

IN THE MATTER OF
FONGHSIEN CHANG, L.Ac.,
Respondent.

* BEFORE THE
* MARYLAND STATE BOARD
* OF ACUPUNCTURE

* * * * *

CONSENT ORDER

PROCEDURAL BACKGROUND

Based on information received from the Virginia Board of Acupuncture, the Maryland State Board of Acupuncture initiated an investigation into allegations that Fonghsien Chang, L.Ac. (the "Respondent"), License Number U513, had falsified records to make it appear that an unlicensed individual had performed acupuncture under her supervision, in order for that individual to obtain a Virginia acupuncture license.

The Board voted to permit the Respondent to appear before its Case Resolution Conference Committee (the "CRC") to discuss settlement of the matter prior to its voting to charge Ms. Chang with violations of the Acupuncture Practice Act. Ms. Chang appeared before the CRC on July 13, 1999, and was advised to appear with counsel on a subsequent date. Ms. Chang and her counsel appeared before the CRC on September 3, 1999. The CRC's recommendation for settlement and Ms. Chang's counter-proposal were presented to the Board at its meeting of September 14, 1999. On that date, the Board considered the CRC's recommendation and voted to settle the case with Ms. Chang as provided in this Consent Order.

FINDINGS OF FACT

1. At all times relevant to these events, Respondent was and is licensed to practice acupuncture in the State of Maryland.

2. On August 20, 1998, the Board received a telephone call from the Virginia Department of Health Professions requesting information about an individual who asserted that he had a Maryland acupuncture license. The Board determined that the individual was not, in fact, licensed in this State, and that the individual had applied for a Virginia acupuncture license, asserting that he had trained in Maryland under Respondent's supervision from July, 1994 to December, 1996 and had been employed by Respondent as an acupuncturist in her clinic until June, 1998.

3. Respondent denied that she had permitted an unlicensed individual to practice acupuncture in Maryland under her supervision, but admitted that she had falsified documents, including patient records, to make it appear as if the patients had been treated by an unlicensed individual.

4. Respondent also admitted that she signed an evaluation as an employer of the unlicensed individual, rating his professional knowledge, clinical judgment, and relationship with patients.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law

that Respondent has violated the following provisions of the Acupuncture Practice Act,
Md. Code Ann., Health Occ. § 1A-309:

- (3) Is guilty of unprofessional conduct in the practice of acupuncture; and
- (10) Willfully makes or files a false report in the practice of acupuncture.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 6th
day of December, 1999,

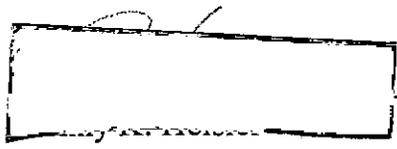
ORDERED, that the Maryland acupuncture license of Respondent, Fonghsien
Chang, L.Ac., is hereby SUSPENDED for a period of THIRTY DAYS; and it is further

ORDERED, that Respondent shall not practice acupuncture in this State during the
period of suspension; and it is further

ORDERED, that Respondent shall notify the Board on which date she intends to
serve the suspension, provided the suspension shall begin within 14 days from the date
that this executed Consent Order is served upon Ms. Chang; and it is further

ORDERED, that this is a Final Order of the Maryland State Board of Acupuncture
and a PUBLIC DOCUMENT, disclosable under the Maryland Public Information Act,
Md. Code Ann., State Gov't § 10-611 et seq., and reportable to any data bank to which
the Board reports such disciplinary actions.

12/6/99
Date


Board Executive Director

CONSENT

I, Fonghsien Chang, L.Ac., by signing this Consent, agree to be bound by the terms and conditions of the foregoing Consent Order. I acknowledge that I have read this Consent Order and that I have been advised to consult with an attorney and have had the opportunity to do so and have had the Consent Order reviewed by my attorney prior to my signing it.

I acknowledge and submit to the terms and conditions of this Consent Order as a resolution of possible charges which I acknowledge the Board had reasonable cause to bring against me. By signing this Order, I acknowledge that the Board has entered into this Consent Order in lieu of voting or issuing charges against me and proceeding forward on those charges, and I waive my right to contest the terms and findings herein and all challenges legal or otherwise to the proceedings before the Board.

I acknowledge the enforceability of this Consent Order as if it were made after a hearing in which I would have the right to consult with counsel, to confront witnesses, to give testimony, to call witnesses in my own behalf, and to all other substantial procedural protections to which I am entitled to by law. I also recognize that I am waiving my right to appeal an adverse decision of the Board that might have followed any such hearing, as well as any other legal right I might have to contest the Board's decision. I have had

the opportunity to review this Consent Order with my attorney and sign it voluntarily,
understanding its terms, meaning, and effect.

11/30/99
Date

 L.Ac
Fonghsien Chang, L.Ac.
Respondent

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF MONTGOMERY

I HEREBY CERTIFY that on this 30 day of NOVEMBER, 1999,
before me, a Notary Public of the State of Maryland and the City/County aforesaid,
personally appeared before me Fongshein Chang, L.Ac., and made oath in due form of
law that the foregoing Consent Order was her own voluntary act and deed.

AS WITNESS my hand and Notarial Seal.

TIFFANY A. JACOBS
NOTARY PUBLIC STATE OF MARYLAND
County of Montgomery
My Commission Expires February 18, 2003

Tiffany A. Jacobs
Notary Public

My Commission Expires: _____