

CITATION NUMBER: MF-2006-301-M  
DATE OF ISSUANCE: December 15, 2005  
NAME: Victoria Colligan  
ADDRESS: 1160 S. California Avenue  
Palo Alto, CA 94306

Pursuant to Sections 125.9 and 148 of the Business and Professions Code, and Title 16, California Code of Regulations (CCR) section 1886.40, PAUL RICHES issues this citation in his official capacity as the Executive Officer for the Board of Behavioral Sciences (hereinafter referred to as the "Board").

### **Registration/Licensing History**

The records of the Board reflect that on **May 15, 1997**, the Board issued license number **MFC 33841** to **Victoria Armijo Colligan**; said license expired on **April 30, 2003**, due to non-payment of renewal fees, and was renewed on **May 21, 2003**; said license expires on **April 30, 2007**, unless renewed.

### **Citation History**

Citation Number MF-2006-301 was issued to Victoria Colligan on November 2, 2005. In a letter dated November 11, 2005, Victoria Colligan requested an Informal Citation Review Conference. On December 13, 2005, an Informal Citation Review Conference was held.

It is the Informal Citation Review Conference Decision of the Executive Officer of the Board of Behavioral Sciences that the Citation Order is modified and the fine reduced for the following reason: The information that was provided in the informal conference and the completion of the required coursework.

### **Citation**

A modified citation is hereby issued to you in accordance with CCR section 1886.70(d) for the violation(s) described below.

### **Cause for Citation**

Violation of section **4982(b)** of the Business and Professions Code, which reads as follows:

"...Unprofessional conduct shall include, but not be limited to: ...(b) Securing a license or registration by fraud, deceit, or misrepresentation on any application for licensure or registration submitted to the board, whether engaged in by an applicant for a license or registration, or by a licensee in support of any application for licensure or registration."

Violation of section **4982(e)** of the Business and Professions Code, which reads as follows:

"...Unprofessional conduct shall include, but not be limited to: ...(e) Violating, attempting to violate, or conspiring to violate any of the provisions of this chapter or any regulation adopted by the board."

## **MODIFIED CITATION ORDER**

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Pursuant to Business and Professions Code Section 4980.54 "...(c)(1) Except as provided in subdivision (e), on and after January 1, 2000, the board shall not renew any license pursuant to this chapter unless the applicant certifies to the board, on a form prescribed by the board, that he or she has completed not less than 36 hours of approved continuing education in or relevant to the field of marriage and family therapy in the preceding two years, as determined by the board."

Pursuant to Business and Professions Code Section 4980.54 "...(d) The board shall have the right to audit the records of any applicant to verify the completion of the continuing education requirement. Applicants shall maintain records of completion of required continuing education coursework for a minimum of two years and shall make these records available to the board for auditing purposes upon request."

The records of the Board reveal that you submitted an application for license renewal on or about April 22, 2005. You signed the renewal form certifying under penalty of perjury that you had completed the required hours of continuing education to obtain an active license. The Board randomly audited your compliance with the continuing education requirement for the renewal period from May 1, 2003, through April 30, 2005. You were sent one audit letter, dated July 22, 2005, requesting submission of copies of the continuing education course certificate(s) or college transcript(s) for education completed during the renewal period ending April 30, 2005. The audit letter requested that proof of completion of the required hours of continuing education be submitted to the Board within 30 days of the date of the letter.

The Board's audit revealed you completed 60 hours of approved continuing education, but failed to complete coursework in aging and long-term care and law and ethics. In a letter dated August 16, 2005, the Board advised you that you must submit proof of completion of a three (3) hour course in aging and long-term care, and six (6) hours of continuing education in the area of law and ethics, if you inadvertently left out any documentation during the audit. In response, you reported having completed coursework in aging and long-term care, as well as having taught law and ethics to individuals at the agency where you are employed; however, you experienced difficulty in obtaining documentation to reflect compliance with both requirements. You therefore completed a seven (7) hour course in the area of law and ethics on August 19, 2005, and a seven (7) hour course in aging and long-term care on August 29, 2005, both taken four (4) months after your certification stating you met the continuing education requirements for renewal.

You gave a false statement in connection with the application for renewal of your license when you certified on or about April 22, 2005, that you had completed all the required hours of continuing education within the previous two-year renewal period, May 1, 2003 through April 30, 2005.

During the informal citation review conference held on December 13, 2005, you stated that you were unable to substantiate that you had previously completed the required coursework in law and ethics and aging and long-term care during the renewal period in question and that you have since completed both of the courses.

Cause exists for the Board to take enforcement action against your license. Accordingly, a citation, which includes a fine, has been ordered for this violation of the Business and Professions Code.

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**Order**

You must pay an administrative penalty (fine) in the amount of **\$100.00**, within thirty (30) days from the date this citation was served, but no later than **January 14, 2006**.

Payment of the administrative penalty should be made to the Board of Behavioral Sciences (BBS), 1625 North Market Boulevard, Suite S200. Please note your citation number on the check or money order. Please complete and submit the enclosed Acknowledgment of Receipt of Citation/Payment of Fine (Form 1800 37M-418) with your payment.

Pursuant to the enclosed copy of Title 16, CCR section 1886.70, you may appeal this citation or any portion thereof, by requesting a formal Administrative Hearing. The request for a formal Administrative Hearing must be in writing and be submitted to the Board within thirty (30) calendar days. (Please refer to the enclosed Instructions to Cited Person for additional appeal information.)

You may withdraw a Request for Administrative Hearing anytime prior to the date of the hearing.

Failure to request a formal Administrative Hearing in a timely manner will waive your right to contest this citation.

**Pursuant to Business and Professions Code section 125.9, payment of the fine does not constitute an admission of the violation alleged. Further, where a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine shall be represented as satisfactory resolution of the matter for purposes of public disclosure.**

**IF YOU NEITHER PAY THE FINE NOR REQUEST A REVIEW WITHIN THE ALLOTTED TIME FRAME, YOUR LICENSE WILL NOT BE RENEWED FOR THE NEXT RENEWAL PERIOD UNTIL THE FINE IS PAID.**

**Original Signed by**

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PAUL RICHES  
Executive Officer

December 15, 2005  
Date

Attachments: Statement of Rights  
Section 125.9, Business and Professions Code  
Section 1886.70, Title 16, California Code of Regulations  
Notice of Appeal  
Acknowledgment Receipt of Citation form