

CITATION NUMBER: MF-2006-821
DATE OF ISSUANCE: March 24, 2006
NAME: Jeffrey Carlson
ADDRESS: 16700 Valley View Avenue, #210
La Mirada, CA 90638

Pursuant to Sections 125.9 and 148 of the Business and Professions Code, and Title 16, California Code of Regulations (CCR) section 1886, 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 **December 10, 2001**, the Board issued license number **MFC 38441** to **Jeffrey Carlson**. Said license expires on **July 31, 2007**, unless renewed.

Citation

A citation is hereby issued to you in accordance with the California Code of Regulations for the violation(s) described below.

Applicable Statutes

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."

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."

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Violation of section **1887.3(a)** of the California Code of Regulations, which reads as follows:

"...A licensee shall accrue at least thirty-six (36) hours of continuing education courses as defined in Section 1887.4. A licensee may accrue no more than twelve (12) hours of continuing education earned through self-study courses during a single renewal period."

Cause for Citation

The records of the Board reveal that you submitted an application for license renewal on or about July 26, 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 August 1, 2003, through July 31, 2005. You were sent one audit letter, dated October 7, 2005, requesting submission of copies of the continuing education course certificate(s) or college transcript(s) for education completed during the renewal period ending July 31, 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 violated section 1887.3(a), whereas you submitted only 28.5 hours of approved continuing education. In a letter dated January 18, 2006, the Board advised you that you must submit proof of completion of seven-and-a-half (7.5) hours of additional continuing education. You subsequently submitted proof of completion of an additional eight (8) hours of continuing education, completed December 3, 2005 and February 22, 2006, both completed more than five (5) months after your certification stating you met the continuing education requirements for renewal.

You also violated section 4980.54(c)(1) by giving a false statement in connection with the application for renewal of your license when you certified on or about July 26, 2005, that you had completed all the required hours of continuing education within the previous two-year renewal period, August 1, 2003, through July 31, 2005.

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.

Order

You must pay an administrative penalty (fine) in the amount of **\$300.00**, within thirty (30) days from the date this citation was served, but no later than **April 23, 2006**.

Payment of the administrative penalty should be made to the Board of Behavioral Sciences (BBS), 1625 North Market Boulevard, Suite S200, Sacramento, CA 95834. 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.

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You may appeal this citation or any portion thereof, by requesting either an Informal Citation Conference and/or a formal Administrative Hearing. If you request both an Informal Citation Conference and a formal Administrative Hearing, and an Informal Citation Conference is held, your request for an Administrative Hearing shall be deemed to be withdrawn. Following the conclusion of the Informal Citation Conference, the Executive Officer shall either, affirm, modify or dismiss the citation. If the citation is affirmed or modified you will then have the opportunity to contest it by filing a request for a formal hearing to the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code). Your request for an Informal Citation Conference must be in writing and be submitted to the Board within thirty (30) calendar days after service of the citation. The request for a formal Administrative Hearing must also 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 Informal Citation Conference at any time prior to the date of the conference. You may withdraw a Request for Administrative Hearing anytime prior to the date of the hearing.

Failure to request an Informal Citation Conference or Administrative Hearing in a timely manner will waive your right to contest this citation.

Pursuant to Business and Professions Code section 125.9, if you do not request a formal Administrative Hearing, payment of the fine does not constitute an admission of the violation(s) 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 AN INFORMAL CITATION CONFERENCE OR ADMINISTRATIVE HEARING WITHIN THE ALLOTTED TIME FRAME, YOUR LICENSE WILL NOT BE RENEWED FOR THE NEXT RENEWAL PERIOD UNTIL THE FINE IS PAID.



PAUL RICHES
Executive Officer

March 24, 2006
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