



MODIFIED CITATION ORDER

Citation Issued To: SoCal Phlebotomy Institute 9201 Oakdale Ave. Suite 201 Chatsworth, CA 91311 Institution Code: 37992456	Citation Number: 23240280
	Total Fine Amount: \$3,502.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this modified 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 December 12, 2022, the Bureau issued an Approval to Operate a Private Postsecondary Institution, Institution Code 37992456, to SoCal Phlebotomy Institute (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about December 12, 2027, unless renewed.

DISCIPLINE HISTORY

- The Institution has no prior discipline history.

CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to 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 June 27, 2024, the Bureau issued Citation No. 23240280. On or about July 11, 2024, the Bureau received an appeal with a request for an informal conference. The informal conference was held on July 26, 2024.

New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

**CAUSE FOR CITATION &
MODIFIED ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT**

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

Violation #1:
CEC section 94902 (a) – General Enrollment Requirements
Cause for Citation: On or about February 29, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5 (a). During the inspection, Bureau staff reviewed three current student files, three graduated student files, and one withdrawn student file. The Bureau found that most of the files failed to contain signed enrollment agreements. A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution. Therefore, the institution failed to properly execute enrollment agreements.
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 \$5,000.00. Administrative Fine: Modified. The Bureau modifies the administrative fine from \$5,000.00 to \$2,501.00. Violation remains a Class “A” violation.
Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement: The Bureau orders the Institution to ensure all student records follow the law pursuant to CEC section 94902. The Institution must submit a statement of attestation that they have corrected the violation and will ensure that all student records contain signed enrollment agreements. The statement of attestation must be signed and dated by an authorized representative of the Institution. Order of Abatement: Affirmed

Violation #2:

CEC Section 94902 (b)(3) – General Enrollment Requirements in conjunction with CEC section 94912 – Signature, Initials Required

Cause for Citation: On or about February 29, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5 (a). During the inspection, Bureau staff requested copies of signed School Performance Fact Sheets (SPFS) and were provided with three current student files, three graduated student files, and one withdrawn student file. The Bureau determined that all files failed to include signed Student Performance Fact Sheet (SPFS).

The institution failed to properly execute an enrollment agreement by failing to have students sign and date the SPFS prior to execution of the enrollment agreement.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class B” violation. The Institution is issued a fine of \$1,001.00.

Administrative Fine: Affirmed.

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

The Bureau orders the Institution to ensure all student records follow the law pursuant to CEC sections 94902 and 94912. The Institution must submit a statement of attestation that they have corrected the violation and will ensure that all student records contain signed and dated SPFS prior to the execution of the enrollment agreement. The statement of attestation must be signed and dated by an authorized representative of the Institution.

Order of Abatement: Affirmed

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 modified 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 – Nicole Pedersen
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 \$3,502.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this modified 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 – Nicole Pedersen
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

8. Pursuant to 5 CCR section 75040(d), the modified 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.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

9. Pursuant to 5 CCR section 75050, payment of the fine and/or compliance with any order of abatement does not constitute an admission of the

Citation Number: 23240280
Institution: SoCal Phlebotomy Institute
Institution Code: 37992456

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 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 Nicole Pedersen, Citation Analyst by email at Nicole.Pedersen@dca.ca.gov or by phone at (916) 232-0510.

"Original Signature on File"

7/31/2024

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

- Payment of Fine
- Withdrawal of Request for Administration Hearing
- Declaration of Service by Certified and First-Class Mail