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

In the Matter of the Accusation Against:	)	Case No. 1A-2012-5
	)	
KARL DAKO CHANG, L.AC. 474 High School Drive Bishop, CA 93514	)))	OAH No. 2013120423
	)	
Acupuncture License No. AC 13939	)	
	)	
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 JUL 09 2015.

It is so ORDERED JUN 09 2015.

Michael Shi, L.Ac, Chair
Acupuncture Board
Department of Consumer Affairs
State of California

KAMALA D. HARRIS
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General
WENDY WIDLUS
Deputy Attorney General
State Bar No. 82958
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, California 90013
Telephone: (213) 897-2867
Facsimile: (213) 897-9395
E-mail: Wendy.Widlus@doj.ca.gov
Attorneys for Complainant

BEFORE THE
ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **KARL DAKO CHANG, L.AC.** **474 High School Drive** **Bishop, CA 93514** **Acupuncturist License No. AC 13939** Respondent.	Case No. 1A-2012-5 OAH No. 2013120423 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

1. Terri Thorfinnson ("Complainant") is the Executive Officer of the Acupuncture Board. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Wendy Widlus, Deputy Attorney General.

2. Respondent KARL DAKO CHANG, L.Ac. ("Respondent") is represented in this proceeding by attorney Therese M. Hankel, whose address is: Law Offices of Therese M. Hankel, 549 Old Mammoth Road, Suite 12, P.O. Box 2728, Mammoth Lakes, CA 93546.

//

3. On or about September 27, 2010, the Acupuncture Board issued Acupuncturist License No. AC 13939 to Respondent. The Acupuncturist License was in full force and effect at all times relevant to the charges brought in Accusation No. 1A-2012-5 and will expire on March 31, 2016, unless renewed.

JURISDICTION

4. Accusation No. 1A-2012-5 was filed before the Acupuncture Board, (Board), and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 30, 2013. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 1A-2012-5 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 1A-2012-5. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. 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 be represented by counsel at his own expense; 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.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent agrees that at a hearing of this matter, Complainant could prove a prima facie case establishing each charge and allegation contained in the First, Second, Third, and

Fourth Causes of Action.

10. Respondent agrees that his Acupuncture License is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Acupuncture Board. Respondent understands and agrees that counsel for Complainant and the staff of the Acupuncture Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. 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 Settlement 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 Settlement and Disciplinary 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 Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Acupuncture License No. AC 13939 issued to Respondent Karl Dako Chang is revoked. However, the revocation is stayed and Respondent is placed on probation for two (2) years on the following terms and conditions.

1. PRACTICE MONITOR Within 90 days of the effective date of this decision, Respondent shall submit to the Board for its prior approval, the name and qualifications of one or more California licensed acupuncturists whose license is clear (no record of complaints) and current and who has agreed to serve as a practice monitor. Once approved, the monitor shall submit to the Board a plan by which Respondent's practice shall be monitored. The monitor's

education and experience shall be in the same field of practice as that of the Respondent. The monitor shall submit written reports to the Board on a quarterly basis verifying that monitoring has taken place and providing an evaluation of Respondent's performance. It shall be Respondent's responsibility to assure that the required reports are filed in a timely fashion. The Respondent shall provide access to the monitor of Respondent's fiscal and client records and the monitor shall be permitted to make direct contact with patients. Further, the monitor shall have no prior business, professional, personal or other relationship with Respondent. Respondent shall execute a release authorizing the monitor to divulge any information that the Board may request.

Respondent shall notify all current and potential patients of any term or condition of probation which will affect their treatment or the confidentiality of their records (such as this condition which requires a practice monitor). Such notification shall be signed by each patient prior to continuing or commencing treatment.

If the monitor quits or is otherwise no longer available, Respondent shall not practice until a new monitor has been approved by the Board. All costs of monitoring shall be borne by the Respondent.

2. CHAPERONE During probation, Respondent shall provide written notification to Respondent's patients that a third party chaperone shall be present during all consultations, examination, or treatment with female patients unless the female patient signs a waiver for the treatment session. Respondent shall, within thirty calendar days of the effective date of the Decision, submit to the Board or its designee for prior approval a chaperone waiver form for patient review and signature. Respondent shall, within thirty calendar days of the effective date of the Decision, submit to the Board or its designee for prior approval the name of a person who will act as the third party chaperone. Respondent shall maintain in the patient's file a copy of the written notification, shall make the notification available for immediate inspection and copying on the premises at all times during business hours by the Board or its designee, and shall retain the notification for the entire term of probation.

Respondent shall maintain a log of all patients seen for whom a third party chaperone is required. The log shall contain the: 1) patient initials, address and telephone number; 2) medical

record number; and 3) date of service. Respondent shall keep this log in a separate file or ledger, in chronological order, shall make the log available for immediate inspection and copying on the premises at all times during business hours by the Board or its designee, and shall retain the log for the entire term of probation.

If Respondent fails to obtain approval of a third party chaperone within 60 calendar days of the effective date of this Decision, Respondent shall receive a notification from the Board or its designee to cease the practice of acupuncture within three (3) calendar days after being so notified. Respondent shall cease the practice of acupuncture until a chaperone is approved to provide monitoring responsibility. Each third party chaperone shall read the Decision and the Accusation, and fully understand the role of the third party chaperone. Each third party chaperone shall sign (in ink or electronically) and date each patient medical record at the time the chaperone's services are provided. Respondent is prohibited from terminating employment of a Board approved third party chaperone solely because that person provided information as required to the Board or its designee.

If the third party chaperone resigns or is no longer available, Respondent shall, within five (5) calendar days of such resignation or unavailability, submit to the Board or its designee, for prior approval, the name of the person(s) who will act as the third party chaperone. If Respondent fails to obtain approval of a replacement chaperone within 60 calendar days of the resignation or unavailability of the chaperone, Respondent shall receive a notification from the Board or its designee to cease the practice of acupuncture within three (3) calendar days after being so notified. Respondent shall cease the practice of acupuncture until a replacement chaperone is approved and assumes monitoring responsibility.

3. PROFESSIONAL BOUNDARIES PROGRAM Within 60 calendar days from the effective date of this Decision, Respondent shall enroll in a professional boundaries program equivalent to the Professional Boundaries Program offered by the Physician Assessment and Clinical Education Program at the University of California, San Diego School of Medicine ("Program ") Respondent, at the Program's discretion, shall undergo and complete the Program's assessment of Respondent's competency, mental health and/or neuropsychological performance,

and at minimum, a 24 hour program of interactive education and training in the area of boundaries, which takes into account data obtained from the assessment and from the Decision, Accusation and any other information that the Board or its designee deems relevant. The Program shall evaluate Respondent at the end of the training and the Program shall provide any data from the assessment and training as well as the results of the evaluation to the Board or its designee.

Failure to complete the entire Program not later than six (6) months after Respondent's initial enrollment shall constitute a violation of probation unless the Board or its designee agrees in writing to a later time for completion. Based on Respondent's performance in and evaluations from the assessment, education, and training, the Program shall advise the Board or its designee of its recommendation (s) for additional education, training, psychotherapy and other measures necessary to ensure that Respondent can practice acupuncture safely. Respondent shall comply with Program recommendations. At the completion of the Program, Respondent shall submit to a final evaluation. The Program shall provide the results of the evaluation to the Board or its designee. The professional boundaries program shall be at Respondent's expense and shall be in addition to ~~t~~any continuing education courses that may be required for license renewal. The Program has the authority to determine whether or not Respondent successfully completed the program.

If Respondent fails to complete the Program within the designated time period, Respondent shall cease the practice of acupuncture within three (3) calendar days after being notified by the Board or its designee that Respondent failed to complete the Program.

4. COURSEWORK Respondent shall take and successfully complete not less than 10 hours of coursework in the following area: ethics. The coursework shall be taken as approved by the Board. Classroom attendance must be specifically required. Course content shall be pertinent to the violation and all coursework must be completed within the first three (3) years of probation. The required coursework must be in addition to any continuing education courses that may be required for license renewal. Within ninety days of the effective date of this Decision, Respondent shall submit a plan for the Board's prior approval for meeting the educational

requirement. All cost of the coursework shall be borne by the Respondent.

5. OBEY ALL LAWS Respondent shall obey all federal, state and local laws and all regulations governing the practice of acupuncture in California. A full and detailed account of any and all violations of law shall be reported by the Respondent to the Board in writing within seventy-two (72) hours of occurrence.

6. QUARTERLY REPORTS Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation.

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

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

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

10. TOLLING FOR OUT-OF-STATE PRACTICE OR RESIDENCE In the event Respondent should leave California to reside or to practice outside the State, Respondent must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside California will not apply to the reduction of this probationary period.

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

12. COST RECOVERY Respondent is ordered to reimburse the Board the actual and reasonable investigative and prosecutorial costs incurred by the Board in the amount of $15,000. The Board or its designee may establish a payment plan for cost recovery; however, Respondent shall pay the full amount of cost recovery at least 180 days prior to the completion of the probation. Failure to pay the ordered reimbursement, or any agreed upon payment, constitutes a violation of the probation order and may result in revocation. If Respondent is in default of his responsibility to reimburse the Board, the Board will collect cost recovery from the Franchise Tax Board, the Internal Revenue Service, or by any other means of attachment of earned wages legally available to the Board

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

14. COMPLETION OF PROBATION Upon successful completion of probation, Respondent's license will be fully restored.

//

//

//

//

//

//

//

//

//

//

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Therese M. Hankel. 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: 3/26/2015

KARL DAKO CHANG, L.AC.
Respondent

I have read and fully discussed with Respondent KARL DAKO CHANG, 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: 3/26/2015

Therese M. Hankel
Attorney for Respondent

ENDORSEMENT

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

Dated:

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General

WENDY WIDLUS
Deputy Attorney General
Attorneys for Complainant

LA2013609559
CHANG-Stipulated Settlement-SDAG Reviewed.docx

Mar 26 15 10:56a KARL CHANG ACUPUNCTURE 760-258-9294 p.1

Exhibit A

Accusation No. 1A-2012-5

KAMALA D. HARRIS
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General
CLAUDIA RAMIREZ
Deputy Attorney General
State Bar No. 205340
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, California 90013
Telephone: (213) 897-5678
Facsimile: (213) 897-9395
Attorneys for Complainant Terri Thorfinnson
Executive Officer, Acupuncture Board

FILED

OCT 30 2013

ACUPUNCTURE BOARD

BEFORE THE
ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: KARL DAKO CHANG, L.AC. 474 High School Drive Bishop, California 93514 Acupuncturist License No. AC 13939, Respondent.	Case No. 1A-2012-5 **ACCUSATION**

Complainant alleges:

PARTIES

1. Terri Thorfinnson ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Acupuncture Board of the State of California.

2. On or about September 27, 2010, the Acupuncture Board issued Acupuncturist License number AC 13939 to Karl Dako Chang ("Respondent"). That license was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2014, unless renewed.

JURISDICTION

3. This Accusation is brought before the Acupuncture Board ("Board"), Department of Consumer Affairs, State of California under the authority of the following laws. All section

references are to the Business and Professions Code unless otherwise indicated.

4. Section 726 of the Code states:

"The commission of any act of sexual abuse, misconduct, or relations with a patient, client, or customer constitutes unprofessional conduct and grounds for disciplinary action for any person licensed under this division, under any initiative act referred to in this division and under Chapter 17 (commencing with Section 9000) of Division 3.

"This section shall not apply to sexual contact between a physician and surgeon and his or her spouse or person in an equivalent domestic relationship when that physician and surgeon provides medical treatment, other than psychotherapeutic treatment, to his or her spouse or person in an equivalent domestic relationship."

5. Section 4955 of the Code states:

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

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

"..."

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

"..."

6. Section 4955.1 of the Code states:

"The board may deny, suspend, revoke, or impose probationary conditions upon the license of any acupuncturist if he or she is guilty of committing a fraudulent act including, but not be limited to, any of the following:

"(a) Securing a license by fraud or deceit.

"(b) Committing a fraudulent or dishonest act as an acupuncturist.

"(c) Committing any act involving dishonesty or corruption with respect to the qualifications, functions, or duties of an acupuncturist.

"(d) Altering or modifying the medical record of any person, with fraudulent

intent, or creating any false medical record.

"(e) Failing to maintain adequate and accurate records relating to the provision of services to their patients."

7. Section 4955.2 of the Code states:

"The board may deny, suspend, revoke, or impose probationary conditions upon the license of any acupuncturist if he or she is guilty of committing any one of the following:

"(a) Gross negligence.

"(b) Repeated negligent acts.

"(c) Incompetence."

8. California Code of Regulations, title 19, section 1399.453, states:

"An acupuncturist shall keep complete and accurate records on each patient who is given acupuncture treatment, including but not limited to, treatments given and progress made as a result of the acupuncture treatments."

COST RECOVERY

9. Section 4959 of the Code states:

"(a) The board may request the administrative law judge, under his or her proposed decision in resolution of a disciplinary proceeding before the board, to direct any licensee found guilty of unprofessional conduct to pay to the board a sum not to exceed actual and reasonable costs of the investigation and prosecution of the case.

"(b) The costs to be assessed shall be fixed by the administrative law judge and shall not in any event be increased by the board. When the board does not adopt a proposed decision and remands the case to an administrative law judge, the administrative law judge shall not increase the amount of any costs assessed in the proposed decision.

"(c) When the payment directed in the board's order for payment of costs is not made by the licensee, the board may enforce the order for payment in the superior court in the county where the administrative hearing was held. This right of

enforcement shall be in addition to any other rights the board may have as to any licensee directed to pay costs.

"(d) In any judicial action for the recovery of costs, proof of the board's decision shall be conclusive proof of the validity of the order of payment and the terms for payment.

"(e) All costs recovered under this section shall be considered a reimbursement for costs incurred and shall be deposited in the Acupuncture Fund."

FIRST CAUSE FOR DISCIPLINE

(Sexual Misconduct)

10. Respondent is subject to disciplinary action under section 726 of the Code in that he committed acts of sexual misconduct with Patients A, B, and S.R.[1] during acupuncture treatment. The circumstances are as follows:

Patient A

11. On December 14, 2011 and January 6, 2012, Patient A, an adult female, went to Respondent's office for acupuncture treatment. Respondent's office is located inside his residence. Patient A sought treatment for symptoms consistent with Premenstrual Syndrome ("PMS"), liver disharmony, and the need to nourish the Heart and calm the Shen.

12. On December 14, 2011, Respondent covered Patient A's breasts with a scarf. He asked Patient A for permission to work in between her breasts. She agreed because she thought it was part of treatment. He massaged between her breasts, down her stomach, and back around her breasts.

13. On January 6, 2012, at approximately 6:00 p.m., Patient A arrived at Respondent's office for her scheduled appointment. Respondent invited Patient A to use his hot tub to loosen her muscles. Patient A entered the hot tub in the nude since she was unprepared with a swimsuit. Respondent subsequently asked Patient A if he could join her in the hot tub. Patient A agreed to avoid confrontation.

[1] The names of the patients are not used to protect their right of privacy.

14. Respondent disrobed and entered the hot tub in the nude with Patient A. Respondent asked Patient A if he could work on her shoulders. He stated, "why don't you come over here and let me rub your shoulders?" Patient A declined and informed him that she felt uncomfortable.

15. After they got out of the hot tub, Respondent provided treatment to Patient A in one of his treatment rooms. While Patient A lay face down, Respondent massaged her head, neck, shoulders, back, buttocks, and legs. Respondent did not ensure that the sheet covering Patient A was adequately tucked to avoid exposing her private areas when he massaged her buttocks and rotated her leg.

16. Respondent then had Patient A turn around on the table. Respondent exposed her breasts without permission and rubbed around and over her breasts and nipples.

17. Respondent removed the sheet from Patient A's right leg and bent her right leg and bent it at the knee, and rotated the leg thereby exposing her vagina. Respondent repeated this procedure on her other leg as well. He made no attempt to cover her vagina.

18. Respondent moved around the table to sit above Patient A and work on her neck. He made no attempt to cover Patient A's upper body. Respondent had a view of Patient A's exposed breasts the entire time that he worked on her neck.

19. As Respondent moved around the table, his body would rub up against Patient A's hands.

20. While treating Patient A's lower abdomen with acupuncture, Respondent felt around her lower abdomen inappropriately low and asked Patient A "is this your pelvic bone?" The sheet covering Patient A was pulled down to the area above her crotch.

21. The treatment lasted approximately two and three quarter hours later and ended at approximately 8:45 p.m.

Patient B

22. Patient B is a licensed massage therapist. She was employed by Respondent for approximately six months. Patient B sought treatment from Respondent for neck, upper back, shoulder, and scapula pain. She also had symptoms consistent with PMS.

23. On a date unknown to Patient B but known to Respondent, Respondent gave Patient

B a "Thai" massage as part of treatment. He had her sit on a table. He got up on the table and positioned himself directly behind her. Patient B attempted to hold a sheet tucked between her arms to keep the sheet from falling down. Patient B was nude beneath the sheet.

24. Respondent lifted Patient B's arms over her head causing the sheet covering her breasts to fall to her waist. Patient B's breasts became exposed. She became very uncomfortable. She could feel Respondent's body against her. She felt that Respondent's breathing changed when her breasts were exposed. She felt that he was aroused and his body heated up.

Patient S.R.

25. On February 8, 2012, District Attorney Investigator S.R. conducted an undercover operation to determine if Respondent would expose or touch a female patient while providing acupuncture or massage treatments. She went to Respondent's office for treatment regarding shoulder and neck pain associated with S.R.'s fictitious employment. Respondent asked S.R. to remove all her clothes, except her panties, and cover herself with a sheet.

26. Respondent conducted acupuncture treatment while S.R. was lying on her back. Respondent then asked S.R. to roll over to her stomach to treat her back side. As S.R. was rolling to her stomach, Respondent lifted the sheet off her body and exposed her breasts.

SECOND CAUSE FOR DISCIPLINE

(Gross Negligence)

27. Respondent is further subject to disciplinary action under section 4955.2, subdivision (a) of the Code in that his acts of acts of sexual misconduct with Patients A, B, and S.R. constitute an extreme departure from the standard of practice.

28. The circumstances are as follows: Paragraphs 11 through 26 are incorporated by reference as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

29. Respondent is further subject to disciplinary action under section 4955, subdivision (d) of the Code in that he engaged in unprofessional conduct by breaching the rules or ethical code of conduct of the profession of acupuncture, and by engaging in conduct unbecoming to an

acupuncturist in good standing in the profession and which demonstrates an unfitness to practice acupuncture.[2] The circumstances are as follows:

30. Paragraphs 11 through 26 are incorporated by reference as if fully set forth herein.

FOURTH CAUSE FOR DISCIPLINE

(Inadequate and Inaccurate Records)

31. Respondent is further subject to disciplinary action under section 4955.1, subdivision (e) of the Code and section 1399.453 of Title 16 of the California Code of Regulations in that he failed to keep complete and accurate records regarding the medical history of Patients A and B, the chief complaints of Patient A and B, and Respondent's care and treatment of Patients A and B Respondent also failed to sign his treatment notes for both patients.

PRAYER

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

1. Revoking or suspending Acupuncturist License Number AC 13939, issued to Karl Dako Chang;

2. Ordering him to pay the Acupuncture Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 4959; and

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

DATED: 10/23/13

TERRI THORFINNSON
Executive Officer
Acupuncture Board
Department of Consumer Affairs
State of California

Complainant

[2] See *Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.