

BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:)

CASE NO: D1-2010-706

MELVIN GERALD ALFERNESS)

9423 Halidon Way)

Sacramento, CA 95829)

Marriage and Family Therapist License No.)

MFC 34933)

Respondent)

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on May 5, 2012

It is so Ordered April 5, 2012.



CHRISTINE WIETLISBACH, CHAIR
FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KENT D. HARRIS
Deputy Attorney General
4 State Bar No. 144804
1300 I Street, Suite 125
5 P.O. Box 944255
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6 Telephone: (916) 324-7859
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7 *Attorneys for Complainant*

8 **BEFORE THE**
BOARD OF BEHAVIORAL SCIENCES
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke
Probation Against:

Case No. D1-2010-706

12 **MELVIN GERALD ALFERNESS**

13 **9423 Halidon Way**
14 **Sacramento, California 95829**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 **Marriage and Family Therapist License No.**
16 **MFC 34933**

17 Respondent.

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19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
20 proceeding that the following matters are true:

21 PARTIES

22 1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral
23 Sciences. She brought this action solely in her official capacity and is represented in this matter
24 by Kamala D. Harris, Attorney General of the State of California, by Kent D. Harris, Deputy
25 Attorney General.

26 2. Melvin Gerald Alferness (Respondent) is representing himself in this proceeding and
27 has chosen not to exercise his right to be represented by counsel.
28

ORDER

IT IS HEREBY ORDERED that Marriage and Family Therapist License No. MFC 34933, issued to Respondent Melvin Gerald Alferness, is surrendered and accepted by the Board of Behavioral Sciences.

1. The surrender of Respondent's Marriage and Family Therapist License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Behavioral Sciences.

2. Respondent shall lose all rights and privileges as a Marriage and Family Therapist in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his wall certificate and current renewal certificate on or before the effective date of the Decision and Order.

4. Respondent shall not apply for licensure for three years from the effective date of this decision and order.

5. Should Respondent ever reapply for licensure as a Marriage and Family Therapist, or any other registration or license issued by the Board of Behavioral Sciences or the Board of Psychology in the State of California, all of the charges and allegations contained in Accusation No. MF-2010-706 and Petition to Revoke Probation No. D1-2010-706 shall be deemed to be true, correct and admitted by Respondent for the purposes of a Statement of Issues or other proceeding seeking to deny such application or reapplication.

6. Respondent shall not petition the Board for reinstatement of the surrendered license.

7. Should the Respondent at any time after this surrender reapply to the Board for licensure, the Board shall treat it as a new application for licensure. Respondent must meet all current requirements for licensure including but not limited to, filing a current application, meeting all current educational requirements, and taking and passing any and all examinations required of new applicants. He shall comply with all the laws, regulations and procedures for licensure in effect at the time the application is filed.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Marriage and Family Therapist License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences.

DATED: 1-25-12



MELVIN GERALD ALFERNESS
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Behavioral Sciences of the Department of Consumer Affairs.

Dated: 2-2-12

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General



KENT D. HARRIS
Deputy Attorney General
Attorneys for Complainant

SA2011102306
Stipulation.rtf

Exhibit A

Petition to Revoke Probation No. D1-2010-706

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KENT D. HARRIS
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7 *Attorneys for Complainant*

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

11 In the Matter of the Petition to Revoke
12 Probation Against:

Case No. D1-2010-706

13 **MELVIN GERALD ALFERNES**
14 **9423 Halidon Way**
Sacramento, California 95829

PETITION TO REVOKE PROBATION

15 **Marriage and Family Therapist License No.**
16 **MFC 34933**

17 Respondent.

18 Complainant alleges:

19 PARTIES

20 1. Kim Madsen (Complainant) brings this Petition to Revoke Probation solely in her
21 official capacity as the Executive Officer of the Board of Behavioral Sciences, Department of
22 Consumer Affairs.

23 2. On or about July 14, 1998, the Board of Behavioral Sciences issued Marriage and
24 Family Therapist License Number MFC 34933 to Melvin Gerald Alferness (Respondent). The
25 Marriage and Family Therapist License was in effect at all times relevant to the charges brought
26 herein and will expire on December 31, 2011, unless renewed.
27
28

PRAYER

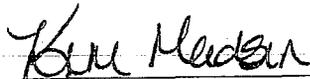
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Behavioral Sciences issue a decision:

1. Revoking the probation that was granted by the Board of Behavioral Sciences in Case No. MF-2010-706 and imposing the disciplinary order that was stayed thereby revoking Marriage and Family Therapist License No. MFC 34933 issued to Melvin Gerald Alferness;

2. Revoking or suspending Marriage and Family Therapist License No. MFC 34933, issued to Melvin Gerald Alferness;

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

DATED: October 31, 2011



KIM MADSEN
Executive Officer
Board of Behavioral Sciences
Department of Consumer Affairs
State of California
Complainant

SA2011102306
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Exhibit A

Decision and Order

Board of Behavioral Sciences Case No. D1-2010-706

BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

MELVIN GERALD ALFERNESS
9423 Halidon Way
Sacramento, CA 95829
Marriage and Family Therapist License No.
MFC 34933

Respondent.

Case No. MF-2010-706

OAH No. 2010100517

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 10, 2011.

It is so ORDERED June 10, 2011.



FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KENT D. HARRIS
Deputy Attorney General
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7 *Attorneys for Complainant*

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BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. MF-2010-706

MELVIN GERALD ALFERNESS
9423 Halidon Way
Sacramento, CA 95829
Marriage and Family Therapist License No.
MFC 34933

OAH No. 2010100517
STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral Sciences. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Kent D. Harris, Deputy Attorney General.

2. Respondent Melvin Gerald Alferness (Respondent) is represented in this proceeding by attorney Keith J. Staten, whose address is: 1023 H Street, Suite A, Sacramento, CA 95814

3. On or about July 14, 1988, the Board of Behavioral Sciences issued Marriage and Family Therapist License No. MFC 34933 to Melvin Gerald Alferness (Respondent). The

1 Marriage and Family Therapist License was in full force and effect at all times relevant to the
2 charges brought in Accusation No. MF-2010-706 and will expire on December 31, 2011, unless
3 renewed.

4 JURISDICTION

5 4. Accusation No. MF-2010-706 was filed before the Board of Behavioral Sciences
6 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The
7 Accusation and all other statutorily required documents were properly served on Respondent on
8 September 17, 2010. Respondent timely filed his Notice of Defense contesting the Accusation.
9 A copy of Accusation No. MF-2010-706 is attached as exhibit A and incorporated herein by
10 reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Accusation No. MF-2010-706. Respondent has also carefully read,
14 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
15 Disciplinary Order.

16 6. Respondent is fully aware of his legal rights in this matter, including the right to a
17 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
18 his own expense; the right to confront and cross-examine the witnesses against him; the right to
19 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
20 the attendance of witnesses and the production of documents; the right to reconsideration and
21 court review of an adverse decision; and all other rights accorded by the California
22 Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
24 every right set forth above.

25 CULPABILITY

26 8. Respondent admits the truth of each and every charge and allegation in Accusation
27 No. MF-2010-706.

1 week in individual face to face meetings. The supervisor shall not be the respondent's therapist.

2 2. AA Attendance. During the period of probation, respondent shall attend AA
3 meetings or the equivalent at least weekly. Respondent shall submit written proof of said
4 attendance with each of his quarterly reports.

5 3. Abstain from Use of Alcohol / Submit to Biological Fluid Testing and Samples.
6 Respondent shall completely abstain from the use of alcoholic beverages during the period of
7 probation.

8 Respondent shall immediately submit to biological fluid testing, at respondent's cost, upon
9 request by the Board or its designee. The length of time and frequency will be determined by the
10 Board. The respondent is responsible for ensuring that reports are submitted directly by the
11 testing agency to the Board or its designee. There will be no confidentiality in test results. Any
12 confirmed positive finding will be immediately reported to the respondent's current employer and
13 shall be a violation of probation.

14 4. Reimbursement of Probation Program. Respondent shall reimburse the Board for
15 the hourly costs it incurs in monitoring the probation to ensure compliance for the duration of the
16 probation period at the rate of \$1,200 per year.

17 5. Obey All Laws. Respondent shall obey all federal, state and local laws, all statutes
18 and regulations governing the licensee, and remain in full compliance with any court ordered
19 criminal probation, payments and other orders. A full and detailed account of any and all
20 violations of law shall be reported by the respondent to the Board or its designee in writing within
21 seventy-two (72) hours of occurrence. To permit monitoring of compliance with this term,
22 respondent shall submit fingerprints through the Department of Justice and Federal Bureau of
23 Investigation within 30 days of the effective date of the decision, unless previously submitted as
24 part of the licensure application process. Respondent shall pay the cost associated with the
25 fingerprint process.

26 6. File Quarterly Reports. Respondent shall submit quarterly reports, to the Board or
27 its designee, as scheduled on the "Quarterly Report Form" (rev. 01/12/01). Respondent shall state
28 under penalty of perjury whether he has been in compliance with all the conditions of probation.

1 Notwithstanding any provision for tolling of requirements of probation, during the cessation of
2 practice Respondent shall continue to submit quarterly reports under penalty of perjury.

3 7. Comply with Probation Program. Respondent shall comply with the probation
4 program established by the Board and cooperate with representatives of the Board in its
5 monitoring and investigation of the Respondent's compliance with the program.

6 8. Interviews with The Board. Respondent shall appear in person for interviews with
7 the Board or its designee upon request at various intervals and with reasonable notice.

8 9. Residing or Practicing Out of State. In the event respondent should leave the State
9 of California to reside or to practice, respondent shall notify the Board or its designee in writing
10 30 calendar days prior to the dates of departure and return. Non-practice is defined as any period
11 of time exceeding thirty calendar days in which respondent is not engaging in any activities
12 defined in Sections 4980.02, 4989.14 or 4996.9 of the Business and Professions Code.

13 All time spent in an intensive training program outside the State of California which has
14 been approved by the Board or its designee shall be considered as time spent in practice within
15 the State. A Board-ordered suspension of practice shall not be considered as a period of non-
16 practice. Periods of temporary or permanent residence or practice outside California will not
17 apply to the reduction of the probationary term. Periods of temporary or permanent residence or
18 practice outside California will relieve respondent of the responsibility to comply with the
19 probationary terms and conditions with the exception of this condition and the following terms
20 and conditions of probation: Obey All Laws; Probation Unit Compliance; and Cost Recovery.

21 Respondent's license shall be automatically cancelled if respondent's periods of temporary
22 or permanent residence or practice outside California total two years. However, respondent's
23 license shall not be cancelled as long as respondent is residing and practicing in another state of
24 the United States and is on active probation with the licensing authority of that state, in which
25 case the two year period shall begin on the date probation is completed or terminated in that state.

26 10. Failure to Practice-California Resident. In the event respondent resides in the State
27 of California and for any reason respondent stops practicing in California, respondent shall notify
28 the Board or its designee in writing within 30 calendar days prior to the dates of non-practice and

1 return to practice. Any period of non-practice within California, as defined in this condition, will
2 not apply to the reduction of the probationary term and does not relieve respondent of the
3 responsibility to comply with the terms and conditions of probation. Non-practice is defined as
4 any period of time exceeding thirty calendar days in which respondent is not engaging in any
5 activities defined in Sections 4980.02, 4989.14 or 4996.9 of the Business and Professions Code.

6 11. Change of Place of Employment or Place of Residence. Respondent shall notify
7 the Board or its designee in writing within 30 days of any change of place of employment or
8 place of residence. The written notice shall include the address, the telephone number and the
9 date of the change.

10 12. Supervision of Unlicensed Persons. While on probation, Respondent shall not act
11 as a supervisor for any hours of supervised practice required for any license issued by the Board.
12 Respondent shall terminate any such supervisory relationship in existence on the effective date
13 of this Decision.

14 13. Notification to Clients. Respondent shall notify all clients when any term or
15 condition of probation will affect their therapy or the confidentiality of their records, including
16 but not limited to supervised practice, suspension, or client population restriction. Such
17 notification shall be signed by each client prior to continuing or commencing treatment.
18 Respondent shall submit, upon request by the Board or its designee, satisfactory evidence of
19 compliance with this term of probation.

20 14. Notification to Employer. Respondent shall provide each of his current or future
21 employers, when performing services that fall within the scope of his practice, a copy of this
22 Decision and the Statement of Issues or Accusation before commencing employment.
23 Notification to the respondent's current employer shall occur no later than the effective date of the
24 Decision or immediately commencing employment. Respondent shall submit, upon request by
25 the Board or its designee, satisfactory evidence of compliance with this term of probation.
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1 15. Violation of Probation. If Respondent violates the conditions of his probation, the
2 Board, after giving Respondent notice and the opportunity to be heard, may set aside the stay
3 order and impose the revocation of Respondent's license provided in the decision.

4 If during the period of probation, an accusation, petition to revoke probation, or statement
5 of issues has been filed against Respondent's license or application for licensure, or the Attorney
6 General's office has been requested to prepare such an accusation, petition to revoke probation, or
7 statement of issues, the probation period set forth in this decision shall be automatically extended
8 and shall not expire until the accusation, petition to revoke probation, or statement of issues has
9 been acted upon by the board. Upon successful completion of probation, Respondent's license
10 shall be fully restored.

11 16. Maintain Valid License. Respondent shall, at all times while on probation, maintain
12 a current and active license with the Board, including any period during which suspension or
13 probation is tolled. Should Respondent's license, by operation of law or otherwise, expire, upon
14 renewal Respondent's license shall be subject to any and all terms of this probation not previously
15 satisfied.

16 17. License Surrender. Following the effective date of this decision, if Respondent
17 ceases practicing due to retirement or health reasons, or is otherwise unable to satisfy the terms
18 and conditions of probation, Respondent may voluntarily surrender his license to the Board. The
19 Board reserves the right to evaluate the respondent's request and to exercise its discretion whether
20 to grant the request or to take any other action deemed appropriate and reasonable under the
21 circumstances. Upon formal acceptance of the surrender, respondent shall within 30 calendar
22 days deliver respondent's license and certificate and if applicable wall certificate to the Board or
23 its designee and respondent shall no longer engage in any practice for which a license is required.
24 Upon formal acceptance of the tendered license, respondent will no longer be subject to the terms
25 and conditions of probation.

26 Voluntary surrender of respondent's license shall be considered to be a disciplinary action
27 and shall become a part of respondent's license history with the Board. Respondent may not
28 petition the Board for reinstatement of the surrendered license. Should respondent at any time

1 after voluntary surrender ever reapply to the Board for licensure respondent must meet all current
2 requirements for licensure including, but not limited to, filing a current application, meeting all
3 current educational requirements, and taking and passing any and all examinations required of
4 new applicants.

5 18. Instruction of Coursework Qualifying for Continuing Education. Respondent
6 shall not be an instructor of any coursework for continuing education credit required by any
7 license issued by the Board.

8 19. Notification to Referral Services. Respondent shall immediately send a copy of this
9 decision to all referral services registered with the Board in which Respondent is a participant.
10 While on probation, Respondent shall send a copy of this decision to all referral services
11 registered with the Board that Respondent seeks to join.

12 20. Cost Recovery. Within 90 days of the effective date of this order, respondent shall
13 pay the Board \$ 1,062.50 as and for the reasonable costs of the investigation and prosecution of
14 Case No. MF-2010-706. Respondent shall make the check or money order payable to the Board
15 of Behavioral Sciences and shall indicate on the check or money order that it is the cost recovery
16 payment for Case No. MF-2010-706. Any order for payment of cost recovery shall remain in
17 effect whether or not probation is tolled. Probation shall not terminate until full payment has
18 been made. Should any part of cost recovery not be paid in accordance with the outlined payment
19 schedule, Respondent shall be considered to be in violation of probation. A period of non-practice
20 by Respondent shall not relieve Respondent of his obligation to reimburse the board for its costs.

21 Cost recovery must be completed six months prior to the termination of probation. A
22 payment plan authorized by the Board may be extended at the discretion of the Enforcement
23 Manager based on good cause shown by the probationer.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Keith J. Staten. I understand the stipulation and the effect it will have on my Marriage and Family Therapist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences.

DATED: 4-27-11 Mel Alferness
MELVIN GERALD ALFERNESS
Respondent

I have read and fully discussed with Respondent Melvin Gerald Alferness the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 4-27-11 [Signature]
Keith J. Staten
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Behavioral Sciences of the Department of Consumer Affairs.

Dated: 4/27/11
~~January 14, 2011~~

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General
[Signature]
KENT D. HARRIS
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. MF-2010-706

1 EDMUND G. BROWN JR.
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KENT D. HARRIS
Deputy Attorney General
4 State Bar No. 144804
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-7859
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
10

11 In the Matter of the Accusation Against:

Case No. MF-2010-706

12 MELVIN GERALD ALFERNES
9423 Halidon Way
13 Sacramento, CA 95829
Marriage and Family Therapist License No.
14 MFC 34933

ACCUSATION

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Kim Madsen (Complainant) brings this Accusation solely in her official capacity as
20 the Executive Officer of the Board of Behavioral Sciences, Department of Consumer Affairs.

21 2. On or about July 14, 1988, the Board of Behavioral Sciences issued Marriage and
22 Family Therapist License Number MFC 34933 to Melvin Gerald Alferness (Respondent). The
23 Marriage and Family Therapist License was in full force and effect at all times relevant to the
24 charges brought herein and will expire on December 31, 2011, unless renewed.

25 JURISDICTION

26 3. This Accusation is brought before the Board of Behavioral Sciences (Board).
27 Department of Consumer Affairs, under the authority of the following laws. All Section
28 references are to the Business and Professions Code unless otherwise indicated.

1 4. Section 4982 of the Code provides, in pertinent part, that the board may deny a
2 license or registration or may suspend or revoke the license or registration of a licensee or
3 registrant if he or she has been guilty of unprofessional conduct. Unprofessional conduct
4 includes, but is not limited to, the following:

5 "(a) The conviction of a crime substantially related to the qualifications, functions, or duties
6 of a licensee or registrant under this chapter. The record of conviction shall be conclusive
7 evidence only of the fact that the conviction occurred. The board may inquire into the
8 circumstances surrounding the commission of the crime in order to fix the degree of discipline or
9 to determine if the conviction is substantially related to the qualifications, functions, or duties of a
10 licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a
11 plea of *nolo contendere* made to a charge substantially related to the qualifications, functions, or
12 duties of a licensee or registrant under this chapter shall be deemed to be a conviction within the
13 meaning of this Section. The board may order any license or registration suspended or revoked,
14 or may decline to issue a license or registration when the time for appeal has elapsed, or the
15 judgment of conviction has been affirmed on appeal, or, when an order granting probation is
16 made suspending the imposition of sentence, irrespective of a subsequent order under Section
17 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not
18 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
19 indictment".

20 5. Section 490 of the Code provides, in pertinent part, that a board may suspend or
21 revoke a license on the ground that the licensee has been convicted of a crime substantially
22 related to the qualifications, functions, or duties of the business or profession for which the
23 license was issued.

24 6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
25 administrative law judge to direct a licensee found to have committed a violation or violations of
26 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
27 enforcement of the case.

28

1 CAUSE FOR DISCIPLINE

2 (Conviction of Crime)

3 7. Respondent is subject to disciplinary action under Sections 490 and 4982 in that on or
4 about July 18, 2007, he was convicted on his plea of *nolo contendere* of one count of violating
5 California Vehicle Code section 23152(a) (Misdemeanor Driving under the Influence of Alcohol)
6 in the case of *People of the State of California v. Melvin Gerald Alferness*, Sacramento County
7 Superior Court Case no. 07T02932. The circumstances are as follows:

8 8. On or about May 15, 2007, Respondent, who had bought and consumed alcohol after
9 leaving an AA meeting, operated a motor vehicle having a blood alcohol content of .16.
10 Respondent admitted to the arresting officers that he was an alcoholic.

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Board of Behavioral Sciences issue a decision:

14 1. Revoking or suspending Marriage and Family Therapist License Number MFC
15 34933, issued to Melvin Gerald Alferness

16 2. Ordering Melvin Gerald Alferness to pay the Board of Behavioral Sciences the
17 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
18 Professions Code section 125.3;

19 3. Taking such other and further action as deemed necessary and proper.
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21

22 DATED: September 13, 2010



23 KIM MADSEN
24 Executive Officer
25 Board of Behavioral Sciences
26 Department of Consumer Affairs
27 State of California
28 Complainant

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