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

In the Matter of the Accusation Against:	)	Case No. 1A-2013-97
	)	
CHAN JOON PARK	)	
5330 Falls Way, Suite M	)	
Buena Park, CA 90621	)	
	)	
Acupuncture License No. AC-12692	)	
	)	
Respondent.	)	
	)	

DECISION AND ORDER

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

This Decision shall become effective on June 24, 2016.

IT IS SO ORDERED May 25, 2016.

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

KAMALA D. HARRIS
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General
State Bar No. 71375
California Department of Justice
300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-2543
Facsimile: (213) 897-9395
Attorneys for Complainant

BEFORE THE
ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against, **CHAN JOON PARK, L.Ac.** **5330 Falls Way, Suite M** **Buena Park CA 90621** **Acupuncturist License No. AC12692** Respondent.	Case No. 1A-2013-97 **DEFAULT DECISION AND ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. On or about September 4, 2015, Complainant Terri Thorfinnson, in her official capacity as the Executive Officer of the Acupuncture Board, Department of Consumer Affairs, filed Accusation No. 1A-2013-97 against CHAN JOON PARK, L.Ac. (Respondent) before the Acupuncture Board.

2. On or about September 15, 2008, the Acupuncture Board (Board) issued Acupuncturist License No. AC12692 to Respondent. The Acupuncturist License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2016, unless renewed.

3. On or about September 4, 2015, Cricket Borges, an employee of the Complainant Agency, served by Certified Mail a copy of the Accusation No. 1A-2013-97, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and is 5330

Falls Way, Suite M, Buena Park CA 90621. A copy of the Accusation, the related documents, and Declaration of Service are attached as exhibit A, and are incorporated herein by reference.

4. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

5. Government Code section 11506 states, in pertinent part:

"(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

Respondent failed to file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 1A-2013-97.

6. California Government Code section 11520 states, in pertinent part:

"(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent."

7. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in exhibits A, B, C, D and E, finds that the allegations in Accusation No. 1A-2013-97 are true.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent CHAN JOON PARK, L.Ac. has subjected his Acupuncturist License No. AC12692 to discipline.

2. A copy of the Accusation and the related documents and Declaration of Service are attached.

3. The agency has jurisdiction to adjudicate this case by default.

4. The Acupuncture Board is authorized to revoke Respondent's Acupuncturist License based upon the following violations alleged in the Accusation:

a. Respondent engaged in acts of sexual abuse, misconduct, or relations with a patient, client, or customer.

b. Respondent was grossly negligent in the care and treatment of a patient.

5. The reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 4959, total $4,067.75.

ORDER

IT IS SO ORDERED that Acupuncturist License No. AC12692, heretofore issued to Respondent CHAN JOON PARK, L.Ac., is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

Prior to seeking reinstatement of his license, Respondent must pay the costs of investigation and enforcement of this case in the amount of $4,067.75.

This Decision shall become effective on June 24, 2016.

It is so ORDERED May 25, 2016

FOR THE ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS

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