

## **AGENDA ITEM 14**

### **ENFORCEMENT DATA AND REPORTS FOR THE PERIOD OF OCTOBER 1 – DECEMBER 30, 2013.**

**BOT ENFORCEMENT STATISTICAL REPORT**  
*October 1, 2013 – December 31, 2013*

<b>Total Complaints-Received:</b>	<b>169</b>	<b>DOI Investigations Initiated:</b>	<b>5</b>
<b>Record of Arrests and Prosecutions [RAP] Received:</b>	<b>8</b>	<b>Subsequent Arrest Reports Received:</b>	<b>7</b>
<b>Complaints-Closed:</b>	<b>212</b>	<b>DOI Investigation Reports Received:</b>	<b>5</b>
<b>Total Complaints-Pending:</b>	<b>203 (Oldest: 1/31/11)</b>	<b>Formal DOI Investigations Pending:</b>	<b>20 (Oldest: 1/31/11)</b>
<b>Applications Denied pursuant to Business and Professions Code 480/485: 2</b>			

**Cases Pending with the Attorney General (AG): 14**

<u>Transmitted</u>	<u>Complaint No</u>	<u>Type</u>	<u>Current Status</u>
05/24/12	OA 2010-385	Accusation	Accusation Filed 11/20/12; NOD recd; Hearing scheduled 3/18/2014
11/21/12	OT 2010-333	Accusation	Accusation Filed 5/6/13, NOD recd; Hearing scheduled 7/16/2014
11/27/12	OT 2011-117	Accusation	Accusation Filed 5/7/13; NOD recd; Hearing scheduled 2/25/2014
12/11/12	OT 2011-49	Citation Hearing	Hearing scheduled 2/5/2014
12/11/12	OT 2011-416	Accusation	Hearing held 10/7/13; Proposed Decision (Public Reprimand) effective 1/5/2014
12/13/12	OT 2010-616	Accusation	Accusation Filed 8/27/13; NOD recd; Hearing scheduled 3/10/2014
03/29/13	OT 2011-373	Accusation	Accusation Filed 7/5/13; NOD recd; Hearing scheduled 5/20/2014
07/11/13	AR2012-300	SOI	Statement of Issues Filed 8/29/13; Hearing to be scheduled
07/23/13	AR 2012-388	SOI	Statement of Issues Filed 12/12/13; Hearing to be scheduled
08/08/13	OT 2012-100	Accusation	DAG to prepare Accusation
08/09/13	AL 2012-336	SOI	Statement of Issues Filed 12/12/13; Hearing to be scheduled
08/29/13	OT 2012-91	Accusation	Accusation Filed 11/21/13; DAG to prepare Default
08/29/13	OT 2012-230	Accusation	Accusation Filed 11/21/13; DAG to prepare Default
12/13/13	D1 2008-425	PTR	DAG to prepare Petition to Revoke; Possible Surrender

<b>Statement of Issues filed:</b>	<b>2</b>	<b>Accusations filed:</b>	<b>2</b>
<b>Petition to Revoke Probation filed:</b>	<b>0</b>	<b>Accusation &amp; Petition to Revoke Probation filed:</b>	<b>0</b>
<b>ISO Issued:</b>	<b>0</b>	<b>PC23 Issued:</b>	<b>0</b>

**Final Decisions: 4**

November 12, 2013	Feras Mustafa	3 Years Probation
December 4, 2013	Tristan Retuya	3 Years Probation
December 13, 2013	Sharon Martinez	3 Years Probation
December 15, 2013	Paul Vallarta	License Denied

<b>Cease Practice Orders Issued:</b>	<b>0</b>	<b>Cease Practice Orders Lifted:</b>	<b>0</b>
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CITATIONS ISSUED  
10/1/13 - 12/31/13

#	LICENSE CLASS			VIOLATION						CIT. #	FINE (OT)	OT Fine Modified	GRAND TOTAL FINE/DUE (OT)	FINE (OTA)	OTA Fine Modified	GRAND TOTAL FINE/DUE (OTA)	DATE ISSUED	DUE DATES		Appeal Recd		PAYMENT				
	OT	OTA	No Lie	FDC	UPC	CC	ULP	PDU	AD									Req For Conf.	Fine	IP/R	ALBARN	Pymnt Date	Pdiin Full	Pymnt Amnt	Bal (OT)	Bal (OTA)
1		1							1	OA 2012-3235			\$50		\$50	10/01/13	11/01/13	11/01/13			10/09/13	1	\$50		\$0	
1		1							1	OA 2012-324			\$50		\$50	10/01/13	11/01/13	11/01/13			11/04/13	1	\$50		\$0	
1	1								1	OT 2013-1466	\$50		\$50			10/02/13	11/01/13	11/01/13	1		11/25/13	1	\$50	\$0		
1	1								1	OT 2013-147	\$50	\$50	\$0			10/02/13	11/01/13	11/01/13	1		WITHDRAWN			\$0		
1	1								1	OT2003-39898	\$50		\$50			10/02/13	11/01/13	11/01/13			10/15/13	1	\$50	\$0		
1	1								1	OT 2013-1999	\$50		\$50			10/02/13	11/01/13	11/01/13			10/10/13	1	\$50	\$0		
1	1								1	OT 2013-201	\$50		\$50			10/03/13	11/02/13	11/02/13						\$50		
1	1								1	OT 2013-47	\$50		\$50			10/03/13	11/02/13	11/02/13						\$50		
1	1								1	OT 2013-49	\$50		\$50			10/03/13	11/03/13	11/03/13			10/18/13	1	\$50	\$0		
1	1							1		OT 2013-119	\$250	\$250	\$0			10/03/13	11/02/13	11/02/13	1	1	DISMISSED			\$0		
1		1							1	OA 2013-190			\$250		\$250	10/03/13	11/02/13	11/02/13			10/18/13	1	\$250		\$0	
1	1								1	OT 2013-1188	\$250		\$250			10/15/13	11/14/13	11/14/13			10/22/13	1	\$250	\$0		
1		1							1	OA2003-3338			\$250		\$250	10/15/13	11/14/13	11/14/13			10/21/13	1	\$250		\$0	
1		1	1							AR 2013-36			\$250		\$250	10/17/13	11/16/13	11/16/13			11/08/13	1	\$250		\$0	
1	1								1	OT 2013-273	\$50		\$50			10/25/13	11/25/13	11/25/13	1					\$50		
1	1								1	OT 2013-200	\$50	\$50	\$0			10/25/13	11/25/13	11/25/13	1		WITHDRAWN			\$0		
1	1								1	OT 2013-122	\$50	\$50	\$0			10/25/13	11/25/13	11/25/13			WITHDRAWN			\$0		
1	1								1	OT 2013-212	\$50		\$50			10/25/13	11/25/13	11/25/13						\$50		
1	1								1	OT2003-36808	\$50	\$50	\$0			10/25/13	11/25/13	11/25/13	1		WITHDRAWN			\$0		
1	1								1	OT 2013-274	\$50	\$50	\$0			10/25/13	11/25/13	11/25/13	1		DISMISSED			\$0		
1	1								1	OT 2013-272	\$50		\$50			10/25/13	11/25/13	11/25/13			11/18/13	1	\$50			
1	1								1	OT 2013-213	\$50		\$50			10/25/13	11/24/13	11/24/13						\$50		
1	1								1	OT2003-34214	\$50		\$50			10/25/13	11/24/13	11/24/13						\$50		
1	1								1	OT2003-34315	\$50	\$50	\$0			10/25/13	11/24/13	11/24/13	1		DISMISSED			\$0		
1	1								1	OT 2013-216	\$50	\$50	\$0			10/25/13	11/24/13	11/24/13	1		WITHDRAWN			\$0		
1		1							1	OA2003-35858			\$250		\$250	10/25/13	11/24/13	11/24/13	1						\$250	
1	1								1	OT 2013-207	\$50		\$50			10/25/13	11/24/13	11/24/13						\$50		
1	1								1	OT 2013-206	\$50		\$50			10/25/13	11/24/13	11/24/13			11/12/13	1	\$50	\$0		
1	1								1	OT 2013-204	\$50		\$50			10/25/13	11/24/13	11/24/13			10/31/13	1	\$50	\$0		
1	1								1	OT2003-3442	\$50		\$50			10/25/13	11/24/13	11/24/13			11/06/13	1	\$50	\$0		
1	1								1	OT2003-34843	\$50		\$50			11/07/13	12/07/13	12/07/13			11/15/13	1	\$50	\$0		
1	1								1	OT 2013-260	\$50		\$50			11/07/13	12/07/13	12/07/13			11/12/13	1	\$50	\$0		
1	1								1	OT 2013-261	\$50		\$50			11/07/13	12/07/13	12/07/13			11/21/13	1	\$50	\$0		
1	1								1	OT2003-3999	\$50		\$50			11/07/13	12/07/13	12/07/13			01/09/14	1	\$50	\$0		
1	1								1	OT 2013-3001	\$50		\$50			11/07/13	12/07/13	12/07/13			11/22/13	1	\$50	\$0		
1		1							1	OA2003-3331			\$250	\$250	\$0	11/07/13	12/07/13	12/07/13	1		WITHDRAWN			\$0		
1	1								1	OT2003-36707	\$50	\$50	\$0			12/06/13	01/06/14	01/06/14	1		WITHDRAWN			\$0		
1	1								1	OT 2013-308	\$50		\$50			12/06/13	01/05/14	01/05/14	1					\$50		



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#	LICENSE CLASS			VIOLATION							CIT. #	FINE (OT)	OT Fine Modified	GRAND TOTAL FINE DUE (OT)	FINE (OTA)	OTA Fine Modified	GRAND TOTAL FINE DUE (OTA)	DATE ISSUED	DUE DATES		Appeal Rcvd	PAYMENT				
	OT	OTA	No Lic	FDC	UPC	CC	ULP	PDU	AD	Req For Conf.									Fine	IQR		APPRN	Pymnt Date	Pd in Full	Pymnt Amnt	Bal (OT)
1	1								1	OT 2013-310	\$50		\$50				12/06/13	01/05/14			12/16/13	1	\$50	\$0		
1		1							1	OA 2013-62				\$50		\$50	12/30/13	01/29/14	01/29/14						\$50	
1	1								1	OT 2013-66	\$50		\$50				12/30/13	01/29/14	01/29/14					\$50		
1	1								1	OT 2013-67	\$50		\$50				12/30/13	01/29/14	01/29/14		01/08/14	1	\$50	\$0		
1		1							1	OA 2013-115				\$50		\$50	12/30/13	01/29/14	01/29/14						\$50	
1	1								1	OT 2013-133	\$50		\$50				12/30/13	01/29/14	01/29/14					\$50		
1	1							1		OT 2013-369	\$250		\$250				12/30/13	01/29/14	01/29/14					\$250		
45	36	9	1	0	0	0	0	7	37		\$2,400	\$650	\$1,750	\$1,450	\$250	\$1,200				13	1		21	\$1,850	\$750	\$350

Violation Key:

**Applicant**

FDC - Failure to Disclose Criminal Convictions  
UPC - Unprofessional Conduct-Misrepresent credentials

Assigned to FTB Intercept program: 4

**Licensee**

UPC - Unprofessional Conduct  
CC - Criminal Convictions  
ULP - Unlicensed Practice  
PDU - Continuing Education  
AD - Failure to Notify of Address Change

**Non-Licensed**

ULP- Unlicensed Practice

\*\*Citation payments received in this quarter for citations issued in a previous quarter are not reflected in this table.

\*\*\*Appeals requested in this quarter. Conferences and hearings may have been/will be held within a different quarter



## Practitioners Currently on Probation

NAME	LICENSE #			LENGTH OF PROBATION	EFFECTIVE DATE
Alvarado, Robert	OTA 603	<u>Charging Document</u>	<u>Probation Order</u>	3 Years	04/06/12
Comingore, Rachel	OT 12585	<u>Charging Document</u>	<u>Probation Order</u>	3 Years	04/10/12
Freeman, Kathryn E.	OT 2762	<u>Charging Document</u>	<u>Probation Order</u>	3 years	03/16/12
Giddings, Eric C.	OT 7143	<u>Charging Document</u>	<u>Probation Order</u>	2 years	03/16/12
Harris, Donald	OTA 1772	<u>Charging Document</u> <u>Charging Document</u>	<u>Probation Order</u> <u>Probation Order</u>	4 Years 4 Years	04/23/10 10/23/15
Hanvey, Megan P.	OT 2222	<u>Charging Document</u>	<u>Probation Order</u>	3 Years	08/30/13
Ingram-Watson, Sandra	OT 12312	<u>Charging Document</u>	<u>Probation Order</u>	3 Years	11/07/11
Kelley, Anjuli	OT 11168	Petition for Reinstatement	<u>Probation Order</u>	3 Years	01/16/14
Mustafa, Feras A.R.	OT 13960	<u>Charging Document</u>	<u>Probation Order</u>	3 Years	11/12/13
Necesito, Dennis B.	OT 7360	<u>Charging Document</u>	<u>Probation Order</u>	4 Years	08/30/13
Novegrad, Shana E.	OT 4624	<u>Charging Document</u>	<u>Probation Order</u>	3 years	07/21/11
Perez, Thomas J.	OTA 2470	<u>Charging Document</u>	<u>Probation Order</u>	5 years	01/09/13
Proctor, Mark	OTA 1739	<u>Charging Document</u>	<u>Probation Order</u>	3 years	06/06/12
Retuya, Tristan	OT 12378	<u>Charging Document</u>	<u>Probation Order</u>	3 years	12/04/13
Schmidt, Rebecca	OT 8291	<u>Charging Document</u>	<u>Probation Order</u>	3 Years	11/27/09
Searcy, Mary	OT 6209	<u>Charging Document</u>	<u>Probation Order</u>	2 Years	09/01/10
Sweeney, Lynette	OT 10550	<u>Charging Document</u>	<u>Probation Order</u>	2 Years	09/27/13