIPLINE**

17 5. In a prior disciplinary action brought by Board of Registered Nursing, entitled *In the*
18 *Matter of the Accusation Against Teresa Trang Nguyen*, Case No.2018-826, the Board of
19 Registered Nursing issued a decision, effective November 23, 2018, in which Respondent's
20 Registered Nurse License, license no. 785966; Nurse Practitioner Certificate, certificate no.
21 95000667; and Nurse Practitioner Furnishing Certificate, certificate no. 95000667, were revoked.
22 However, the revocations were stayed and Respondent was placed on probation for a period of
23 three (3) years with certain terms and conditions. A true copy of that decision and order, is
24 attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.
25 Respondent remains on probation with the Board of Registered Nursing.

26 **COSTS**

27 6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
28

1 administrative law judge to direct a licentiate found to have committed a violation or violations of
2 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
3 enforcement of the case.

4 **FACTUAL ALLEGATIONS**

5 7. On or about May 8, 2017, Patient 1,¹ a 15- year-old male, was seen by Respondent at
6 an urgent care clinic. Patient 1 complained of a 15-pound weight loss in the prior two weeks,
7 frequent urination, insatiable thirst, and crystals in his urine. Patient 1's mother was concerned
8 Patient 1 might be diabetic.

9 8. Despite Patient 1's finger glucose test result being elevated, an elevated urine dip test
10 result, and abnormal ketones, Respondent failed to transfer Patient 1 to a higher level of care for
11 further work-up and treatment. Instead, Respondent prescribed Metformin² and sent Patient 1
12 home with blood testing supplies and a laboratory slip for a fasting blood test.

13 9. On May 9, 2017, Patient 1 provided a blood sample. The test results were reported
14 on May 10, 2017, which revealed an elevated blood glucose result, an abnormal hemoglobin A1c
15 level, and a low c-peptide result.³ Respondent failed to contact Patient 1's mother regarding the
16 abnormal results.

17 10. On May 17, 2017, Patient 1 was seen by another provider at the urgent care center
18 who referred Patient 1 to a endocrinologist for further evaluation.

19 11. On May 24, 2017, Patient 1 was seen by an endocrinologist and was immediately
20 admitted to the hospital for further laboratory work-up, initiation of subcutaneous insulin and
21 diabetes education.

22 12. On May 31, 2018, the Board of Registered Nursing filed Accusation No. 2018-826,
23 which alleged Gross Negligence, Incompetence, and Unprofessional Conduct.

24 13. On August 15, 2018, Respondent signed a Stipulated Settlement and Disciplinary

25 ///

26 _____
27 ¹For privacy purposes, the patient in this Accusation is referred to as Patient 1.

28 ² Metformin is an oral medication commonly used in the treatment of type 2 diabetes.

³ An elevated blood glucose reading, an abnormal hemoglobin A1c, and a low c-peptide
result are typically seen with type 1 diabetes prior to insulin initiation.

1 Order in which she admitted the truth of each and every charge and allegation in Accusation No.
2 2018-826.

3 **CAUSE FOR DISCIPLINE**

4 **(Disciplinary Action Taken by the California Board of Registered Nursing)**

5 14. Respondent is subject to disciplinary action under section 4955, subdivision (h) of the
6 Code in that she has incurred disciplinary action by any public agency for acts substantially
7 related to the qualifications, functions or duties of an acupuncturist or any professional health care
8 licensee. The circumstances are as follows:

9 15. Complainant refers to and, by this reference, incorporates paragraphs 5, and 7 through
10 13, above, as though set forth fully herein.

11 16. Respondent's acts and/or omissions as set forth in Paragraphs 5, and 7 through 15,
12 above, whether proven individually, jointly, or in any combination thereof, constitute disciplinary
13 action by the taken by any public agency for acts substantially related to the qualifications,
14 functions or duties of an acupuncturist or any professional health care licensee, pursuant to
15 section 4955, subdivision (h), of the Code. Therefore, cause for discipline exists.

16 **PRAYER**

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

19 1. Revoking or suspending Acupuncturist License No. AC 8980, issued to Teresa Trang
20 Nguyen, L.Ac.;

21 2. Ordering Teresa Trang Nguyen, L.Ac. to pay the Acupuncture Board the reasonable
22 costs of the investigation and enforcement of this case, pursuant to Business and Professions
23 Code section 4959; and, if placed on probation, the costs of probation monitoring; and,

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

25 DATED: October 9, 2019

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

LA2019503646
53713251

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

EXHIBIT A