



Bureau for Private Postsecondary Education
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APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

February 17, 2022

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

Date of Issuance	Citation Number	Institution Code
February 17, 2022	2122084	(Approved October 18, 2021) 16229529

On February 3, 2022 an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2122084 (Citation) against Wade Williams, Owner of Northern California School of Sleep Medicine (Institution). In attendance were Yvette Johnson, Administrative Chief, Wade Williams, Owner and Manager, and Sherri Hanson, Program Director.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 2122084.

It is the decision of the Administrative Chief that on February 4, 2022, Citation No. 2122084 is modified and makes the following change(s):

VIOLATION CODE SECTIONS

#	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></p> <p>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 <i>“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.”</i></p> <p>CEC Section 94868. To Offer to the Public <i>“To offer to the public” means to advertise, publicize, solicit, or recruit.”</i></p>

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

<p style="color: red;">○ On August 19, 2021, the Institution posted an ad for their October 2021 A-Step Course</p> <p style="color: red;">As of October 18, 2021, the Institution obtained Bureau approval.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to follow the Bureau’s laws and regulations in accordance with CEC Section 94886.</p> <p style="color: red;"><u>Reason for modification:</u> New substantive facts were presented at the informal conference. The Order of Abatement has been resolved.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$10,000.00</u></p> <p style="color: red;">The administrative fine for this violation has been modified from \$10,000.00 to <u>\$5,000.00</u>.</p>
TOTAL MODIFIED ADMINISTRATIVE FINE DUE: <u>\$5,000.00</u>

PENALTY – ASSESSMENT OF A FINE

Payment of the administrative fine is due within 30 days from the date of this decision. Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

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

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on **February 17, 2022**. Payment of the administrative fine is due by **March 19, 2022**.

Failure to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Modified 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 decision or desire further information, please contact Gabriella Perez, Citation Analyst, at (916) 574-7429 or at Gabriella.Perez@dca.ca.gov.

“Original Signature on File”

“2/17/2022”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Payment of Fine
- Declaration of Service by Certified and First-Class Mail