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FILED

November 21, 2013

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Pavithra Angara
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF :
: Administrative Action
:
Lu Han, M.D. :
License No. 25MA07416300 : CONSENT ORDER
Acupuncture Cert. No. P-0155 :
:
TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY :
:

This matter was opened to the New Jersey Board of Medical Examiners ("the Board") upon a consumer complaint regarding the care and treatment of a patient as well as allegations of unauthorized practice of acupuncture by staff members.

Lu Han, M.D. ("Respondent") holds New Jersey license number 25MA07416300 as a physician with the Board. Respondent also holds New Jersey Acupuncture certification number P-0155. Respondent provides acupuncture and physical therapy services at her rehabilitation clinic in New Jersey, and at all times relevant hereto, employed individuals that provided acupuncture services to her patients.

CERTIFIED TRUE COPY

During her appearance before a Preliminary Evaluation Committee ("PEC") of the Board on April 3, 2013, Respondent admitted to allowing one of her uncertified staff members perform unsupervised acupuncture services on the complainant. During the inquiry, Respondent also admitted to the PEC that she knowingly employed two other uncertified individuals and allowed them to perform unsupervised acupuncture services on her patients. Respondent stated to the PEC that she no longer employs uncertified individuals in her practice.

By aiding and abetting in the provision of unsupervised treatment of acupuncture by uncertified individuals pursuant to N.J.A.C. 45:2C-7 and N.J.S.A. 13:35-9.14, the Board finds that Respondent has engaged in professional misconduct under N.J.S.A. 45:1-21(e).

The parties being desirous of resolving this matter, and the Board, being satisfied that entry of the within Order obviates the need for formal proceedings, and being further satisfied that the within disposition is adequately protective of the public health, safety and welfare, and for good cause shown,

IT IS ON THIS 21st DAY OF Nov, 2013,

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for permitting uncertified individuals to perform acupuncture services.

2. Respondent shall cease and desist from the aiding and abetting of the uncertified practice of acupuncture.

3. Respondent shall enroll in, and successfully complete, a Board-approved educational course in ethics. Successful completion means that Respondent attended all sessions of the course, fully participated in the course, and received a final evaluation of an unconditional pass. The Board further requests that Respondent submit to the Board written verification that Respondent satisfactorily completed all recommendations.

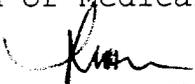
4. Respondent has been specifically informed of her right to retain an attorney to represent her in this matter. Respondent acknowledges that she has been advised of her right to counsel, has waived that right and voluntarily enters into this Consent Order.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By:


George Scott, D.P.M., D.O.
President

I have read the above Order, understand its terms, and agree to be bound by them. I consent to the entry of this Order by the Board of Medical Examiners.


Lu Han, M.D.
Respondent

Date: 11/4/2013

**NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.