

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

In the Matter of the Accusation Against:)	Case No. 1A-2016-10
)	
JUNG GUN LEE, L.Ac.)	OAH NO. 2018070132
2525 West 8 th Street, Suite 210)	
Los Angeles, CA 90057)	
)	
Acupuncture License No. AC 12728)	
)	
Respondent.)	
_____)	

DECISION AND ORDER

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

This Decision shall become effective on March 21, 2019.

It is so ORDERED February 19, 2019.



Amy Matecki, MD, L.Ac.
Acupuncture Board
Department of Consumer Affairs
State of California

1 XAVIER BECERRA
Attorney General of California
2 E. A. JONES III
Supervising Deputy Attorney General
3 WENDY WIDLUS
Deputy Attorney General
4 State Bar No. 82958
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6457
Facsimile: (213) 897-9395
7 E-mail: Wendy.Widlus@doj.ca.gov
Attorneys for Complainant
8

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

12 In the Matter of the Amended Accusation
13 Against:

14 **JUNG GUN LEE, L.Ac.**
15 **2525 West 8th Street, Suite 210**
Los Angeles, CA 90057

16 **Acupuncturist License No. AC 12728,**

17 Respondent.

Case No. 1A-2016-10

OAH No. 2018070132

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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19 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Benjamin Bodea (Complainant) is the Executive Officer of the Acupuncture Board
23 (Board). He brought this action solely in his official capacity and is represented in this matter by
24 Xavier Becerra, Attorney General of the State of California, by Wendy Widlus, Deputy Attorney
25 General.

26 2. Respondent Jung Gun Lee, L.Ac. (Respondent) is represented in this proceeding by
27 attorney Jehan N. Jayakumar, whose address is: 2424 S. E. Bristol Street, Ste. 300, Newport
28 Beach, CA 92660.

1 under penalty of perjury on forms provided by the Board, stating whether there has been
2 compliance with all the conditions of probation.

3 3. COURSEWORK Respondent shall take and successfully complete not
4 less than eight (8) hours of coursework in the area of Record Keeping and not less than four (4)
5 hours of coursework in Ethics. The coursework shall be taken as approved by the Board.
6 Classroom attendance or live webinar must be specifically required. Course content shall be
7 pertinent to the violation and all coursework must be completed within the first three (3) years of
8 probation. The required coursework must be in addition to any continuing education courses that
9 may be required for license renewal.

10 Within 90 days of the effective date of this decision, Respondent shall submit a plan for
11 the Board's prior approval for meeting the educational requirements. All costs of the coursework
12 shall be borne by the Respondent.

13 4. SURVEILLANCE PROGRAM Respondent shall comply with the
14 Board's probation surveillance program and shall, upon reasonable notice, report to the assigned
15 investigative district office. Respondent shall contact the assigned probation surveillance monitor
16 regarding any questions specific to the probation order. Respondent shall not have any
17 unsolicited or unapproved contact with 1) victims or complainants associated with the case;
18 2) Board members or members of its staff; or 3) persons serving the Board as expert examiners.

19 5. REIMBURSEMENT FOR PROBATION SURVEILLANCE
20 MONITORING Respondent shall reimburse the Board for the hourly costs it incurs in
21 monitoring the probation to ensure compliance for the duration of the probation period.

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

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

28 8. TOLLING FOR OUT-OF-STATE PRACTICE OR RESIDENCE In the

1 event Respondent should leave California to reside or to practice outside the State, Respondent
2 must notify the Board in writing of the dates of departure and return. Periods of residency or
3 practice outside California will not apply to the reduction of this probationary period.

4 9. EMPLOYMENT AND SUPERVISION OF TRAINEES Respondent
5 shall not employ or supervise or apply to employ or supervise acupuncture trainees during the
6 course of this probation. Respondent shall terminate any such supervisorial relationship in
7 existence on the effective date of this probation.

8 10. COST RECOVERY Respondent shall pay to the Board its costs of
9 investigation and enforcement in the amount of \$5,500. Respondent shall be permitted to pay
10 these costs in a payment plan approved by the Board, with payments to be completed no later
11 than three months prior to the end of the probation term and the period of probation shall be
12 automatically extended should Respondent require additional time to complete payment of the
13 full sum. Cost recovery will not be tolled. Respondent understands that failure to timely pay
14 costs is a violation of probation, and submission of evidence demonstrating financial hardship
15 does not preclude the Board from pursuing further disciplinary action. However, Respondent
16 understands that providing evidence and supporting documentation of financial hardship may
17 delay further disciplinary action. Consideration to financial hardship will not be given should
18 Respondent violate this term and condition, unless an unexpected AND unavoidable hardship is
19 established from the date of this order to the date payment(s) is due.

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

28 12. COMPLETION OF PROBATION Upon successful completion of

1 probation, Respondent's license will be fully restored.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Jehan N. Jayakumar. I understand the stipulation and the effect it will have on my Acupuncturist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Acupuncture Board.

DATED: 11/27/2018


JUNG GUN LEE, L.Ac.
Respondent

I have read and fully discussed with Respondent Jung Gun Lee, L.Ac. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

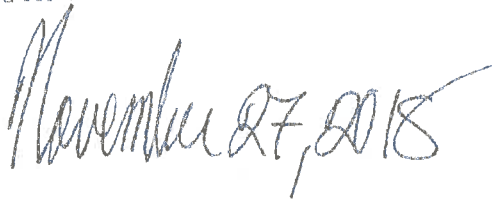
DATED: 11-27-18


JEHAN N. JAYAKUMAR
Attorney for Respondent

ENDORSEMENT

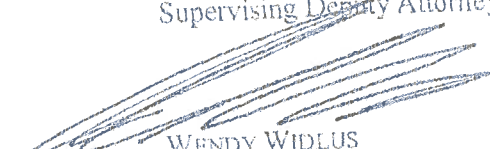
The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Acupuncture Board.

Dated:



Respectfully submitted,

XAVIER BECERRA
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General


WENDY WIDLUS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Amended Accusation No. 1A-2016-10