BEFORE THE ACUPUNCTURE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

Case No. 1A-2019-58

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HAICHAO HUANG		
402 8th Avenue, Ste 203 San Francisco CA 94118		
Acupuncture License No. 8705		
Respondent.		
	I	
DECISION A	ND ORDER	
The attached Stipulated Surrender of License and Order is hereby adopted by the		
Acupuncture Board, Department of Consumer Affairs, as its Decision in this matter.		
This Decision shall become effective onJuly 31, 2020		
It is so ORDEREDJuly 21, 2020		

Original Signature on File
FOR THE ACUPUNCTURE BOARD

DEPARTMENT OF CONSUMER AFFAIRS

In the Matter of the Accusation Against:

1	XAVIER BECERRA		
2	Attorney General of California JANE ZACK SIMON		
3	Supervising Deputy Attorney General State Bar No. 116564 455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004 Telephone: (415) 510-3521 Facsimile: (415) 703-5480		
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6	E-mail: Janezack.simon@doj.ca.gov Attorneys for Complainant		
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8	BEFORE THE ACUPUNCTURE BOARD		
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
10	STATE OF	CALIFORNIA	
11	In the Matter of the Accusation Against:	Case No. 1A-2019-58	
12	HAICHAO HUANG, L.Ac.		
13	402 8th Avenue, Ste 203 San Francisco CA 94118	STIPULATED SURRENDER OF	
14	Acupuncture License No. AC 8705	LICENSE AND ORDER	
15	Responder	ıt.	
16			
17	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-		
18	entitled proceedings that the following matters	are true:	
19	<u>PA</u>	RTIES	
20	Benjamin Bodea (Complainant) is a	the Executive Officer of the Acupuncture Board	
21	(Board). He brought this action solely in his official capacity and is represented in this matter by		
22	Xavier Becerra, Attorney General of the State of California, by Jane Zack Simon, Supervising		
23	Deputy Attorney General.		
24	2. Haichao Huang, L.Ac. (Respondent) is representing himself in this proceeding.		
25	3. On October 2, 2002, the Board issued Acupuncture License No. AC 8705 to Haicha		
26	Huang, L.Ac.The Acupuncture License is renewed and current, with and expiration date of		
27	March 31, 2022.		
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JURISDICTION

4. Accusation No. 1A-2019-58 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent. A copy of Accusation No. 1A-2019-58 is attached as Exhibit A.

ADVISEMENT AND WAIVERS

- Respondent has carefully read and understands the charges and allegations in
 Accusation No. 1A-2019-58. Respondent also has carefully read and understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent understands that the charges and allegations in Accusation No. 1A-2019-58, if proven at a hearing, constitute cause for imposing discipline upon his Acupuncture License.
- 9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

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10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Acupuncture License without further process.

CONTINGENCY

- 11. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.
- 13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Acupuncture License No. 8705, issued to Respondent Haichao Huang, L.Ac., is surrendered and accepted by the Board.

- 1. The surrender of Respondent's Acupuncture License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.
- 2. Respondent shall lose all rights and privileges as an Acupuncturist in California as of the effective date of the Board's Decision and Order.
- 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

1	<u>ENDORSEMENT</u>			
2	The foregoing Stipulated Surrender of License as	The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted		
3	3 for consideration by the Acupuncture Board of the Dep	for consideration by the Acupuncture Board of the Department of Consumer Affairs.		
4	DITIED:	KAVIER BECERRA		
5	5	Attorney General of California		
6	6	Original Signature on File		
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Exhibit A

Accusation No. 1A-2019-58