BEFORE THE ACUPUNCTURE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

CHONG MIN YI 1861 Earl Avenue San Bruno, CA 94066

Case No. 1A-2017-28

OAH No. 2017090435

Acupuncture License No. AC 15462

Respondent

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Acupuncture Board, Department of Consumer Affairs, State of California, as its Decision in the above-entitled matter.

This Decision shall become effective on October 23, 2017

IT IS SO ORDERED October 13, 2017

Benjamin/Bodea, Executive Officer Acupuncture Board Department of Consumer Affairs State of California

1	XAVIER BECERRA Attorney General of California		
2	JANE ZACK SIMON Supervising Deputy Attorney General LYNNE K. DOMBROWSKI Deputy Attorney General State Bar No. 128080 455 Golden Gate Avenue, Suite 11000		
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5	San Francisco, CA 94102-7004 Telephone: (415) 703-5578		
6	Facsimile: (415) 703-5480 E-mail: Lynne.Dombrowski@doj.ca.gov		
7	Attorneys for Complainant		
8	BEFORE THE ACUPUNCTURE BOARD		
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
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11	In the Matter of the Accusation Against:	Case No. 1A-2017-28	
12	CHONG MIN YI, L.AC.	OAH No. 2017090435	
13	1861 Earl Avenue San Bruno, CA 94066	STIPULATED SURRENDER OF LICENSE AND ORDER	
14	Acupuncture License No. AC 15462	,	
15	Respondent.		
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17	IT IS HEDERY STIDLILATED AND AGREED by and between the particulation to the shows		
19	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-		
20	entitled proceedings that the following matters are true: PARTIES		
21	1. Benjamin Bodea (Complainant) is the Executive Officer of the Acupuncture Board		
22	(Board). He brought this action solely in his official capacity and is represented in this matter by		
23	Xavier Becerra, Attorney General of the State of California, by Lynne K. Dombrowski, Deputy		
24	Attorney General.		
25	2. Chong Min Yi, L.Ac. (Respondent) is represented in this proceeding by attorney		
26	Jessica J. Lim, Esq., whose address is: Lim Law Firm, 3600 Wilshire Boulevard, Suite 410		
27	Los Angeles, CA 90010.		
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		Stinulated Sumandan of License (Cose No. 14, 2017, 28)	

3. On or about April 30, 2013, the Board issued Acupuncture License No. AC 15462 to Chong Min Yi, L.Ac. (Respondent). The Acupuncture License was in full force and effect at all times relevant to the charges brought in Accusation No. 1A-2017-28 and will expire on January 31, 2019, unless renewed.

JURISDICTION

4. Accusation No. 1A-2017-28 was filed before the (Board) and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on May 16, 2017. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 1A-2017-28 is attached as Exhibit A and incorporated by reference.

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ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Accusation No. 1A-2017-28. Respondent also has carefully read, fully
14 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
15 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 admits the truth of each and every charge and allegation in Accusation
No. 1A-2017-28, agrees that cause exists for discipline and hereby surrenders his Acupuncture
License No. AC 15462 for the Board's formal acceptance.

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9. 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.

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CONTINGENCY

10. 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 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 Surrender and Disciplinary Order shall be of no force or effect, except for this 10 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

11. The parties understand and agree that Portable Document Format (PDF) and facsimile 13 copies of this Stipulated Surrender of License and Order, including Portable Document Format 14 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals. 15

12. In consideration of the foregoing admissions and stipulations, the parties agree that 16 the Board may, without further notice or formal proceeding, issue and enter the following Order: 17

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ORDER

IT IS HEREBY ORDERED that Acupuncture License No. AC 15462, issued to 19 Respondent Chong Min Yi, L.Ac., is surrendered and accepted by the Acupuncture Board. 20

1. Respondent shall lose all rights and privileges as a licensed acupuncturist in California as of the effective date of the Board's Decision and Order.

2. Respondent shall cause to be delivered to the Board his pocket license and, if one was 23 issued, his wall certificate on or before the effective date of the Decision and Order. 24

3. If Respondent ever files an application for licensure or a petition for reinstatement in 25 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must 26 comply with all the laws, regulations and procedures for reinstatement of a revoked license in 27 28 effect at the time the petition is filed, and all of the charges and allegations contained in

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Accusation No. 1A-2017-28 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

Respondent shall pay the agency its costs of investigation and enforcement in the 4. amount of \$4,325.00 prior to issuance of a new or reinstated license.

If Respondent should ever apply or reapply for a new license or certification, or 5. petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 1A-2017-28 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of 8 Issues or any other proceeding seeking to deny or restrict licensure. 9

I have carefully read the above Stipulated Surrender of License and Order and have fully 12 discussed it with my attorney, Jessica J. Lim, Esq. I understand the stipulation and the effect it 13 will have on my Acupuncture License. I enter into this Stipulated Surrender of License and Orces 14 voluntarily; knowingly, and intelligently, and agree to be bound by the Decision and Order of the 15 Acupuncture Board. 16

ACCEPTANCE

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DATED:

CHONG MIN YI, L.Ac.

Respondent

I have read and fully discussed with Respondent Chong Min Y., L.Ac. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. 1 approve its form and content.

10/10/2017 DATED:

JESSICA J. LIM, ESO. Attorney for Respondent

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1	ENDORSEMENT	
2	The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted	
3	for consideration by the Acupuncture Board of the Department of Consumer Affairs.	
4	DATED: 10/11/2017 Respectfully submitted,	
5	Xavier Becerra	
6	Attorney General of California JANE ZACK SIMON	
7	Supervising Deputy Attorney General	
8	Hynnek. Dombrowsti	
9	LYNNE K. DOMBROWSKI Deputy Attorney General Attorneys for Complainant	
10	Attorneys for Complainant	
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	5 Stinulated Surrandar of License (Case No. 14, 2017, 20)	

Exhibit A

Accusation No. 1A-2017-28