1 2 3 4 5 6 7 8 9 10	DEPARTMENT OF C FOR THE BUREAU FOR PRIVATI	RE THE CONSUMER AFFAIRS 2 POSTSECONDARY EDUCATION CALIFORNIA	
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12	In the Matter of the Accusation Against:	Case No. 999788	
13	ADVANCED PRO NURSING INSTITUTE 2505 Technology Drive	OAH Case No. 2015100949	
14	Hayward, CA 94545	STIPULATED SURRENDER OF APPROVAL TO OPERATE AND	
15	Institution Code No. 88680341	ORDER	
16	Respondent.		
17			
18	IT IS HEREBY STIPULATED AND AG	REED by and between the parties to the above-	
19	entitled proceedings that the following matters a	re true:	
20	PARTIES		
21	1. Joanne Wenzel (Complainant) is the Chief of the Bureau for Private Postsecondary		
22	Education. She brought this action solely in her official capacity and is represented in this matter		
23	by Kamala D. Harris, Attorney General of the State of California, by Nicholas Tsukamaki,		
24	Deputy Attorney General.		
25	2. Advanced Pro Nursing Institute (Respondent) is represented in this proceeding by		
26	attorney Michelle E. Jorden, Esq., whose address is: 597 Monterey Pass Road, Monterey Park,		
27	CA 91754.		
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3. On the following dates, the Bureau for Private Postsecondary Education issued an approval to operate the following programs to Respondent.

Approved Program Name	Approval Date
Nursing Assistant	12/20/2004
Vocational Nursing Program	2/14/2006
Home Health Aide	10/10/2012
Massage Therapy Program A	10/10/2012
Massage Therapy Program B	10/10/2012
Medical Assisting	10/10/2012

4. Respondent's approval to operate was in full force and effect at all times relevant to the charges brought herein and will expire on October 9, 2017, unless renewed.

JURISDICTION

Accusation No. 999788 was filed before the Director of the Department of Consumer
Affairs (Director), for the Bureau for Private Postsecondary Education (Bureau), and is currently
pending against Respondent. The Accusation and all other statutorily required documents were
properly served on Respondent on October 1, 2015. Respondent timely filed a Notice of Defense
contesting the Accusation. A copy of Accusation No. 999788 is attached as Exhibit A and
incorporated by reference.

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ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the
charges and allegations in Accusation No. 999788. Respondent also has carefully read, fully
discussed with counsel, and understands the effects of this Stipulated Surrender of Approval to
Operate and Order.

7. Respondent is fully aware of its legal rights in this matter, including the right to a
hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
Respondent's own expense; the right to confront and cross-examine the witnesses against

Respondent; the right to present evidence and to testify on Respondent's own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

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

<u>CULPABILITY</u>

9. Respondent admits the truth of each and every charge and allegation in Accusation
No. 999788, agrees that cause exists for discipline, and hereby surrenders Respondent's approval
to operate for the Bureau's formal acceptance.

11 10. Respondent understands that by signing this stipulation Respondent enables the
12 Director to issue his order accepting the surrender of Respondent's approval to operate without
13 further process.

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CONTINGENCY

This stipulation shall be subject to approval by the Director or the Director's 15 11. designee. Respondent understands and agrees that counsel for Complainant and the staff of the 16 Bureau may communicate directly with the Director and staff regarding this stipulation and 17 surrender without notice to or participation by Respondent or Respondent's counsel. By signing 18 the stipulation, Respondent understands and agrees that Respondent may not withdraw this 19 agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon 20 it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated 21 Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall 22 be inadmissible in any legal action between the parties, and the Director shall not be disqualified 23 from further action by having considered this matter. 24

12. The parties understand and agree that Portable Document Format (PDF) and facsimile
copies of this Stipulated Surrender of Approval to Operate and Order, including Portable
Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as
the originals.

13. This Stipulated Surrender of Approval to Operate and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of Approval to Operate and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

8 14. In consideration of the foregoing admissions and stipulations, the parties agree that
9 the Director may, without further notice or formal proceeding, issue and enter the following
10 Order:

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<u>ORDER</u>

IT IS HEREBY ORDERED that the approval to operate issued to Respondent Advanced Pro Nursing Institute (Respondent) is surrendered and accepted by the Director of the Department of Consumer Affairs.

The surrender of Respondent's approval to operate and the acceptance of the
 surrendered approval to operate by the Bureau for Private Postsecondary Education (Bureau)
 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 Bureau.

Respondent shall lose all rights and privileges as a private postsecondary institution in
 California as of the effective date of the Director's Decision and Order.

Within thirty (30) days of the effective date of the Decision and Order, Respondent
 shall pay the Bureau costs associated with its investigation and enforcement pursuant to Business
 and Professions Code section 125.3 in the amount of \$12,195.71.

4. Within thirty (30) days of the effective date of the Decision and Order, Respondent
shall pay the Bureau partial restitution in the amount of \$5,534.00. Respondent shall pay the
remaining amount of restitution (\$280,968.45, as set forth in Exhibit B, attached hereto) prior to
the issuance of an approval to operate by the Bureau to Respondent.

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5. Within thirty (30) days of the effective date of the Decision and Order, Respondent shall provide official transcripts to all of the students listed in Exhibits B and C, attached hereto. Respondent shall provide proof to the Bureau that Respondent has provided transcripts to those students.

6. Respondent shall comply with the required school closure procedures as set forth in
Exhibit D, attached hereto.

7 7. Respondent and any individuals currently or formerly affiliated with Respondent,
8 including Hooi Hoon Yeap and William A.P. Wang, shall not apply for an approval to operate
9 with the Bureau for five (5) years from the effective date of the Decision and Order. An approval
10 to operate will not be issued by the Bureau until Respondent has paid the Bureau the full amount
11 of costs and restitution as set forth in Paragraphs 3 and 4 of this Order.

<u>ACCEPTANCE</u>

I have carefully read the above Stipulated Surrender of Approval to Operate and Order and
have fully discussed it with my attorney, Michelle E. Jorden. I understand the stipulation and the
effect it will have on my approval to operate. I enter into this Stipulated Surrender of Approval to
Operate and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
Decision and Order of the Director of the Department of Consumer Affairs.

19 2/10/2016 DATED: 2021

MICHELLE E. JORDEN Attorney for Respondent

ADVANCED PROMURSING INSTITUTE Respondent

I have read and fully discussed with Hooi Hoon Yeap the terms and conditions and other matters contained in this Stipulated Surrender of Approval to Operate and Order. I approve its form and content.

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DATED: 2/10/16

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Stipulated Surrender of Approval to Operate (Case No. 999788)

1	ENDORSEMENT		
2	The foregoing Stipulated Surrender of Approval to Operate and Order is hereby respectfully		
3	submitted for consideration by the Director of the Department of Consumer Affairs.		
4	Dated: February 10, 2016 Respectfully submitted,		
5	KAMALA D. HARRIS Attorney General of California		
6	JOSHUA A. ROOM Supervising Deputy Attorney General	ļ	
7	Nichola Jukam		
8	Nicholas Tsukamaki		
9	Deputy Attorney General Attorneys for Complainant		
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BEFORE THE DIRECTOR BUREAU FOR PRIVATE POSTSECONDARY EDUCATION DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 999788

ADVANCED PRO NURSING INSTITUTE 2505 Technology Drive Hayward, CA 94545 OAH No. 2015100949

ORDER OF DECISION

Institution Code No.: 88680341

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of Approval to Operate and Order is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision and Order in the above entitled matter.

The Decision shall become effective on _____

APR 1 4 2016

DATED: MAR 0 8 2016

DOREATHEA JOHNSON Deputy Director, Legal Affairs Department of Consumer Affairs