



Bureau for Private Postsecondary Education
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Wade Williams, Owner
Northern California School of Sleep Medicine
1130 Conroy Lane, Suite 600
Roseville, CA 95661

INSTITUTION CODE: Unapproved
(Approved: October 18, 2021
- Institution Code: 16229529)
CITATION NUMBER: 2122084
CITATION ISSUANCE/SERVICE DATE: November 18, 2021
DUE DATE: December 18, 2021
FINE AMOUNT: \$ 10,000.00

ORDER OF ABATEMENT INCLUDED: Yes

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager for the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Wade Williams, Owner of Northern California School of Sleep Medicine (Institution) located at 1130 Conroy Lane, Suite 600, Roseville, CA 95661 pursuant to Business and Professions Code section 125.9 and 149; California Education Code (CEC) section 94944; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violation(s) described below.

BACKGROUND

On August 12, 2021, the Bureau received a complaint alleging that the Institution was operating without Bureau approval. Through the course of the investigation and evidence obtained, it was determined that the Institution was operating without Bureau approval or a valid exemption.

VIOLATION(S)

| | |
|----|---|
| # | Below you will find the California Education Code (CEC) and/or Title 5 of the California Code of Regulations (5, CCR code) section(s) of law you are charged with violating. |
| 1. | <p><u>Violation:</u> CEC Section 94886. Approval to Operate Required <i>“Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter.”</i></p> <p>CEC Section 94817.5. Approved to Operate or Approved</p> |

“Approved to operate” or “approved” means that an institution has received authorization pursuant to this chapter to offer to the public and to provide postsecondary educational programs.”

CEC Section 94868. To Offer to the Public

“To offer to the public” means to advertise, publicize, solicit, or recruit.”

CEC Section 94869. To Operate

“To operate” means to establish, keep, or maintain any facility or location in this state where, or from which, or through which, postsecondary educational programs are provided.”

On August 12, 2021, the Bureau received a complaint that the Institution was operating without Bureau approval.

On August 25, 2021, Bureau staff reviewed the complaint and found the following information:

- The Institution applied for Bureau approval on April 30, 2020
- During the application review, Bureau staff found evidence that the Institution was operating prior to applying for Bureau approval

In addition, Bureau staff reviewed the Enrollment Agreement and Catalog and found the following information:

- The document lists the location of instruction as 4232 H Street, Sacramento, CA 95819 which differs from the mailing and office address listed for the school of 1130 Conroy Lane, Suite 600, Roseville, CA 95661
- The Enrollment Agreement and Catalog lists an 80-hour course known as “The A-Step Introductory Course” with a tuition cost of \$3,500.00 offered on the following dates:
 - March 8-19, 2021
 - June 7-18, 2021
 - August 9-20, 2021
 - October 4-15, 2021
- The Institution stated that the Course is a method developed by the American Academy of Sleep Medicine and that it consists of in-person instruction and training on sleep, sleep disorders, sleep studies, and patient care
- The course concludes with a 3-hour online exam

Furthermore, on August 27, 2021, Bureau staff reviewed the Institution’s Facebook (social media) profile page and found the following information:

- The profile was created on July 13, 2018
- The page shows a link to the website for California Sleep Solutions at www.californiasleepsolutions.com.
- On July 13, 2018, the Institution advertised an A-Step Course
- Between October 26, 2018 and October 25, 2019, the Institution posted photos of students holding certificates of completion for the fall 2018, June 2019, and October 2019 A-Step Course
- On January 16, 2020, the Institution advertised a January 2020 A-Step Course

- On August 14, 2020, the Institution posted a photo of students holding certificates of completion for an August 2020 A-Step Course
- On August 27, 2021, the Institution posted a video advertising an 80-hour A-Step Course
- On June 21, 2021, the Institution posted a photo of students holding certificates of completion for a June 2021 A-Step Course
- On August 19, 2021, the Institution posted an ad for their October 2021 A-Step Course

As of October 18, 2021, the Institution obtained Bureau approval.

Order of Abatement:

The Bureau orders the Institution to follow the Bureau’s laws and regulations in accordance with CEC Section 94886.

Assessment of Fine

The fine for this violation is \$10,000.00

TOTAL ADMINISTRATIVE FINE DUE: \$10,000.00

ASSESSMENT OF A FINE

In accordance with CEC section 94944; and 5, CCR section 75020(b), the Bureau hereby orders this assessment of a fine in the amount of **\$10,000.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; and/or through an administrative hearing in accordance with Chapter 5 (Commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you wish to contest this Citation, you must submit the ‘Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing’ form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference and/or an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference and/or an administrative hearing is signed by you and delivered to the Bureau by **December 18, 2021**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **November 18, 2021**. Payment of the administrative fine shall be due by **December 18, 2021**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

Payment of the administrative fine and/or written request for appeal must be mailed to:

Gabriella Perez, Discipline Citation Program
Bureau for Private Postsecondary Education
1747 N. Market Blvd., Suite 225
Sacramento, CA 95834

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Gabriella Perez, Citation Analyst, at (916) 574-8969 or Gabriella.Perez@dca.ca.gov.

“Original Signature on File”

“11/18/2021”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- Notice of Appeal of Citation: Request for Informal Conference and/or Administrative Hearing
- Payment of Fine – Waiver of Appeal
- Declaration of Service by Certified and First-Class Mail