BEFORE THE ACUPUNCTURE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against: ZHONG LIANG TANG, L.AC. 13623 Hidden Forest Cir. Orlando, FL 32828

Case No. 1A-2019-82

Acupuncture License No. AC 16370

Respondent.

DECISION AND ORDER

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

This Decision shall become effective on <u>April 22, 2023</u>. It is so ORDERED on <u>March 23, 2023</u>.

Original Signature on File with the Board

FOR THE ACUPUNCTURE BOARD DEPARTMENT OF CONSUMER AFFAIRS

1	ROB BONTA		
2	Attorney General of California		
2	MARY CAIN-SIMON Supervising Deputy Attorney General		
3	KIMIKO AKIYA		
	Deputy Attorney General State Bar No. 311991		
4	State Bar No. 311991 455 Golden Gate Avenue, Suite 11000		
5	San Francisco, CA 94102-7004		
	Telephone: (415) 510-3505		
6	Facsimile: (415) 703-5480 E-mail: Kimiko.Akiya@doj.ca.gov		
7	Attorneys for Complainant		
8			
8	BEFORE THE		
9	ACUPUNCTURE BOARD		
10	DEPARTMENT OF CONSUMER AFFAIRS		
	STATE OF CALIFORNIA		
11			
12	In the Matter of the Accusation Against:	Case No. 1A-2019-82	
	ZHONG LIANG TANG, L.AC. 13623 Hidden Forest Cir.		
13	Orlando, FL 32828		
14		STIPULATED SURRENDER OF	
15	Acupuncture License No. AC 16370	LICENSE AND ORDER	
15	Respondent.	· · · · · · · · · · · · · · · · · · ·	
16		19	
17			
	In the interest of a prompt and speedy settlement of this matter, consistent with the public		
18	interest and the responsibility of the Acupuncture Board of the Department of Consumer Affairs,		
19	the parties hereby agree to the following Stipulated Surrender and Disciplinary Order which will		
20			
21	be submitted to the Board for approval and adoption as the final disposition of the Accusation.		
	<u>PARTIES</u>		
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	Rob Bonta, Attorney General of the State of California, by Kimiko Akiya, Deputy Attorney		
25	General.		
26			
	2. Zhong Liang Tang, L.Ac. (Respondent) is representing himself in this proceeding and		
27	has chosen not to exercise his right to be represented by counsel.		

28

3. On November 5, 2014, the Board issued Acupuncture License No. AC 16370 to Zhong Liang Tang, L.Ac. (Respondent). The Acupuncture License was in full force and effect at all times relevant to the charges brought in Accusation No. 1A-2019-82 and expired on August 31, 2022, unless renewed.

JURISDICTION

4. Accusation No. 1A-2019-82 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 September 29, 2021. Respondent filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 1A-2019-82 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

- Respondent has carefully read, and understands the charges and allegations in
 Accusation No. 1A-2019-82. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and 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 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.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent understands that the charges and allegations in Accusation No. 1A-2019-82, if proven at a hearing, constitute cause for imposing discipline upon his Acupuncture License.
- 9. 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 factual

basis for the charges in the Accusation and that those charges constitute cause for discipline.

Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

10. 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.

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Acupuncture Board or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CIRCUMSTANCES IN MITIGATION

- 12. Respondent represents that he relied in good faith upon a third party's representations and that Respondent did not knowingly submit a fraudulent application for licensure.
- 13. Respondent represents he did not knowingly refuse to participate in the Board's investigation.

CONTINGENCY

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

1	<u>ENDORSEMENT</u>		
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: <u>February 27, 2023</u>	Respectfully submitted,	
5		ROB BONTA	
6		Attorney General of California MARY CAIN-SIMON Supervising Deputy Attorney General	
7		Supervising Deputy Attorney General	
8		/s/ Kimiko L. Akiya	
9		Kimiko Akiya	
10		Deputy Attorney General Attorneys for Complainant	
11			
12	SF2021401073		
13	Stipulated Surrender of License and Order - Tang (1)).docx	
14			
15			
16 17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			

Exhibit A

Accusation No. 1A-2019-82