



LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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Web site: <http://www.lsbme.la.gov>

BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

No. 23-I-051

IN THE MATTER OF:

CONSENT ORDER

YIZHI ZHANG, LAc

*(Credential No. ACA.200047),
Respondent*

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") following the receipt of apparently reliable information indicating that Yizhi Zhang, LAc ("Mr. Zhang"), licensed to practice acupuncture in the State of Louisiana, as evidenced by Credential No. ACA.200047, violated the Board's Rules concerning Acupuncturists and Acupuncture Detoxification Specialists, specifically LAC 46:XLV.5107(A)(3), by both identifying himself and allowing others to identify him as "doctor" while neither designating nor possessing the degree entitling such use.

Predicated upon the foregoing information, Lawrence H. Cresswell, III, D.O., J.D., Director of Investigations (the "Investigating Officer") and the Investigative Officer assigned by the Board with respect to this matter, determined reasonable cause existed such that a formal Administrative Complaint could be filed against Mr. Zhang, charging him with violations of the Louisiana Acupuncture Practice Act, La. Rev. Stat. § 37:1356, *et seq.* ("the Act") pursuant to LAC 46:XLV.5113(A)(17).¹

Mr. Zhang likewise acknowledges that the foregoing information would provide the Investigating Officer with probable cause to pursue formal administrative proceedings against him, and that proof of such information upon administrative evidentiary hearing could establish grounds under the Act for the suspension, revocation

¹ "The board may suspend, revoke, or impose probationary conditions and restrictions on any certification or license issued under this Part, upon a finding, following hearing, that such individual is culpable of: (17) violation of any rules and regulations of the board, or any provisions of the Act, as amended, R.S. 37:1356-1360."

or imposition of such other terms, conditions, or restrictions on his license to practice acupuncture in the State of Louisiana as the Board may determine appropriate.

Recognizing his right to have notice and administrative adjudication of any charges that may be filed in this matter, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. § 49:950, *et seq.*, Mr. Zhang nonetheless hereby waives his right to notice and formal adjudication and, pursuant to La. Rev. Stat. §49:975(D),² consents to the entry of the Order set forth hereinafter. By his subscription hereto, Mr. Zhang also acknowledges that he waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. § 49:950 *et seq.*, or which otherwise may be afforded to him by law, to contest his agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto, Mr. Zhang also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Consent Order to the Board for its consideration and to fully disclose and to discuss with the Board the nature and result of the investigation and waives any objection to such disclosures under La. Rev. Stat. § 49:977.2.³ Mr. Zhang expressly acknowledges that the disclosure of information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to pursue formal administrative charges against him or to the Board's capacity to adjudicate such charges should the Board decline to approve this Consent Order.

Based upon the information provided, and upon the recommendation of the Investigating Officer, the Board hereby concludes that, consistent with its mandate under La. Rev. Stat. §§ 37:1270 and 37:1360, the interests of public health, safety, and welfare will be effectively served by entry of the Order set forth hereinafter by consent. Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. §§ 37:1360(2) and La. R.S. 49:975(D).⁴

IT IS ORDERED that the license of Yizhi Zhang, LAc to practice acupuncture in the State of Louisiana, as evidenced by Credential No. ACA.200047, is hereby **OFFICIALLY REPRIMANDED**.

² This statute within the APA previously had been codified under La. R.S. 49:955(D) and has since been redesignated per legislative amendment during the 2022 general session. 2022 La. Sess. Law Serv. Act 663 (S.B. 67) (WEST).

³ This statute within the APA previously had been codified under La. R.S. 49:960 and has since been redesignated per legislative amendment during the 2022 general session. 2022 La. Sess. Law Serv. Act 663 (S.B. 67) (WEST).

⁴ See *supra* footnote 2.

IT IS FURTHER ORDERED that within ninety (90) days of the effective date of this Order, Mr. Zhang shall pay to the Board a fine in the amount of Five-Hundred and no/100 (\$500.00) Dollars.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with this Order by Mr. Zhang shall be deemed adequate and sufficient cause, upon proof of such violation or failure, for such action against Mr. Zhang's license to practice acupuncture in the State of Louisiana as the Board may deem appropriate, as if such violations were enumerated among the causes provided in LAC 46:XLV.5113(A).


IT IS FURTHER ORDERED that this Consent Order shall be and shall be deemed to be a **PUBLIC RECORD**, and shall likewise be reported on the Board's website, <https://www.lsbme.la.gov/>, under "Disciplinary Actions."

IT IS FURTHER ORDERED this Consent Order shall be effective as of the date it is approved and accepted by the Board as shown by the signature of the Board's representative below.

New Orleans, Louisiana, this 24th day of July,
2023.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: _____

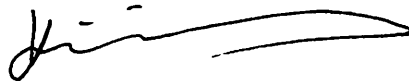

TERRIE R. THOMAS, M.D.
President

(Acknowledgement and Consent on following page)

**ACKNOWLEDGMENT
AND CONSENT**


STATE OF Louisiana
PARISH/COUNTY OF Orleans

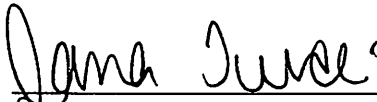
I, Yizhi Zhang, hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept, and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 23rd day of June, 2023.



YIZHI ZHANG, LAc

WITNESSES:


Signature
Ailyn CATALANOTTO
Typed Name
2950 Emergency Ct.
Street Address
N.O. La. 70163
City/State/Zip Code


Signature
Jana Turchi
Typed Name
1100 Poydras St.
Street Address
New Orleans, LA 70163
City/State/Zip Code

Sworn to and subscribed before me this 23rd day of June, 2023, in the presence of the two stated witnesses.


Notary Public (Signature)

Name: Brian Capitelli
Notary/Bar No.: La 27398
Commission expires: @ death

BRIAN CAPITELLI
NOTARY PUBLIC #27398
State of Louisiana
My Commission is issued for Life.