

1 ROB BONTA
Attorney General of California
2 MACHAELA M. MINGARDI
Supervising Deputy Attorney General
3 C. HAY-MIE CHO
Deputy Attorney General
4 State Bar No. 282259
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 510-4433
6 Facsimile: (415) 703-1107
E-mail: Haymie.Cho@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 1A-2020-74

13 **WEI LOU, L.Ac**
341 Castro St. D
Mountain View, CA 94041

ACCUSATION

14 **Acupuncture License No. 16213,**

15 Respondent.

16
17
18 **PARTIES**

19 1. Benjamin Bodea (Complainant) brings this Accusation solely in his official capacity
20 as the Executive Officer of the Acupuncture Board, Department of Consumer Affairs.

21 2. On or about September 29, 2014, the Board issued Acupuncture License Number
22 16213 to WEI LOU, L.Ac (Respondent). The Acupuncture License was in full force and effect at
23 all times relevant to the charges brought herein and will expire on November 30, 2027, unless
24 renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board, under the authority of the following
27 laws. All section references are to the Business and Professions Code (Code) unless otherwise
28 indicated.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. Section 498 of the Code states:

A board may revoke, suspend, or otherwise restrict a license on the ground that the licensee secured the license by fraud, deceit, or knowing misrepresentation of a material fact or by knowingly omitting to state a material fact.

5. Section 583 of the Code states:

No person shall in any document or writing required of an applicant for examination, license, certificate, or registration under this division, the Osteopathic Initiative Act, or the Chiropractic Initiative Act, willfully make a false statement in a material regard.

6. Section 4928.2 of the Code states:

Protection of the public shall be the highest priority for the Acupuncture Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

7. Section 4939 of the Code states:

(a) For purposes of this chapter, “approved credential evaluation service” means an agency or organization that is approved by the board to evaluate education completed outside the United States and identify the equivalency of that education to education completed within the United States.

(b) If an applicant completes education outside of the United States, the applicant shall do both of the following:

(1) Submit documentation of his or her education to a board-approved credential evaluation service for evaluation.

(2) Have the results of the evaluation sent directly from the credential evaluation service to the board.

(c) If the board receives the results of an applicant’s evaluation pursuant to subdivision (b), the board shall examine the results and determine whether the applicant meets requirements for licensure. If the evaluated education is not sufficient to meet the requirements for licensure, the board may offer the applicant additional education, training, or standardized testing to satisfy the educational requirements. The board shall not require the applicant to complete education, training, or testing that is not otherwise required of applicants who complete education or training within the United States.

(d) The board shall establish, by regulation, an application process, criteria, and procedures for approval of credential evaluation services. The regulations shall, at a minimum, require the credential evaluation service to meet all of the following requirements:

(1) Furnish evaluations written in English directly to the board.

(2) Be a member of a nationally recognized foreign credential evaluation association, such as, but not limited to, the American Association of Collegiate

1 Registrars and Admissions Officers or the National Association of Credential
2 Evaluation Services.

3 (3) Undergo reevaluation by the board every five years.

4 (4) Certify to the board that the credential evaluation service maintains a
5 complete set of reference materials as determined by the board.

6 (5) Base evaluations only upon verified authentic, official transcripts, and
7 degrees.

8 (6) Have a written procedure for identifying fraudulent transcripts.

9 (7) Include in an evaluation report submitted to the board the specific method or
10 methods of authentication for the transcripts, certification, degrees, and other
11 education evaluated for the purposes of the report.

12 (8) Include in the evaluation report, for each degree held by the applicant, the
13 equivalent degree offered in the United States, the date the degree was granted, the
14 institution granting the degree, an English translation of the course titles, and the
15 semester unit equivalence for each course.

16 (9) Have an appeal procedure for applicants.

17 (10) Provide information concerning the credential evaluation service to the
18 board that includes, but is not limited to, resumes or curriculum vitae for each
19 evaluator and translator, which includes biographical information, three letters of
20 references from public or private agencies, statistical information on the number of
21 applications processed annually for the past five years, and any other information the
22 board may require to determine whether the credential evaluation service meets the
23 standards under this subdivision and the board's regulations.

24 8. Section 4955 of the Code states:

25 The board may deny, suspend, or revoke, or impose probationary conditions
26 upon, the license of any acupuncturist who is guilty of unprofessional conduct.

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

28 (a) Using or possessing any controlled substance as defined in Division 10
(commencing with Section 11000) of the Health and Safety Code, dangerous drug, or
alcoholic beverage to an extent or in a manner dangerous to the acupuncturist, or to
any other person, or to the public, and to an extent that the use impairs the
acupuncturist's ability to engage in the practice of acupuncture with safety to the
public.

(b) Conviction of a crime substantially related to the qualifications, functions,
or duties of an acupuncturist, the record of conviction being conclusive evidence
thereof.

(c) False or misleading advertising.

(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.

(e) Except for good cause, the knowing failure to protect patients by failing to

1 follow infection control guidelines of the board, thereby risking transmission of
2 blood-borne infectious diseases from licensee to patient, from patient to patient, and
3 from patient to licensee. In administering this subdivision, the board shall consider
4 referencing the standards, regulations, and guidelines of the State Department of
5 Public Health developed pursuant to Section 1250.11 of the Health and Safety Code
6 and the standards, regulations, and guidelines pursuant to the California Occupational
7 Safety and Health Act of 1973 (Part 1 (commencing with Section 6300) of Division 5
8 of the Labor Code) for preventing the transmission of HIV, hepatitis B, and other
9 blood-borne pathogens in health care settings. As necessary, the board shall consult
10 with healing arts boards within this division, including, but not limited to, the Medical
11 Board of California, the California Board of Podiatric Medicine, the Dental Board of
12 California, the Board of Registered Nursing, and the Board of Vocational Nursing
13 and Psychiatric Technicians, to encourage appropriate consistency in the
14 implementation of this subdivision.

15 The board shall seek to ensure that licensees are informed of the responsibility
16 of licensees and others to follow infection control guidelines, and of the most recent
17 scientifically recognized safeguards for minimizing the risk of transmission of
18 blood-borne infectious diseases.

19 (f) The use of threats or harassment against any patient or licensee for providing
20 evidence in a disciplinary action, other legal action, or in an investigation
21 contemplating a disciplinary action or other legal action.

22 (g) Discharging an employee primarily for attempting to comply with the terms
23 of this chapter.

24 (h) Disciplinary action taken by any public agency for any act substantially
25 related to the qualifications, functions, or duties of an acupuncturist or any
26 professional health care licensee.

27 (i) Any action or conduct that would have warranted the denial of the
28 acupuncture license.

(j) The violation of any law or local ordinance on an acupuncturist's business
premises by an acupuncturist's employee or a person who is working under the
acupuncturist's professional license or business permit, that is substantially related to
the qualifications, functions, or duties of an acupuncturist. These violations shall
subject the acupuncturist who employed the individuals, or under whose
acupuncturist license the employee is working, to disciplinary action.

(k) The abandonment of a patient by the licensee without written notice to the
patient that treatment is to be discontinued and before the patient has had a reasonable
opportunity to secure the services of another practitioner.

(l) the failure to notify the board of the use of any false, assumed, or fictitious
name other than the name under which the licensee is licensed as an individual to
practice acupuncture.

9. 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.

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

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

4 (d) Altering or modifying the medical record of any person, with fraudulent
5 intent, or creating any false medical record.

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

8 **COST RECOVERY**

9 10. Section 4959 of the Code states:

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

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

21 (c) When the payment directed in the board's order for payment of costs is not
22 made by the licensee, the board may enforce the order for payment in the superior
23 court in the county where the administrative hearing was held. This right of
24 enforcement shall be in addition to any other rights the board may have as to any
25 licensee directed to pay costs.

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

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

FACTUAL ALLEGATIONS

11. The Foundation for International Services, Inc. (FIS), based in Edmonds,
Washington, is a company that evaluates academic credentials from a foreign country and
determines whether such credentials are equivalent to those earned in the United States.

12. On October 2, 2013, Respondent applied to sit for the Board's licensing examination
and provided required documents for evaluation. The documents included FIS Evaluation
Reports (FIS Report) dated August 5, 2013, and September 5, 2013. The August 5, 2013, FIS
Report indicated that he had attended a three-year college program in Chinese Medicine at

1 Beijing University of Chinese Medicine (Beijing University) from September 1995 to July 1998.
2 The September 5, 2013, Report stated that he attended a three-year general higher education
3 program in Chinese Medicine Beijing University from September 2005 to January 2013.

4 13. On November 22, 2013, the Board approved Respondent to take the examination on
5 February 20, 2014, but he did not achieve a passing score. He reapplied to take the examination
6 on August 19, 2014, passed that examination, and was issued his acupuncture license on
7 September 29, 2014.

8 14. On October 29, 2019, the Board learned from an FIS employee that the September 5,
9 2013, FIS Report Respondent had submitted was fraudulent, FIS had no records of evaluating his
10 education, and the sales order number on that evaluation was used for another individual.

11 15. On December 16, 2025, another FIS employee confirmed that the purported FIS
12 Report dated September 5, 2013, was fraudulent.

13 16. On April 21, 2026, the FIS employee also confirmed that the purported FIS Report
14 dated August 5, 2013, was fraudulent.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Use of Fraudulently Obtained Writing to Practice)**

17 17. Paragraphs 11 through 16 are incorporated by reference as if fully set forth herein.

18 18. Respondent is subject to disciplinary action under Code section 583 because on
19 October 2, 2013, he submitted two falsified FIS Reports to the Board as part of his application to
20 take the licensing examination on February 20, 2014, in order to practice as an acupuncturist.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Securing a License by Fraud or Deceit)**

23 19. Paragraphs 11 through 16 are incorporated by reference as if fully set forth herein.

24 20. Respondent is subject to disciplinary action under Code section 4955.1(a) because on
25 October 2, 2013, he submitted two falsified FIS Reports to the Board as part of his application to
26 take the licensing examination on February 20, 2014, and thus attempted to secure a license to
27 practice acupuncture by fraud or receipt.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Dishonest Acts)

21. Paragraphs 11 through 16 are incorporated by reference as if fully set forth herein.

22. Respondent is subject to disciplinary action under Code section 4955 (unprofessional conduct) and 4955.1(c) (commission of dishonest acts) because he submitted a falsified FIS Report to the Board as part of his application to take the licensing examination.

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 Licensed Acupuncturist Number 16213, issued to WEI LOU, L.Ac;
2. Ordering Wei Lou, L.Ac 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 if placed on probation, the costs of probation monitoring; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 5/6/2026



BENJAMIN BODEA
Executive Officer
Acupuncture Board
Department of Consumer Affairs
State of California
Complainant

SF2026301270
45047522