

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

In the Matter of the Statement of Issues
Against:

CRISTINA MORENO
aka **CRISTINA MORENO GONZALEZ**
6005 Nogal Ave., Apt. A
Bakersfield, CA 93309-4461

Marriage and Family Therapist Intern
Registration Applicant

Respondent.

Case No. 2002014000624

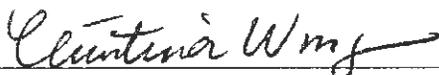
OAH No. 2014110657

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 23, 2015.

It is so ORDERED June 23, 2015.



FOR THE BOARD OF BEHAVIORAL SCIENCES,
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 ELYSE M. DAVIDSON
Deputy Attorney General
4 State Bar No. 285842
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2533
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

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

11 In the Matter of the Statement of Issues
12 Against:

13 **CRISTINA MORENO**
14 **aka CRISTINA MORENO GONZALEZ**
6005 Nogal Ave., Apt. A
14 Bakersfield, CA 93309-4461

15 **Marriage and Family Therapist Intern**
16 **Registration Applicant**

17 Respondent.
18

Case No. 2002014000624

OAH No. 2014110657

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

21 **PARTIES**

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

26 2. Respondent Cristina Moreno aka Cristina Moreno Gonzalez ("Respondent") is
27 representing herself in this proceeding and has chosen not to exercise her right to be represented
28 by counsel.

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Respondent Cristina Moreno aka Cristina Moreno
3 Gonzalez be issued a Registration as a Marriage and Family Therapist Intern. Said Registration
4 shall be revoked. The revocation will be stayed and Respondent placed on four (4) years
5 probation on the following terms and conditions. Probation shall continue on the same terms and
6 conditions if Respondent is granted a subsequent registration, becomes licensed, or is granted
7 another registration or license regulated by the Board during the probationary period.

8 **1. Psychological / Psychiatric Evaluation**

9 Within 90 days of the effective date of this decision, and on a periodic basis thereafter as
10 may be required by the Board or its designee, Respondent shall complete a psychological or
11 psychiatric evaluation by such licensed psychologists or psychiatrists as are appointed by the
12 Board. The cost of such evaluation shall be borne by Respondent. Failure to pay for the report in
13 a timely fashion constitutes a violation of probation.

14 Such evaluator shall furnish a written report to the Board or its designee regarding
15 respondent's judgment and ability to function independently and safely as a counselor and such
16 other information as the Board may require. Respondent shall execute a Release of Information
17 authorizing the evaluator to release all information to the Board. Respondent shall comply with
18 the recommendations of the evaluator.

19 Note: If supervised practice is not part of the order, and the evaluator finds the need for
20 supervised practice, then the following term shall be added to the disciplinary order. If a
21 psychological or psychiatric evaluation indicates a need for supervised practice, (within 30 days
22 of notification by the Board), respondent shall submit to the Board or its designee, for its prior
23 approval, the name and qualification of one or more proposed supervisors and a plan by each
24 supervisor by which the respondent's practice will be supervised.

25 If respondent is determined to be unable to practice independently and safely, upon
26 notification, respondent shall immediately cease practice and shall not resume practice until
27 notified by the Board or its designee. Respondent shall not engage in any practice for which a
28 license issued by the Board is required, until the Board or its designee has notified the respondent

1 of its determination that respondent may resume practice.

2 **2. Psychotherapy**

3 Respondent shall participate in ongoing psychotherapy with a California licensed mental
4 health professional who has been approved by the Board. Within 15 days of the effective date of
5 this decision, Respondent shall submit to the Board or its designee for its prior approval the name
6 and qualifications of one or more therapists of respondent's choice. Such therapist shall possess a
7 valid California license to practice and shall have had no prior business, professional, or personal
8 relationship with respondent, and shall not be the Respondent's supervisor. Counseling shall be
9 at least once a week unless a different frequency is determined to be appropriate in the
10 psychological / psychiatric evaluation. Respondent shall continue in such therapy at the Board's
11 discretion. Cost of such therapy is to be borne by Respondent.

12 Respondent may, after receiving the Board's written permission, receive therapy via
13 videoconferencing if Respondent's good faith attempts to secure face-to-face counseling are
14 unsuccessful due to the unavailability of qualified mental health care professionals in the area.
15 The Board may require that Respondent provide written documentation of her good faith attempts
16 to secure counseling via videoconferencing.

17 Respondent shall provide the therapist with a copy of the Board's decision no later than the
18 first counseling session. Upon approval by the Board, Respondent shall undergo and continue
19 treatment until the Board or its designee determines that no further psychotherapy is necessary.

20 Respondent shall take all necessary steps to ensure that the treating psychotherapist submits
21 quarterly written reports to the Board concerning Respondent's fitness to practice, progress in
22 treatment, and to provide such other information as may be required by the Board. Respondent
23 shall execute a Release of Information authorizing the therapist to divulge information to the
24 Board.

25 If the treating psychotherapist finds that Respondent cannot practice safely or
26 independently, the psychotherapist shall notify the Board within three (3) working days. Upon
27 notification by the Board, Respondent shall immediately cease practice and shall not resume
28 practice until notified by the Board or its designee that respondent may do so. Respondent shall

1 not thereafter engage in any practice for which a license issued by the Board is required until the
2 Board or its designee has notified respondent that she may resume practice. Respondent shall
3 document compliance with this condition in the manner required by the Board.

4 **3. Attend Dependency Support Program**

5 Respondent shall attend a dependency support program approved by the Board no less than
6 twice per week. Respondent shall provide proof of attendance at said program with each
7 quarterly report that Respondent submits during the period of probation. Failure to attend, or to
8 show proof of such attendance, shall constitute a violation of probation

9 Respondent may, after receiving the Board's written permission, receive therapy via
10 videoconferencing if Respondent's good faith attempts to secure face-to-face counseling are
11 unsuccessful due to the unavailability of qualified mental health care professionals in the area.
12 The Board may require that Respondent provide written documentation of her good faith attempts
13 to secure counseling via videoconferencing.

14 Respondent shall provide the therapist with a copy of the Board's decision no later than the
15 first counseling session. Upon approval by the Board, Respondent shall undergo and continue
16 treatment until the Board or its designee determines that no further psychotherapy is necessary.

17 Respondent shall take all necessary steps to ensure that the treating psychotherapist submits
18 quarterly written reports to the Board concerning Respondent's fitness to practice, progress in
19 treatment, and to provide such other information as may be required by the Board. Respondent
20 shall execute a Release of Information authorizing the therapist to divulge information to the
21 Board.

22 If the treating psychotherapist finds that Respondent cannot practice safely or
23 independently, the psychotherapist shall notify the Board within three (3) working days. Upon
24 notification by the Board, Respondent shall immediately cease practice and shall not resume
25 practice until notified by the Board or its designee that Respondent may do so. Respondent shall
26 not thereafter engage in any practice for which a license issued by the Board is required until the
27 Board or its designee has notified Respondent that she may resume practice. Respondent shall
28 document compliance with this condition in the manner required by the Board.

1 **4. Education**

2 Respondent shall take and successfully complete the equivalency of 2 semester units in
3 alcohol awareness and/or substance abuse. All course work shall be taken at the graduate level at
4 an accredited or approved educational institution that offers a qualifying degree for licensure as a
5 marriage and family therapist, clinical social worker, educational psychologist, or professional
6 clinical counselor or through a course approved by the Board. Classroom attendance must be
7 specifically required. Course content shall be pertinent to the violation and all course work must
8 be completed within one year from the effective date of this Decision.

9 Within 90 days of the effective date of the decision Respondent shall submit a plan for prior
10 Board approval for meeting these educational requirements. All costs of the course work shall be
11 paid by the Respondent. Units obtained for an approved course shall not be used for continuing
12 education units required for renewal of licensure.

13 **5. Abstain from Controlled Substances / Submit to Biological Fluid Testing and**
14 **Samples**

15 Respondent shall completely abstain from the use or possession of controlled or illegal
16 substances unless lawfully prescribed by a medical practitioner for a bona fide illness.

17 Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon
18 request by the Board or its designee. The length of time and frequency will be determined by the
19 Board. There will be no confidentiality in test results. Any confirmed positive finding will be
20 immediately reported to Respondent's current employer and shall be a violation of probation.

21 **6. Abstain from Use of Alcohol / Submit to Biological Fluid Testing and Samples**

22 Respondent shall completely abstain from the use of alcoholic beverages during the period
23 of probation.

24 Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon
25 request by the Board or its designee. The length of time and frequency will be determined by the
26 Board. There will be no confidentiality in test results. Any confirmed positive finding will be
27 immediately reported to the Respondent 's current employer and shall be a violation of probation

28 **7. Obey All Laws**

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

9 **8. File Quarterly Reports**

10 Respondent shall submit quarterly reports, to the Board or its designee, as scheduled on the
11 "Quarterly Report Form" (rev. 01/12/01). Respondent shall state under penalty of perjury
12 whether she has been in compliance with all the conditions of probation. Notwithstanding any
13 provision for tolling of requirements of probation, during the cessation of practice Respondent
14 shall continue to submit quarterly reports under penalty of perjury.

15 **9. Comply with Probation Program**

16 Respondent shall comply with the probation program established by the Board and
17 cooperate with representatives of the Board in its monitoring and investigation of the
18 Respondent's compliance with the program.

19 **10. Interviews with the Board**

20 Respondent shall appear in person for interviews with the Board or its designee upon
21 request at various intervals and with reasonable notice.

22 **11. Failure to Practice**

23 In the event Respondent stops practicing in California, Respondent shall notify the Board or
24 its designee in writing within 30 calendar days prior to the dates of non-practice and return to
25 practice. Non-practice is defined as any period of time exceeding thirty calendar days in which
26 Respondent is not engaging in any activities defined in Sections 4980.02, 4989.14, 4996.9, or
27 4999.20 of the Business and Professions Code. Any period of non-practice, as defined in this
28 condition, will not apply to the reduction of the probationary term and will relieve Respondent of

1 the responsibility to comply with the probationary terms and conditions with the exception of this
2 condition and the following terms and conditions of probation: Obey All Laws; File Quarterly
3 Reports; Comply With Probation Program; Maintain Valid License/Registration; and Cost
4 Recovery. Respondent's license/registration shall be automatically cancelled if Respondent's
5 period of non-practice total two years.

6 **12. Change of Place of Employment or Place of Residence**

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

10 **13. Supervision of Unlicensed Persons**

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

14 **14. Notification to Clients**

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

20 **15. Notification to Employer**

21 Respondent shall provide each of her current or future employers, when performing
22 services that fall within the scope of practice of her license, a copy of this Decision and the
23 Statement of Issues or Accusation before commencing employment. Notification to the
24 Respondent's current employer shall occur no later than the effective date of the Decision or
25 immediately upon commencing employment. Respondent shall submit, upon request by the
26 Board or its designee, satisfactory evidence of compliance with this term of probation.

27 **16. Violation of Probation**

28 If Respondent violates the conditions of her probation, the Board, after giving Respondent

1 notice and the opportunity to be heard, may set aside the stay order and impose the discipline
2 (revocation/suspension) of Respondent 's registration provided in the decision.

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

10 **17. Maintain Valid Registration/License**

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

16 **18. Registration/License Surrender**

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

28 Voluntary surrender of Respondent's registration/license shall be considered to be a

1 disciplinary action and shall become a part of Respondent's registration/license history with the
2 Board. Respondent may not petition the Board for reinstatement of the surrendered
3 registration/license. Should Respondent at any time after voluntary surrender ever reapply to the
4 Board for licensure Respondent must meet all current requirements for licensure including, but
5 not limited to, filing a current application, meeting all current educational and experience
6 requirements, and taking and passing any and all examinations required of new applicants.

7 **19. Instruction of Coursework Qualifying for Continuing Education**

8 Respondent shall not be an instructor of any coursework for continuing education credit
9 required by any license issued by the Board.

10 **20. Notification to Referral Services**

11 Respondent shall immediately send a copy of this decision to all referral services registered
12 with the Board in which Respondent is a participant. While on probation, Respondent shall send
13 a copy of this decision to all referral services registered with the Board that Respondent seeks to
14 join.

15 **21. Reimbursement of Probation Program**

16 Respondent shall reimburse the Board for the costs it incurs in monitoring the probation to
17 ensure compliance for the duration of the probation period. Reimbursement costs shall be
18 \$1,200.00 per year.

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ENDORSEMENT

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

Dated: 06/16/2015

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General



ELYSE M. DAVIDSON
Deputy Attorney General
Attorneys for Complainant

LA2014511778
51705651.doc
06152015

Exhibit A

Statement of Issues No. 2002014000624

1 KAMALA D. HARRIS
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 ELYSE M. DAVIDSON
Deputy Attorney General
4 State Bar No. 285842
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2533
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

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

11 In the Matter of the Statement of Issues
Against:

Case No. 2002014000624

12 **CRISTINA MORENO**
13 **aka CRISTINA MORENO GONZALEZ**

STATEMENT OF ISSUES

14 Marriage and Family Therapist Intern
15 Registration Applicant

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

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

23 2. On or about January 13, 2014, the Board received an application for a Marriage and Family
24 Therapist Intern Registration from Cristina Moreno (Respondent). On or about January 9, 2014,
25 Cristina Moreno certified under penalty of perjury to the truthfulness of all statements, answers,
26 and representations in the application. The Board denied the application on April 17, 2014.

27 ///

28 ///

1 5. Section 490 provides that a board may suspend or revoke a license on the ground that
2 the licensee has been convicted of a crime substantially related to the qualifications, functions, or
3 duties of the business or profession for which the license was issued.

4 6. Section 4982 states, in pertinent part:

5 "The board may deny a license or registration or may suspend or revoke the license or
6 registration of a licensee or registrant if he or she has been guilty of unprofessional conduct.

7 Unprofessional conduct includes, but is not limited to, the following:

8 "(a) The conviction of a crime substantially related to the qualifications, functions, or
9 duties of a licensee or registrant under this chapter. The record of conviction shall be conclusive
10 evidence only of the fact that the conviction occurred. The board may inquire into the
11 circumstances surrounding the commission of the crime in order to fix the degree of discipline or
12 to determine if the conviction is substantially related to the qualifications, functions, or duties of a
13 licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a
14 plea of nolo contendere made to a charge substantially related to the qualifications, functions, or
15 duties of a licensee or registrant under this chapter shall be deemed to be a conviction within the
16 meaning of this section. The board may order any license or registration suspended or revoked, or
17 may decline to issue a license or registration when the time for appeal has elapsed, or the
18 judgment of conviction has been affirmed on appeal, or, when an order granting probation is
19 made suspending the imposition of sentence, irrespective of a subsequent order under Section
20 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not
21 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
22 indictment."

23

24 "(c) Administering to himself or herself any controlled substance or using of any of the
25 dangerous drugs specified in Section 4022, or of any alcoholic beverage to the extent, or in a
26 manner, as to be dangerous or injurious to the person applying for a registration or license or
27 holding a registration or license under this chapter, or to any other person, or to the public, or, to
28 the extent that the use impairs the ability of the person applying for or holding a registration or

1 license to conduct with safety to the public the practice authorized by the registration or license.
2 The board shall deny an application for a registration or license or revoke the license or
3 registration of any person, other than one who is licensed as a physician and surgeon, who uses or
4 offers to use drugs in the course of performing marriage and family therapy services.”

5 **CONTROLLED SUBSTANCE**

6 7. **Marijuana** – a Schedule I controlled substance pursuant to Health and Safety Code
7 section 11054 (d)(13) and is classified as a hallucinogenic substance.

8 **FIRST CAUSE FOR DENIAL OF APPLICATION**

9 **(Conviction of a Substantially Related Crime)**

10 8. Respondent's application is subject to denial under sections 480, subdivision (a)(1)
11 and (a)(3)(A), 490, and 4982, subdivision (a) on the grounds of unprofessional conduct, in that
12 Respondent was convicted of crimes substantially related to the qualifications, functions, or duties
13 of a licensee or registrant, as follows:

14 a. On or about October 3, 2002, Respondent was convicted of one misdemeanor count
15 of violating Penal Code section 32 [accessory] in the criminal proceeding entitled *The People of*
16 *the State of California v. Cristina Moreno* (Super. Ct. Kern County, 2002, No. MF005882B). The
17 Court sentenced Respondent to 90 days jail and placed her on three (3) years probation. On or
18 about December 19, 2013, the Court dismissed the matter pursuant to Penal Code section 1203.4.

19 b. The circumstances underlying the conviction are that on or about September 23, 2002,
20 Respondent and a driver, who was on felony parole, were driving in a stolen vehicle and
21 admittedly smoking a marijuana joint. While the police were trying to pull the vehicle over,
22 Respondent reached under her passenger seat, retrieved a wrapped loaded pistol and threw it out
23 of the vehicle's window. After the vehicle stopped, Respondent fled from the stolen vehicle, was
24 pursued and detained.

25 ///

26 ///

27 ///

28 ///

1 SECOND CAUSE FOR DENIAL OF APPLICATION

2 (Conviction of a Substantially Related Crime)

3 9. Respondent's application is subject to denial under sections 480, subdivision (a)(1)
4 and (a)(3)(A), 490, and 4982, subdivision (a) on the grounds of unprofessional conduct, in that
5 Respondent was convicted of crimes substantially related to the qualifications, functions, or duties
6 of a licensee or registrant, as follows:

7 a. On or about March 15, 2006, Respondent was convicted of one misdemeanor count of
8 violating Vehicle Code section 23152(a) [driving while under the influence of alcohol/drugs, to
9 wit, a 0.18% blood alcohol content (BAC)] in the criminal proceeding entitled *The People of the*
10 *State of California v. Cristina Moreno Gonzalez* (Super. Ct. Kern County, 2006, No.
11 AM079208A). The Court sentenced Respondent to eight (8) days jail, placed her on three (3)
12 years probation, and ordered her to complete three (3) months of DUI school. On or about April
13 9, 2013, the Court dismissed the matter pursuant to Penal Code section 1203.4.

14 b. The circumstances underlying the conviction are that on or about March 1, 2006,
15 Respondent drove a vehicle while under the influence of a tested 0.18 and 0.17% BAC. The
16 police noticed that Respondent failed to make a complete stop and proceeded to try to pull her
17 over by activating the police vehicles overhead lights and initiating blasts of the vehicle's siren
18 over the loud speaker. Respondent fled and was pursued until she reached her home.

19 THIRD CAUSE FOR DENIAL OF APPLICATION

20 (Conviction of a Substantially Related Crime)

21 10. Respondent's application is subject to denial under sections 480, subdivision (a)(1)
22 and (a)(3)(A), 490, and 4982, subdivision (a) on the grounds of unprofessional conduct, in that
23 Respondent was convicted of crimes substantially related to the qualifications, functions, or duties
24 of a licensee or registrant, as follows:

25 a. On or about January 26, 2007, Respondent was convicted of one amended
26 misdemeanor count violating Vehicle Code section 12500(a) [unlicensed driver] in the criminal
27 proceeding entitled *The People of the State of California v. Cristina Moreno Gonzalez* (Super. Ct.
28 Kern County, 2007, No. BM695253A). The Court placed Respondent on three (3) years

1 probation. On or about June 5, 2013, the Court dismissed the matter pursuant to Penal Code
2 section 1203.4.

3 b. The circumstances underlying the conviction are that on or about July 7, 2006, while
4 her license was suspended, Respondent drove a vehicle and was in a traffic collision wherein she
5 rear ended another vehicle.

6 **FOURTH CAUSE FOR DENIAL OF APPLICATION**

7 **(Conviction of a Substantially Related Crime)**

8 11. Respondent's application is subject to denial under sections 480, subdivision (a)(1)
9 and (a)(3)(A), 490, and 4982, subdivision (a) on the grounds of unprofessional conduct, in that
10 Respondent was convicted of crimes substantially related to the qualifications, functions, or duties
11 of a licensee or registrant, as follows:

12 a. On or about April 10, 2008, Respondent was convicted of one amended misdemeanor
13 count of violating Penal Code section 415(2) [willful loud and unreasonable noise] in the criminal
14 proceeding entitled *The People of the State of California v. Cristina Moreno Gonzalez* (Super. Ct.
15 Kern County, 2008, No. AM086226A). The Court sentenced Respondent to one (1) day jail,
16 placed her on three (3) years probation, and ordered her to stay away from the victim, H.R. On or
17 about April 9, 2013, the Court dismissed the matter pursuant to Penal Code section 1203.4.

18 b. The circumstances underlying the conviction are that on or about March 3, 2008,
19 while in a female neighbor's apartment, Respondent grabbed a candlestick weighing about three
20 to five pounds and swung it at the neighbor's head but missed. Respondent left the neighbors and
21 returned ten minutes later with a claw hammer and tried to gain entry into the apartment by
22 swinging the hammer at the closed door over 15 times. The police noted there was damage to
23 both the door and the door handle. Respondent was found with blood on her clothing and her
24 hands.

25 ///

26 ///

27 ///

28 ///

1 FIFTH CAUSE FOR DENIAL OF APPLICATION

2 (Conviction of a Substantially Related Crime)

3 12. Respondent's application is subject to denial under sections 480, subdivision (a)(1)
4 and (a)(3)(A), 490, and 4982, subdivision (a) on the grounds of unprofessional conduct, in that
5 Respondent was convicted of crimes substantially related to the qualifications, functions, or duties
6 of a licensee or registrant, as follows:

7 a. On or about January 27, 2010, Respondent was convicted of one misdemeanor count
8 of violating Vehicle Code section 23152(a) [driving while under the influence of alcohol/drugs] in
9 the criminal proceeding entitled *The People of the State of California v. Cristina Moreno*
10 *Gonzalez* (Super. Ct. Kern County, 2010, No. AM090683A). The Court sentenced Respondent to
11 30 days jail, placed her on five (5) years probation, and ordered her to complete DUI school. On
12 or about April 9, 2013, the Court dismissed the matter pursuant to Penal Code section 1203.4.

13 b. The circumstances underlying the conviction are that on or about June 4, 2009,
14 Respondent drove a vehicle while under the influence of alcohol/drugs.

15 SIXTH CAUSE FOR DENIAL OF APPLICATION

16 (Acts Warranting Suspension or Revocation of Licensure)

17 13. Respondent's application is subject to denial under sections 480, subdivision (a)(1)
18 and (a)(3)(A), 490, and 4982, subdivision (c) on the grounds of unprofessional conduct in that
19 Respondent committed acts which if done by a licentiate of the business and profession in
20 question, constitutes grounds for discipline of a license, as follows:

21 a. Respondent used alcoholic beverages to an extent or in a manner dangerous or
22 injurious to herself, another person, or the public. Complainant refers to, and by this reference
23 incorporates, the allegations set forth above in paragraph 8, subparagraphs (a) and (b); paragraph
24 9, subparagraphs (a) and (b); and 12, subparagraphs (a) and (b), as though set forth fully.

25 ///

26 ///

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PRAYER

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

1. Denying the application of Cristina Moreno for a Marriage and Family Therapist Intern Registration; and
2. Taking such other and further action as deemed necessary and proper.

DATED: November 5, 2014



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

LA2014511778
51538796.doc
11042014