

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

In the Matter of the Accusation Against:

Case No. 1A-2015-132

JIAN WEI SHOU

**2117 Main Street
Santa Clara, CA 95050**

Acupuncture License No. AC 15022

Respondent.

DECISION AND ORDER

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

This Decision shall become effective on **MAY 07 2017** .

It is so ORDERED **APR 07 2017** .



FOR THE CALIFORNIA ACUPUNCTURE BOARD

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 KEITH C. SHAW
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Attorneys for Complainant
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ACUPUNCTURE BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
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11 In the Matter of the Accusation Against:
12 **JIAN WEI SHOU**
13 **2117 Main Street**
14 **Santa Clara, CA 95050**
15 **Acupuncture License No. AC 15022**
16 Respondent.
17

Case No. 1A-2015-132

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

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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 Keith C. Shaw, Deputy Attorney
25 General.

26 2. Respondent Jian Wei Shou is represented in this proceeding by attorney Robert Hahn,
27 Esq., whose address is: Law Office of Gould & Hahn, 2550 Ninth Street, Suite 101, Berkeley, CA
28 94710.

1 CULPABILITY

2 8. Respondent admits that at the hearing of this matter, Complainant would be able to
3 introduce evidence sufficient to establish a prima facie case for the allegations in Accusation No.
4 1A-2015-132, agrees that cause exists for discipline of his license, and hereby surrenders
5 Acupuncture License No. AC 15022 for the Board's formal acceptance.

6 9. Respondent understands that by signing this stipulation he enables the Board to issue
7 an order accepting the surrender of his Acupuncture License without further process.

8 CONTINGENCY

9 10. The parties agree that this Stipulated Surrender of License and Order shall be
10 submitted to the Board for its consideration in the above-entitled matter and, further, that the
11 Board shall have a reasonable period of time in which to consider and act on this Stipulated
12 Surrender of License and Order after receiving it. By signing this stipulation, Respondent fully
13 understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation
14 prior to the time that the Board considers and acts upon it.

15 11. The parties agree that this Stipulated Surrender of License and Order shall be null and
16 void and not binding upon the parties unless approved and adopted by the Board, except for this
17 paragraph, which shall remain in full force and effect. Respondent fully understands and agrees
18 that in deciding whether or not to approve and adopt this Stipulated Surrender of License and
19 Order, the Board may receive oral and written communication from its staff and/or the Attorney
20 General's Office. Communications pursuant to this paragraph shall not disqualify the Board, any
21 member thereof, and/or any other person from future participation in this or any other matter
22 affecting or involving Respondent. In the event that the Board, in its discretion, does not approve
23 and adopt this Stipulated Surrender of License and Order, with the exception of this paragraph, it
24 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
25 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
26 that should the Board reject this Stipulated Surrender of License and Order for any reason,
27 Respondent will assert no claim that the Board, or any member thereof, was prejudiced by
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1 its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and
2 Order or of any matter or matters related hereto.

3 ADDITIONAL PROVISIONS

4 12. This Stipulated Surrender of License and Order is intended by the parties herein to be
5 an integrated writing representing the complete, final and exclusive embodiment of the
6 agreements of the parties in the above-entitled matter.

7 13. The parties agree that copies of this Stipulated Surrender of License and Order,
8 including copies of the signatures of the parties, may be used in lieu of original documents and
9 signatures and, further, that such copies shall have the same force and effect as originals.

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

12 ORDER

13 IT IS HEREBY ORDERED that Acupuncture License No. AC 15022, issued to
14 Respondent Jian Wei Shou, is surrendered and accepted by the California Acupuncture Board.

15 1. Respondent shall lose all rights and privileges to practice acupuncture in California as
16 of the effective date of the Board's Decision and Order.

17 2. On or before the effective date of the Decision and Order, Respondent shall cause to
18 be delivered his wallet and wall certificate to the Board.

19 3. If Respondent ever files an application for licensure or a petition for reinstatement in
20 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
21 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
22 effect at the time the petition is filed, and all of the charges and allegations contained in
23 Accusation No. 1A-2015-132 shall be deemed to be true, correct and admitted by Respondent
24 when the Board determines whether to grant or deny the petition.

25 4. If Respondent should ever apply or reapply for a new license or certification, or
26 petition for reinstatement of a license, by any other health care licensing agency in the State of
27 California, all of the charges and allegations contained in Accusation No. 1A-2015-132 shall be
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1 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
2 Issues or any other proceeding seeking to deny or restrict licensure.

3 5. Respondent shall pay the Board its costs of investigation and enforcement in the
4 amount \$4,692.25 prior to petitioning for reinstatement of his Acupuncture License.


5 6. The surrender of Respondent's Acupuncture License and the acceptance of the
6 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
7 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
8 license history with the California Acupuncture Board.

9 ACCEPTANCE

10 I have carefully read the Stipulated Surrender of License and Order. I enter into it freely
11 and voluntarily and with full knowledge of its force and effect do hereby surrender my
12 Acupuncture License No. AC 15022. I enter into this Stipulated Surrender of License and Order
13 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
14 Board. By signing this stipulation to surrender my license, I recognize that upon its formal
15 acceptance by the Board, I will lose all rights and privileges to practice acupuncture in the State
16 of California and I also will cause to be delivered to the Board any wallet and wall certificate in
17 my possession before the effective date of the decision.

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19 DATED: 3/31/17 
20 JIAN WEI SHOU
Respondent

21 I have read and fully discussed with Respondent Jian Wei Shou the terms and conditions
22 and other matters contained in the above Stipulated Surrender of License and Order. I approve its
23 form and content.

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25 DATED: 3-31-17 
26 ROBERT HAHN, ESQ.
Attorney for Respondent

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ENDORSEMENT

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

Dated: April 3, 2017

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General



KEITH C. SHAW
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 1A-2015-132