BEFORE THE
ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the First Amended Accusation
Against:

PEGGY CHUI MAY LO, L.Ac.
3750 Canfield Road
Pasadena, CA 91007

Acupuncturist License No. AC 15088,
Respondent.

DECISION AND ORDER

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

This Decision shall become effective on April 4, 2020.

It is so ORDERED March 5, 2020.

Original Signature on File
FOR THE ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
BEFORE THE
ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the First Amended Accusation Against:

PEGGY CHUI MAY LO, L.Ac.
3750 Canfield Road
Pasadena, CA 91007

Acupuncturist License No. AC 15088,

Respondent.

Case No. 1A-2018-113
OAH No. 2019080256

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

PARTIES

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

2. Respondent Peggy Chui May Lo, L.Ac. (Respondent) is represented in this proceeding by attorney David M. Balfour, Esq., whose address is: Nossaman LLP, 1925 Palomar Oaks Way, Suite 220, Carlsbad, CA 92008.
3. On or about October 3, 2012, the Board issued Acupuncturist License No. AC 15088 to Respondent. The Acupuncturist License was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. 1A-2018-113, and will expire on May 31, 2020, unless renewed.

JURISDICTION

First Amended Accusation No. 1A-2018-113 was filed before the Board, and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on November 20, 2019. Respondent timely filed her Notice of Defense contesting the First Amended Accusation.


ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in First Amended Accusation No. 1A-2018-113. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the First Amended Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her 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. 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 prima
facie case for the charges in the First Amended Accusation, and Respondent hereby gives up her right to contest those charges, for the purpose of this proceeding only.

CIRCUMSTANCES IN MITIGATION

9. Respondent has never been the subject of any disciplinary action.

CONTINGENCY

10. 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 her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her 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.

11. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order shall have the same force and effect as the originals.

12. 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 Acupuncturist License No. AC 15088 issued to Respondent Peggy Chui May Lo, L.Ac. is hereby publically reprimanded pursuant to California Business and Professions Code section 495. This public reprimand is based on the allegations in First Amended Accusation No. 1A-2018-113. This public reprimand is issued to Respondent with the expectation that such conduct will not be repeated.

IT IS FURTHER ORDERED that Respondent comply with the following:

1. COURSEWORK  Within 90 calendar days of the effective date of this Decision,
Respondent shall enroll in and successfully complete the Clean Needle Technique, 7th Edition, course offered by the Council of Colleges of Acupuncture and Oriental Medicine. Respondent shall submit the completion certificate to the Board not later 90 days after the effective date of this Decision. The Clean Needle Technique, 7th Edition, course shall be at Respondent’s expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

2. **COST RECOVERY**  Respondent is hereby ordered to reimburse the Board the amount of $11,061.25 within 90 days from the effective date of this decision for its investigative and prosecution costs. The filing of bankruptcy by the Respondent shall not relieve the Respondent of his responsibility to reimburse the Board for its investigative and prosecution costs.

3. **VIOLATION OF THIS AGREEMENT**  Failure to fully comply with any term or condition of this disciplinary order is unprofessional conduct. Accordingly, if Respondent violates this agreement in any respect, the Board may file an Accusation against Respondent.
ACCEPtANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, David M. Balfour, Esq. 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: 1/8/20  

Original Signature on File

PEGGY CHUI MAY LO, L.Ac.
Respondent

I have read and fully discussed with Respondent Peggy Chui May Lo, 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: 1/8/20  

Original Signature on File

DAVID M. BALFOUR, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: 1/9/20  

Respectfully submitted,

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

Original Signature on File

WENDY WIDLUS  
Deputy Attorney General
Attorneys for Complainant
Exhibit A

First Amended Accusation No. 1A-2018-113