

IN THE MATTER OF
YARON COHEN
RESPONDENT

* BEFORE THE
* MARYLAND STATE
* BOARD OF ACUPUNCTURE

* * * * *

CONSENT ORDER

BACKGROUND

The Maryland State Board of Acupuncture ("the Board") and, Yaron Cohen ("the Respondent") have agreed, in lieu of the Board's issuing the Respondent a Notice of Intent to Deny a Maryland acupuncture license based upon his having been disciplined by the California Acupuncture Board ("California Board"), to enter into to this Consent Order. The Respondent waives his right to a hearing and agrees to be sanctioned by the Board. This Consent Order is based upon the Board's belief that the Respondent violated provisions of the Maryland Acupuncture Act ("the Act"), Md. Code Ann., Health Occ. ("H.O.") §§ 1A-101 et seq. (2009 Repl. Vol. and 2011 Supp.), specifically H.O. §1A-309(9).

FINDINGS OF FACT

1. On or about February 21, 2012, the Respondent submitted an application for a Maryland acupuncture license.
2. The Respondent disclosed that he had initially been denied a license to practice acupuncture by the California Board based upon a finding that he entered a plea of guilty in the Superior Court of Arizona for the crime of facilitation to import marijuana under two pounds.
3. On or about July 24, 2009, the Arizona Court granted the Respondent's petition to terminate probation and redesignate the offense as a misdemeanor.
4. Based upon the aforementioned conviction the California Board, on or about May 3, 2010, denied Respondent's application for licensure.

5. Effective December 14, 2011, the California Board and the Respondent entered into a Stipulated Settlement and Disciplinary Order (the "California Order") under which Respondent was issued a license, which was immediately revoked, the revocation was stayed, and the Respondent placed on probation for a period of five years with conditions. Any violation of the California Order may result in revocation of his California license. The California Order is incorporated by reference as if fully set forth herein.

6. The Respondent's relocation to Maryland tolls¹ the California probationary period until if and when he returns to that State.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds that the Respondent violated H.O. §§ 1A-309(9) which authorizes the Board to sanction a licensee who has been disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes. Specifically, under H.O. § 1A-309(7) the Board may deny a license based on the applicant's having been convicted or pled guilty to a felony or to a crime involving moral turpitude.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, and by agreement of the parties, it is this 16 day of APRIL 2012, by the Maryland State Board of Acupuncture, hereby:

ORDERED that the Respondent shall be issued a license to practice acupuncture in the State of Maryland; and it is further

¹ Tolling the probationary period means that it is not in effect until the Respondent returns to California. He remains licensed in California.

ORDERED that the Respondent shall be placed on **PROBATION** for a period of **TWENTY FOUR (24) MONTHS**; and it is further

ORDERED that the Respondent shall abstain from use of controlled dangerous substances and alcohol; and it is further

ORDERED Respondent shall comply fully with the terms and conditions of the California Order, which became effective December 14, 2011. A final determination that Respondent violated the California Order may be deemed a violation of this Order and of the Act; and it is further

ORDERED that should the Respondent fail to comply with the any of the terms and/or conditions of this Order, or of the California Order, the Board, in its discretion, after notice and an opportunity for a show cause hearing, may impose additional sanctions against the Respondent's license, including revocation or suspension; and it is further,

ORDERED The Respondent shall comply with and practice within all statutes and regulations governing the practice of acupuncture in the State of Maryland; and it is further

ORDERED that the Respondent may not petition the Board for termination of his probationary status earlier than two (2) years from the effective date of this Order.² At the conclusion of this Board's Probation, if the Respondent has satisfactorily complied with all conditions of probation and there are no outstanding complaints regarding the Respondent, the Board may, at the Board's discretion, terminate the probation; and it is further

² The effective date is the date of Board acceptance.

ORDERED that this Consent Order is a PUBLIC DOCUMENT as defined in Md. State Gov't Code Ann. §§ 10-611 et seq. (2009).

16 April 2012
Board Acceptance Date


Steven Kaufman, L.Ac.
Chair

CONSENT

I, Yaron Cohen by signing this Consent agree to be bound by the terms and conditions of the foregoing Consent Order and that I have been notified of my right to consult with an attorney.

By signing this Consent Order I submit to its terms and conditions as a resolution to this matter and 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 validity and enforceability of this Consent Order as if it were made after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections to which I am entitled by law. I also recognize that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing and am also waiving any other legal remedies I may have regarding resolution of this matter.

I have had the opportunity to review this Consent Order and sign it voluntarily, understanding its terms, meaning and effect.

4-5-12
Date


Yaron Cohen

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 5th day of April, 2012, before me, a Notary Public of the State of Maryland and the City/County aforesaid, personally appeared Yaron Cohen, and made oath in due form of law that the foregoing Consent was her voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



Notary Public

My Commission Expires: July 20, 2015

