



AFFIRMED CITATION ORDER

Citation Issued To: Dialysis School of San Diego 180 Otay Lakes Road, Suite 205 Chula Vista, CA 91902 Institution Code: 44336754	Citation Number: 24250058
	Total Fine Amount: \$3,001.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this affirmed citation in her official capacity as Deputy Bureau Chief of Enforcement at the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

LICENSING HISTORY

- On or about October 22, 2019, the Bureau renewed an Approval to Operate a Private Postsecondary Institution, Institution Code 44336754, to Dialysis School of San Diego hereinafter referred to as the "Institution". This Approval to Operate will expire on or about October 21, 2024, unless renewed.

DISCIPLINE HISTORY

- The Institution has no prior discipline history.

CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to the statutory provisions of California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

CITATION HISTORY

- On or about September 19, 2024, the Bureau issued Citation No. 24250058. On or about October 14, 2024, the Bureau received an appeal with a request for an informal conference. The informal conference was held on November 8, 2024. No new substantive facts were presented during the informal conference; therefore, the Bureau affirms Citation No. 24250058.

CAUSE FOR CITATION & ASSESSMENT OF FINE AND/OR ORDER OF ABATEMENT

5. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

5 CCR section 74112 (m) (2-6) and (m) (8-9) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930 (e) – Maintenance Records

Cause for Citation: On or about December 18, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC section 9432.5 (a). Prior to the Inspection, the Institution provided the Bureau with a copy of the documentation supporting all data reported in the 2020-2021 School Performance Fact Sheet (SPFS), for review. Bureau staff determined that the Institution failed to maintain all the required data, specifically, 5 CCR section 74112 subsection (m) (2-6) and (m)(8-9).

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class A” violation. The Institution is issued a fine of \$2,501.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violation by providing an electronic copy of the template used by the Institution to document supporting data for SPFS, for the Bureau to verify the Institution is collecting the required data points pursuant to 5 CCR section 74112.

In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the supporting data for SPFS is maintained and immediately available during an inspection. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #2:
5 CCR section 76130 – Collection and Submission of Assessments
Cause for Citation: The Institution failed to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and the collection of assessment fees, if applicable, for the 2 nd quarter reporting period of 2024.
Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class D” violation. The Institution is issued a fine of \$500.00.
Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement: The Bureau orders the Institution to submit the STRF Assessment Reporting form and the collection of assessment fees, if applicable, for the 2 nd quarter reporting period of 2024.

COMPLIANCE WITH ORDER OF ABATEMENT

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this affirmed citation. Evidence of compliance with the order of abatement may sent by mail or email to:
- Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Giovanni Alon
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
 - Email: bppe.discipline@dca.ca.gov
 - In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$ 3,001.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of issuance of this affirmed citation. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education
Attn: Discipline Unit – Giovanni Alon
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

8. Pursuant to 5 CCR section 75040(d), the affirmed decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing. If the Institution has not requested to withdraw the hearing, a hearing will be set to hear the matter.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

9. Pursuant to 5 CCR section 75050, payment of fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine. The Bureau may also enforce the

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administrative fine as if it were a money judgment pursuant to CEC section 94936.

BUREAU CONTACT INFORMATION

10. If you have any questions regarding this Citation, please contact Giovanni Alon, Citation Analyst by email at Giovani.Alon@dca.ca.gov or by phone at (916) 574-7703.

“Original Signature on File”

11/21/2024

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

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