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8 **BEFORE THE**
9 **ACUPUNCTURE BOARD**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **ROMAN ROBLES, L.Ac.**
14 **2908 G Street, Suite A**
Merced, CA 95340
Acupuncturist License No. 10537
Physician Assistant License No. 12500

15 Respondent.

Case No. 1A-2023-158

OAH No.

ACCUSATION

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17
18 **PARTIES**

19 1. Benjamin Bodea (Complainant) brings this Accusation solely in his official capacity
20 as the Executive Officer of the Acupuncture Board, Department of Consumer Affairs.

21 2. On or about September 21, 2005, the Acupuncture Board issued Acupuncturist
22 License Number 10537 to ROMAN ROBLES, L.Ac. (Respondent). The Acupuncturist License
23 was in full force and effect at all times relevant to the charges brought herein and will expire on
24 September 30, 2026, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Acupuncture Board (Board), under the
27 authority of the following laws. All section references are to the Business and Professions Code
28 (Code) unless otherwise indicated.

1 (i) Any action or conduct that would have warranted the denial of the acupuncture
license.

2 (j) The violation of any law or local ordinance on an acupuncturist’s business
3 premises by an acupuncturist’s employee or a person who is working under the
4 acupuncturist’s professional license or business permit, that is substantially related to the
5 qualifications, functions, or duties of an acupuncturist. These violations shall subject the
acupuncturist who employed the individuals, or under whose acupuncturist license the
employee is working, to disciplinary action.

6 **REGULATORY PROVISIONS**

7 8. California Code of Regulations, title 16, section 1399.469.2 states:

8 In addition to the conduct described in Section 4955 of the Business and
9 Professions Code, “unprofessional conduct” also includes but is not limited to the
following:

10 [...]

11 (d) Failure to report to the board within 30 days any of the following:

12 (1) The bringing of an indictment or information charging a felony against the
licensee.

13 (2) The arrest of the licensee.

14 **COST RECOVERY**

15 9. Section 4959 of the Code states:

16 (a) The board may request the administrative law judge, under his or her proposed decision
17 in resolution of a disciplinary proceeding before the board, to direct any licensee found
18 guilty of unprofessional conduct to pay to the board a sum not to exceed actual and
reasonable costs of the investigation and prosecution of the case.

19 (b) The costs to be assessed shall be fixed by the administrative law judge and shall not in
20 any event be increased by the board. When the board does not adopt a proposed
21 decision and remands the case to an administrative law judge, the administrative law
judge shall not increase the amount of any costs assessed in the proposed decision.

22 (c) When the payment directed in the board’s order for payment of costs is not made by the
23 licensee, the board may enforce the order for payment in the superior court in the
county where the administrative hearing was held. This right of enforcement shall be in
addition to any other rights the board may have as to any licensee directed to pay costs.

24 (d) In any judicial action for the recovery of costs, proof of the board’s decision shall be
25 conclusive proof of the validity of the order of payment and the terms for payment.

26 (e) All costs recovered under this section shall be considered a reimbursement for costs
incurred and shall be deposited in the Acupuncture Fund.

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FACTUAL ALLEGATIONS

10. On or about November 21, 2023, at approximately 10:30 a.m. Patient A¹ arrived at 1660 D Street in Merced, California for her acupuncture appointment with Respondent. At the time, Patient A had received treatment from Respondent for several weeks.

11. For each visit, Patient A would go to Respondent’s office twice a week for cupping and acupuncture treatments, each lasting about an hour. During these sessions, she would remove her socks, shoes, top, and bra, then change into a medical gown that was open at the back. Her underwear and pants remained on throughout the treatment.

12. Patient A’s mother typically accompanied her and stayed in the treatment room during appointments. However, on November 21, 2023, Patient A attended the session alone.

13. She was directed to the back exam room, where she removed her shoes, socks, top, and bra and changed into the medical gown. A female assistant administered the cupping treatment. Afterwards, Patient A was asked to lie on her back in preparation for the acupuncture session, which was typically performed by the Respondent.

14. When Respondent entered the room, he informed Patient A that he would give her a “Shiatsu” massage before starting the acupuncture treatment.

15. At that point, Respondent and Patient A were the only individuals present in the room.

16. Respondent began the massage by working on Patient A’s arms, then proceeded down her body. He began rubbing her inner thighs with increasing pressure.

17. He continued massaging upward toward her vaginal area. In response, Patient A tensed up and closed her legs, effectively blocking access to her inner thighs.

18. Respondent then stopped massaging her thighs and moved toward her head. He began massaging her upper abdomen and chest.

19. He began caressing her breasts. Patient A then told Respondent she was uncomfortable. In response, Respondent leaned over her head and whispered in Patient A’s ear, “You know you like it.”

¹ The patient’s name is redacted to protect her privacy.

1 20. Respondent continued massaging Patient A. Respondent then started massaging
2 Patient A's thigh again. Patient A continued to tense up again. When Respondent completed his
3 massage, Patient A sat up from the table and Respondent kissed her on the cheek.

4 21. Patient A reported the incident to law enforcement on the next day.

5 22. While speaking with law enforcement, Patient A assisted officers in a conducting a
6 pretextual call. When asked about the incident, Respondent stated, "I didn't really massage your
7 breasts. I massaged the meat of your breasts, not your breast breasts... I kissed you because
8 you're so nice."

9 23. During the call, Patient A also asked Respondent why he massaged her. Respondent
10 replied that he was doing her a favor as a friend. Patient A then told Respondent that she felt
11 uncomfortable during the massage. In response, Respondent admitted to touching Patient A but
12 claimed that he "didn't mean to make [Patient A] uncomfortable."

13 24. When asked about how Respondent massaged near Patient A's vagina he stated, "It
14 was on your pants," and then apologized.

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16 25. Towards the end of the call, Respondent became frustrated and said, "This is why I
17 shouldn't give anyone extra."

18 26. Respondent did not obtain any informed consent prior to administering what he called
19 "Shiatsu" massage.

20 27. Further, Respondent's actions do not accurately reflect what is professionally deemed
21 a "Shiatsu" massage. A proper "Shiatsu" massage involves a "press-release" technique and would
22 not require touching anywhere near a patient's labia major or other genital regions. In sum,
23 Respondent's actions fall well outside of the bounds of standard practice.

24 28. The Merced District Attorney filed a felony complaint alleging that Respondent
25 committed a violation of Penal Code section 243.4, subdivision (c), sexual battery by fraud, and
26 alleged a factor in aggravation under Rules of Court 4.421.

27 29. On January 22, 2024, Respondent was arraigned at the Superior Court of Merced
28 County under case number 23CR-06037.

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3. Taking such other and further action as deemed necessary and proper.

DATED: 1/20/2026



BENJAMIN BODEA
Executive Officer
Acupuncture Board
Department of Consumer Affairs
State of California
Complainant

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