



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Professional Medical Careers Institute of California, LLC, Owner
 Professional Medical Careers Institute
 920 Hampshire Road, Suite S
 Westlake Village, CA 91361

INSTITUTION CODE: 75356466
CITATION NUMBER: 1819171
CITATION ISSUANCE/SERVICE DATE: April 16, 2019
DUE DATE: May 16, 2019

FINE AMOUNT: \$ 5,600.00

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 of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Professional Medical Careers Institute of California, LLC., Owner of Professional Medical Careers Institute (Institution) located at 920 Hampshire Road, Suite S, Westlake Village, CA 91361, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On February 21, 2018, during an announced compliance inspection that was conducted at the Institution, material violations were identified, and an Enforcement Referral was issued for further review. The Enforcement Referral alleges material violations of 5, CCR sections 71920(b)(1)(A), 71770(a)(1), 74112(m), and 71745(a)(6).

VIOLATION

#	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>Violation: 5, CCR Section 71920(b)(1)(A). Student Records. <i>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</i> <i>(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:</i></p>

(A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test;

Bureau staff conducted a review of the Certified Nursing Assistant (CNA) program student files and found that files were missing the verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work.

Order of Abatement:

The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with 5, CCR section 71920(b)(1)(A)

Assessment of Fine:

The fine for this violation is \$500.00

2.

Violation:

5, CCR Section 71770(a)(1) Admissions Standards and Transferred Credits Policy.

(a) The institution shall establish specific written standards for student admissions for each educational program. These standards shall be related to the particular educational program. An institution shall not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program. In addition to any specific standards for an educational program, the admissions standards must specify as applicable that:

(1) Each student admitted to an undergraduate degree program, or a diploma program, shall possess a high school diploma or its equivalent, or otherwise successfully take and pass the relevant examination as required by section 94904 of the Code.

Bureau staff reviewed the Institutions admission policies and determined that the Institution failed to include specific written admission standards that requires students in the CNA program and Continuing Education programs to possess a high school diploma or equivalency, or to successfully complete an Ability to Benefit Exam.

Order of Abatement:

The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with 5, CCR section 71920(b)(1)(A).

Assessment of Fine

The fine for this violation is \$100.00

3.

Violation:

5, CCR Section 74112(m)(1-9). Uniform Data - Annual Report, Performance Fact Sheet.

(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:

(1) the list of job classifications determined to be considered gainful employment for the educational program;

(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;

(3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;

(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;

(5) for students who become self-employed, all documentation necessary to demonstrate self-employment;

(6) a description of all attempts to contact each student or employer;

(7) any and all documentation used to provide data regarding license examinations and examination results;

(8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and

(9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.

During the announced compliance inspection, the Institution failed to provide required supporting documentation as required by 5, CCR section 74112(m)(1-9). Specifically, Bureau staff identified the following:

The CNA program for years 2015-2016 and VN program for year 2015 are missing the supporting documentation for:

- Student address
- Phone number
- Email address
- Program completed
- Program start date
- Scheduled completion date
- A description of all attempts to contact each student or employer

The VN program for year 2016 is missing the supporting documentation for the:

- Student address
- Program completed
- Program start date
- Scheduled completion date
- A description of all attempts to contact each student or employer

Order of Abatement:

The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with 5, CCR section 74112(m)(1-9).

Assessment of Fine

The fine for this violation is \$5000.00

4.

Violation:

5. CCR Section 71745(a)(6). Financial Resources.

(a) The institution shall document that it has at all times sufficient assets and financial resources to

do all of the following:

(6) Maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year when using generally accepted accounting principles, or for an institution participating in Title IV of the federal Higher Education Act of 1965, meet the composite score requirements of the U.S. Department of Education. For the purposes of this section, current assets does not include: intangible assets, including goodwill, going concern value, organization expense, startup costs, long-term prepayment of deferred charges, and non-returnable deposits, or state or federal grant or loan funds that are not the property of the institution but are held for future disbursement for the benefit of students. Unearned tuition shall be accounted for in accordance with general accepted accounting principles.

Bureau staff reviewed the Institutions financial statements for the year ending December 31, 2016 and 2015. The financial records for 2016 demonstrated that the Institution failed to maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater. The institution's ratio for 2016 was 1.19.

Order of Abatement:

The Bureau orders the Institution to:

1. Submit a detailed plan to address its financial shortfalls and to meet the ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year in accordance with 5, CCR 71745(a)(6)
2. In addition, please provide an explanation of all measures to be taken by the Institution to ensure it meets future financial responsibilities.
3. Please provide the Bureau with, in electronic format:
 - a) a roster of all currently enrolled students that includes the student (1) names, (2) addresses, (3) telephone numbers, (4) email addresses, (5) program in which they are enrolled, (6) date of enrollment, (7) total cost of the program and (8) the total amount the student has paid.

Assessment of Fine

The fine for this violation is \$00.00

TOTAL ADMINISTRATIVE FINE DUE: \$5,600.00

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$5,600.00** for the violations described above.

Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby issues the order(s) of abatement described above. **Evidence of compliance with the order(s) of abatement must be submitted, 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 **May 16, 2019**, 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 **April 16, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **May 16, 2019**. 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.

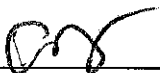
Payment of the administrative fine and/or written request for appeal must be mailed to:

Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

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 Cheryl Lardizabal, Citation Analyst at (916) 621-2591 or Cheryl.Lardizabal@dca.ca.gov.



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**