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FILED

JUL 22 2010

ACUPUNCTURE BOARD

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

11 In the Matter of the Statement of Issues
12 Against:

Case No. 1A-2010-46

13 **JEREMY FANE CAMPBELL**

STATEMENT OF ISSUES

14 Applicant for Acupuncture License

15 Applicant.

16
17 Complainant alleges:

18 PARTIES

19 1. Janelle Wedge ("Complainant") brings this Statement of Issues solely in her
20 official capacity as the Executive Officer of the Acupuncture Board ("Acupuncture Board" or
21 "Board"), Department of Consumer Affairs.

22 2. On or about June 20, 2009, the Acupuncture Board received an application for
23 examination for an acupuncture license from Jeremy Fane Campbell ("Applicant"). On or about
24 June 9, 2010, the Acupuncture Board received an application from Applicant for an acupuncture
25 license. On June 10, 2010, the Board notified Applicant that it had denied his application to seek
26 licensure as a California acupuncturist. The Board received Applicant's request for an
27 administrative hearing on June 21, 2010.

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1 9. On June 6, 2007, Applicant pled nolo contendere to violating Vehicle Code section
2 23152(a) (driving under the influence of alcohol), a misdemeanor. The charge of violating
3 Vehicle Code section 23152(b) was dismissed. Imposition of sentence was suspended and
4 Applicant was granted a conditional sentence for a 60 month period on the condition that he serve
5 5 days in jail and, among other things, enroll in a nine month First Offender Alcohol Program and
6 pay a fine of \$2015.

7 10. On October 4, 2008, Applicant was arrested for violations of Vehicle Code
8 sections 23152(a), driving under the influence, and 23152(b), driving under the influence with a
9 blood alcohol level of 0.08% or higher. His blood alcohol level was measured at the scene at
10 0.20% and 0.21%.

11 11. On November 21, 2008, Applicant pled guilty to violating Vehicle Code section
12 23152(b) (driving with a blood alcohol level of 0.08% or higher) with a prior conviction for
13 violating Vehicle Code section 23152, a misdemeanor. The charge of violating Vehicle Code
14 section 23152(a) was dismissed. He was sentenced to five years of probation and 30 days in
15 county jail—at least 10 of which were to be actually served with the remaining to be served in
16 work alternative—and, among other things, was fined \$1690.00; was prohibited from operating a
17 vehicle without an ignition interlock device for two years; and was required to enroll in the
18 county-approved Multiple Offender Alcohol Program.

19 12. Applicant also had an earlier, 1996, conviction for violating Vehicle Code section
20 23152(a), driving under the influence, a misdemeanor.

21 13. Applicant's application is subject to denial under Business and Professions Code
22 section 480, subdivision (a)(1), [conviction of a crime substantially related to the qualifications,
23 functions, or duties of the profession of acupuncture], and section 4955, subdivision (b),
24 [conviction of a crime substantially related to the qualifications, functions, or duties of the
25 profession of acupuncture], because he was convicted at least three times, as described above, of
26 driving under the influence of alcohol, convictions which are substantially related to the practice
27 of acupuncture.

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PRAYER

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

1. Denying the application of Jeremy Fane Campbell for a license to practice acupuncture; and
2. Taking such other and further action as deemed necessary and proper.

DATED: **JUL 28 2010**



JANELLE WEDGE
Executive Officer
Acupuncture Board of California
Department of Consumer Affairs
State of California
Complainant