

CITATION NUMBER: LC-2007-626-M
DATE OF ISSUANCE: August 3, 2007
NAME: Julie Ann Valdez
ADDRESS: 9398 San Bernardino Rd
Rancho Cucamonga, CA 91730

Pursuant to Sections 125.9 of the Business and Professions Code, and Title 16, California Code of Regulations 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 Board's records indicate that on **December 11, 2000**, the Board issued license clinical social worker license number **LCS 20106** to **Julie Ann Valdez**; said license expires on **July 31, 2008**, unless renewed.

Citation History

Citation Number LC-2007-626 was issued to Julie Ann Valdez on May 22, 2007. In a letter dated June 17, 2007, Julie Ann Valdez requested an Informal Citation Conference. On July 30, 2007, an Informal Citation Conference was held via telephone conference.

It is the decision of the Executive Officer that Citation Order LC-2007-626 is modified and the fine reduced to \$150.00. This decision is based on the fact that you provided sufficient documentation that you completed the mandatory continuing education coursework in the area of aging and long-term care.

Citation

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

Applicable Laws

Pursuant to Business and Professions Code Section 4996.22 "...(a)(1) Except as provided in subdivision (c), 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 social work in the preceding two years, as determined by the board."

Pursuant to Business and Professions Code Section 4996.22 "...(b) 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."

MODIFIED CITATION ORDER

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Violation of section **4992.3(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.”

Violation of section **1887.1(b)** of the California Code of Regulations, which reads as follows:

(b) A licensee who falsifies or makes a material misrepresentation of fact when applying for license renewal or who cannot verify completion of continuing education by producing a record of course completion, upon request by the board, is subject to disciplinary action under Sections 4982(b) and 4992.3(b) of the Code.

Violation of section **4996.26(a)** of the Business and Professions Code, which reads as follows:

“...A licensee who began graduate study prior to January 1, 2004, shall complete a three-hour continuing education course in aging and long-term care during his or her first renewal period after the operative date of this section, and shall submit to the board evidence acceptable to the board of the person's satisfactory completion of the course.”

Cause for Citation

The Board's records indicate that on or about June 22, 2006 you submitted an application for license renewal. 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. On October 18, 2006 the Board sent you an audit letter requesting copies of continuing education course certificate(s)/college transcript(s) for education completed during the renewal period of August 1, 2004 through July 31, 2006. The Board's audit letter requested that this information be submitted within 30 days of the date of the letter.

The Board's audit revealed you violated Business and Professions Code section 4996.26(a), whereas you submitted proof of completion of 36 hours of approved continuing education, but failed to submit proof of completion of the mandatory coursework in aging and long-term care. In a letter dated November 3, 2006, the Board requested that you submit proof of completion of the mandatory coursework. As of the date of issuance of the original citation issued to you on May 22, 2007, the Board had not received proof of completion of the missing mandatory coursework.

You also violated California Code of Regulations section 1887.1(b) by making a material misrepresentation of fact when applying for license renewal when you certified on or about June 22, 2006, that you had completed all the required 36 hours of continuing education and mandatory coursework within the previous two-year renewal period, August 1, 2004 through July 31, 2006.

During the informal citation conference held on July 30, 2007, you stated that you stated that you did not realize at the time that there was a mandatory requirement of completion of a three-hour course in aging and long-term care. You completed the required three-hour course in aging and long-term care on November 13, 2006, and submitted proof of completion of the mandatory coursework to the Board on June 21, 2007.

Based on the mitigating circumstances provided during the informal conference, it was determined that cause exists for the Board to take enforcement action against your license. Accordingly, a modified citation, which includes a fine, has been ordered for this violation of the Business and Professions Code and California Code of Regulations as stated in this citation.

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Order

You must pay an administrative penalty (fine) in the amount of **\$150.00**, within thirty (30) days from the date this citation was served, but no later than **September 2, 2007**.

Payment of the administrative penalty must be submitted to the Board of Behavioral Sciences, 1625 North Market Boulevard, Suite S200, Sacramento, CA 95834. Note your citation number on the check or money order and complete the enclosed Acknowledgment of Receipt of Citation/Payment of Fine with your payment.

Pursuant to the enclosed copy of Title 16, California Code of Regulations 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 AN ADMINISTRATIVE HEARING WITHIN THE ALLOTTED TIME FRAME, YOUR LICENSE WILL NOT BE RENEWED FOR THE NEXT RENEWAL PERIOD UNTIL THE FINE IS PAID.

Original Signed by

PAUL RICHES
Executive Officer

August 3, 2007
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