

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

In the Matter of the First Amended Accusation
Against:

CHIEN-LIANG LIN, L.Ac.
43824 20th Street West #8758
Lancaster, CA 93539

Acupuncturist License No. AC 7526,

Respondent.

Case No. 1A-2014-31

OAH No. 2018110762

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 September 28, 2019.

It is so ORDERED September 18, 2019.

Original signed by: _____

BENJAMIN BODEA, EXECUTIVE OFFICER
ACUPUNCTURE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

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Attorney General of California
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8 **BEFORE THE**
9 **ACUPUNCTURE BOARD**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the First Amended Accusation
Against:

13 **CHIEN-LIANG LIN, L.Ac.**
14 **43824 20th Street West #8758**
15 **Lancaster, CA 93539**

16 **Acupuncturist License No. AC 7526,**

17 Respondent.

Case No. 1A-2014-31

OAH No. 2018110762

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

18
19 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

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 Xavier Becerra, Attorney General of the State of California, by Wendy Widlus, Deputy Attorney
25 General.

26 2. Chien-Liang Lin, L.Ac. (Respondent) is represented in this proceeding by attorney
27 Ronald Talmo, Esq., whose address is: 1202 S. Ross Street, Santa Ana, CA 92707.

28 3. On or about September 26, 2000, the Board issued Acupuncturist License No. AC

1 7526 to Chien-Liang Lin, L.Ac. (Respondent). The Acupuncturist License was in full force and
2 effect at all times relevant to the charges brought in the First Amended Accusation No. 1A-2014-
3 31 and will expire on December 31, 2019, unless renewed.

4 **JURISDICTION**

5 4. The First Amended Accusation No. 1A-2014-31 was filed before the Board, and is
6 currently pending against Respondent. The First Amended Accusation and all other statutorily
7 required documents were properly served on Respondent on August 6, 2019. Respondent timely
8 filed his Notice of Defense contesting the First Amended Accusation. A copy of the First
9 Amended Accusation No. 1A-2014-31 is attached as Exhibit A and incorporated by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in the First Amended Accusation No. 1A-2014-31. Respondent also has
13 carefully read, fully discussed with counsel, and understands the effects of this Stipulated
14 Surrender of License and Order.

15 6. Respondent is fully aware of his legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the First Amended Accusation; the right to confront and
17 cross-examine the witnesses against him; the right to present evidence and to testify on his own
18 behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the
19 production of documents; the right to reconsideration and court review of an adverse decision;
20 and all other rights accorded by the California Administrative Procedure Act and other applicable
21 laws.

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

24 **CULPABILITY**

25 8. Respondent understands that the charges and allegations in the First Amended
26 Accusation No. 1A-2014-31, if proven at a hearing, constitute cause for imposing discipline upon
27 his Acupuncturist License.
28

1 9. For the purpose of resolving the First Amended Accusation without the expense and
2 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could
3 establish a prima facie case for the charges in the First Amended Accusation and that those
4 charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause
5 for discipline exists based on those charges.

6 10. Respondent agrees that cause exists for discipline for each and every charge and
7 allegation in the First Amended Accusation No. 1A-2014-31, that his Acupuncturist License is
8 subject to discipline, and he hereby surrenders his Acupuncturist License No. AC 7526 for the
9 Board's formal acceptance.

10 11. Respondent understands that by signing this stipulation, he enables the Board to issue
11 an order accepting the surrender of his Acupuncturist License without further process.

12 12. Respondent agrees that if he ever petitions for reinstatement of his Acupuncture
13 License No. AC 7526, all of the charges and allegations contained in the First Amended
14 Accusation No. 1A-2014-31 shall be deemed true, correct and fully admitted by Respondent for
15 purposes of that reinstatement proceeding or any other licensing proceeding involving
16 Respondent in the State of California.

17 **CONTINGENCY**

18 13. This stipulation shall be subject to approval by the Board. Respondent understands
19 and agrees that counsel for Complainant and the staff of the Board may communicate directly
20 with the Board regarding this stipulation and surrender, without notice to or participation by
21 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he
22 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board
23 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
24 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
25 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
26 be disqualified from further action by having considered this matter.

27 **OTHER AGREEMENTS**

28 14. The parties understand and agree that Portable Document Format (PDF) and facsimile

1 copies of this Stipulated Surrender of License and Order shall have the same force and effect as
2 the originals.

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

5 **ORDER**

6 **IT IS HEREBY ORDERED** that Acupuncturist License No. AC 7526, issued to
7 Respondent Chien-Liang Lin, L.Ac., is surrendered and accepted by the Board.

8 1. The surrender of Respondent's Acupuncturist License and the acceptance of the
9 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
10 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
11 license history with the Board.

12 2. Respondent shall lose all rights and privileges as an Acupuncturist in California as of
13 the effective date of the Board's Decision and Order.

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

16 4. If Respondent ever files an application for licensure or a petition for reinstatement in
17 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
18 comply with all the laws, regulations and procedures for reinstatement of a revoked or
19 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
20 contained in the First Amended Accusation No. 1A-2014-31 shall be deemed to be true, correct
21 and admitted by Respondent when the Board determines whether to grant or deny the petition.

22 5. Respondent shall pay the agency its costs of investigation and enforcement in the
23 amount of \$39,273.50 prior to Respondent submitting a petition for reinstatement of his license.

24 6. If Respondent should ever apply or reapply for a new license or certification, or
25 petition for reinstatement of a license, by any other health care licensing agency in the State of
26 California, all of the charges and allegations contained in the First Amended Accusation, No. 1A-
27 2014-31 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any
28 Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Ronald Talmo, Esq. I understand the stipulation and the effect it will have on my Acupuncturist License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Acupuncture Board.

DATED: August 14, 2019 Original signed by:
CHIEN-LIANG LIN, L.Ac.
Respondent

I have read and fully discussed with Respondent Chien-Liang Lin, L.Ac. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: August 14, 2019 Original signed by:
RONALD TALMO, ESQ.
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Acupuncture Board of the Department of Consumer Affairs.

DATED: August 14, 2019 Respectfully submitted,
XAVIER BECERRA
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General

Original signed by:
WENDY WIDLUS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 1A-2014-31