

1 ROB BONTA
2 Attorney General of California
3 JOSHUA A. ROOM
4 Supervising Deputy Attorney General
5 CARTER OTT
6 Deputy Attorney General
7 State Bar No. 221660
8 455 Golden Gate Avenue, Suite 11000
9 San Francisco, CA 94102-7004
10 Telephone: (415) 510-3485
11 Facsimile: (415) 703-5480
12 E-mail: Carter.Ott@doj.ca.gov
13 *Attorneys for Complainant*

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BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case Number AC 2024-2046

ANDY TUAN TRUONGVINH
AKA ANH V. TRUONG
21524 Foothill Blvd.
Hayward, CA 94541

ACCUSATION

Chiropractor License Number DC 27554

ANDY TUAN TRUONGVINH
AKA ANH V. TRUONG
1675 Broadway Street
Redwood City, CA 94063

Satellite Office Certificate Number SAT
7204

Respondent.

PARTIES

1. Kristin Walker (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Chiropractic Examiners (Board), Department of Consumer Affairs.

2. On or about March 23, 2001, the Board issued Chiropractor License Number DC 27554 to Andy Tuan Truongvinh, also known as Anh V. Truong (Respondent). The Chiropractor

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1 License was in full force and effect at all times relevant to the charges brought herein and will
2 expire on September 30, 2025, unless renewed.

3 3. On or about November 1, 2005, the Board issued Satellite Office Certificate Number
4 SAT 7204 to Respondent. The Satellite Office Certificate was in full force and effect at all times
5 relevant to the charges brought herein and will expire on September 30, 2025, unless renewed.

6 **JURISDICTION**

7 4. This Accusation is brought before the Board of Chiropractic Examiners (Board),
8 under the authority of the following sections of the Chiropractic Act (Act).¹ All statutory
9 references are to the Business and Professions Code, unless stated otherwise.

10 5. Section 118, subdivision (b) states:

11 “(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a
12 board in the department, or its suspension, forfeiture, or cancellation by order of the board or by
13 order of a court of law, or its surrender without the written consent of the board, shall not, during
14 any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its
15 authority to institute or continue a disciplinary proceeding against the licensee upon any ground
16 provided by law or to enter an order suspending or revoking the license or otherwise taking
17 disciplinary action against the licensee on any such ground.”

18 6. Section 1000-4, subdivision (c) states:

19 “The board shall have power:

20 “(c) To examine applicants and to issue and revoke licenses to practice chiropractic, as
21 herein provided.”

22 7. Section 1000-10, subdivisions (b) and (c) state:

23 “(b) The board may refuse to grant, or may suspend or revoke, a license to practice
24 chiropractic in this state, or may place the licensee upon probation or issue a reprimand to him,
25 for violation of the rules and regulations adopted by the board in accordance with this act . . .”

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27 ¹ The Chiropractic Act, an initiative measure approved by the electors on November 7, 1922,
28 while not included in the Business and Professions Code by the legislature, is set out in West's
Annotated California Codes as sections 1000-1 to 1000-19, and is included in Deering's
California Codes as Appendix I, for convenient reference.

“(c) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the fee specified in Section 52 upon the issuance of a new license.”

REGULATORY PROVISIONS

8. California Code of Regulations, title 16, section 317 states, in part:

“The board shall take action against any holder of a license who is guilty of unprofessional conduct which has been brought to its attention, or whose license has been procured by fraud or misrepresentation or issued by mistake.

“Unprofessional conduct includes, but is not limited to, the following:

• • •

“(k) The commission of any act involving moral turpitude, dishonesty, or corruption, whether the act is committed in the course of the individual's activities as a license holder, or otherwise;

“(l) Knowingly making or signing any certificate or other document relating to the practice of chiropractic which falsely represents the existence or nonexistence of a state of facts;

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“(q) The participation in any act of fraud or misrepresentation;

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9. California Code of Regulations, title 16, section 318, subdivision (b) states:

“(b) Accountable Billings. Each licensed chiropractor is required to ensure accurate billing of his or her chiropractic services whether or not such chiropractor is an employee of any business entity, whether corporate or individual, and whether or not billing for such services is accomplished by an individual or business entity other than the licensee. In the event an error occurs which results in an overbilling, the licensee must promptly make reimbursement of the overbilling whether or not the licensee is in any way compensated for such reimbursement by his employer, agent or any other individual or business entity responsible for such error. Failure by

1 the licensee, within 30 days after discovery or notification of an error which resulted in an
2 overbilling, to make full reimbursement constitutes unprofessional conduct.”

3 **COST RECOVERY**

4 10. Section 125.3 and California Code of Regulations, title 16, section 317.5 provide,
5 in part, that the Board may request the administrative law judge to direct a licentiate found to
6 have committed a violation or violations of the licensing act to pay a sum not to exceed the
7 reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to
8 comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of
9 investigation and enforcement costs may be included in a stipulated settlement.

10 **FACTUAL ALLEGATIONS**

11 11. On or about January 5, 2021, an individual (GF) visited Respondent at Respondent’s
12 office in Redwood City, California to obtain chiropractic services to treat an injury GF suffered in
13 an automobile accident. Respondent treated GF for several months and in the process steered GF
14 to an attorney (TN) to prosecute GF’s claims related to the automobile accident, apparently acting
15 as a runner and/or capper for attorney TN.

16 12. Respondent also sought payment for treating GF from an insurance company based
17 on numerous false representations, including:

18 a. Respondent billed for providing GF with services that Respondent did not
19 provide to GF; specifically, chiropractic therapeutic massage and chiropractic manipulation;

20 b. Respondent billed for treating GF on days when he did not see GF; specifically,
21 January 7, 9, 16, and 30, 2021 and February 6, 2021.

22 c. Respondent billed for treatment products he did not provide GF; specifically, a
23 cervical collar and back brace.

24 d. Respondent falsified documents related to his treatment of GF by forcing,
25 placing, or otherwise inputting GF’s signature in treatment-related documents.

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CAUSE FOR DISCIPLINE

(Unprofessional Conduct and Violation of Chiropractic Rules and Regulations)

13. Respondent subjected his Chiropractor License and Satellite Office Certificate to discipline for unprofessional conduct and violating rules and regulations adopted by the Board. (Bus. & Prof. Code § 1000-10, subd. (b) and Cal. Code Regs., title 16, §§ 317, subds. (k), (l), and (q) and 318, subd. (b).) In particular:

a. As described in paragraphs 11 through 12, above, Respondent committed acts involving moral turpitude, dishonesty, or corruption, in violation of California Code of Regulations, title 5, section 317, subdivision (k).

b. As described in paragraph 12, above, Respondent knowingly made or signed a certificate or other document relating to the practice of chiropractic which falsely represents the existence or nonexistence of a state of facts, in violation of California Code of Regulations, title 5, section 317, subdivision (l).

c. As described in paragraph 12, above, Respondent participated in an act of fraud or misrepresentation, in violation of California Code of Regulations, title 5, section 317, subdivision (q).

d. As described in paragraph 12, above, Respondent failed to ensure accurate billing of his chiropractic services, in violation of California Code of Regulations, title 5, section 318, subdivision (b).

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Chiropractic Examiners issue a decision:

1. Revoking or suspending Chiropractor License Number DC 27554, issued to Respondent Andy Tuan Truongvinh, also known as Anh V. Truong;

2. Revoking or suspending Satellite Office Certificate Number SAT 7204, issued to Respondent Andy Tuan Truongvinh, also known as Anh V. Truong;

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1 3. Ordering Respondent Andy Tuan Truongvinh to pay the Board of Chiropractic
2 Examiners the reasonable costs of the investigation and enforcement of this case, pursuant to
3 Business and Professions Code section 125.3 and California Code of Regulations, title 16, section
4 317.5 and if placed on probation, the costs of probation monitoring; and

5 4. Taking such other and further action as deemed necessary and proper.

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7 DATED: May 5, 2025

Signature on File

KRISTIN WALKER
Executive Officer
Board of Chiropractic Examiners
Department of Consumer Affairs
State of California
Complainant

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