



MODIFIED CITATION ORDER

Citation Issued To: Phlebotomy Plus LLC 4550 Balfour Road, Suite B Brentwood, CA 94513 Institution Code: 52959470	Citation Number: 24250199
	Total Fine Amount: \$2,504.00
	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

1. On or about August 11, 2023, the Bureau issued an Approval to Operate a Private Postsecondary Institution, Institution Code 52959470, to Phlebotomy Plus LLC, hereinafter referred to as the "Institution." This Approval to Operate will expire on or about August 10, 2028, unless renewed.

DISCIPLINE HISTORY

2. The Institution has no prior discipline history.

CITATION JURISDICTION

3. 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

4. On or about March 3, 2025, the Bureau issued Citation No. 24250199. On or about March 20, 2025, the Bureau received an appeal with a request for an informal conference. The informal conference was held on May 21,

2025. New substantive information was presented during the informal conference; therefore, the Bureau modifies the citation as follows:

**CAUSE FOR CITATION &
MODIFIED 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 71920(b)(1)(A) - Student Records, 5 CCR section 71930(a) and (e) – Maintenance of Records and CEC section 94897(u) - Prohibited Business Practices

Cause for Citation: On or about August 13, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed a random sampling of records for current, graduated, and withdrawn students. Bureau staff determined that one graduated student file failed to contain a verification of high school diploma or its equivalent establishing the student's ability to do college level work. Further, Bureau staff determined that the Institution failed to adhere to its own admissions policy requiring proof of either a high school diploma or its equivalent to demonstrate the student's qualifications for admission.

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.

Administrative Fine: Modified. The Bureau modifies the administrative fine from \$2,501.00 to \$501.00. The Bureau modifies the administrative fine from a "Class A" to "Class C" violation.

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

The Bureau orders the Institution to submit a statement of attestation that they will maintain required student records pursuant to 5 CCR section 71920 and 71930. The statement of attestation must be signed and dated by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #2:

5 CCR section 71920(b)(3) - Student Records and 5 CCR section 71930(a) - Maintenance of Records

Cause for Citation: On August 13, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed a random sampling of current, graduated, and withdrawn student records. Bureau staff found that nine student files failed to contain signed School Performance Fact Sheets (SPFS).

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 5 CCR sections 71920 and 71930. The Institution must submit a statement of attestation that they have corrected the violation and will ensure that all student records contain signed SPFS. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #3:

5 CCR section 71720(b)(1) – Faculty

Cause for Citation: On or about August 13, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed three faculty files which were found to be lacking documentation to demonstrate that the faculty members had maintained their knowledge through completion of continuing education courses in his or her subject area, classroom management or other courses related to teaching as required pursuant to 5 CCR section 71720(b)(1). Further, the Institution informed the Bureau that it did not require such documentation.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$1,000.00.

Administrative Fine: Modified. The Bureau modifies the administrative fine from \$1,000.00 to \$501.00. The administrative fine remains a "Class C" 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 Instructors in an Educational Program Not Leading to a Degree maintain their knowledge by completing continuing education courses in his or her subject area, classroom management or other courses related to teaching as required per 5 CCR section 71720(b)(1). The Institution must submit a statement of attestation they have corrected the violation. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #4:

5 CCR section 71720(b)(2) – Faculty, 5 CCR section 71930(e) – Maintenance of Records and CEC 94900.5(b) – Required Institutional Records

Cause for Citation: On or about August 13, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed three faculty files and determined that one faculty file failed to maintain proof demonstrating the instructor had the three years of experience, education, and training in current practices of the subject area they are teaching.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$1,000.00.

Administrative Fine: Dismissed.

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 faculty records follow the law pursuant to CEC section 94900.5, and 5 CCR sections 71720 and 71930. The

Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are compliant with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Dismissed.

Violation #5:

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 3rd quarter reporting period of 2024.

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

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 submit the STRF Assessment Reporting form and the collection of assessment fees, if applicable, for the 3rd quarter reporting period of 2024.

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 – Aspen Grambusch
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 \$2,504.00 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 – Aspen Grambusch
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 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

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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 Aspen Grambusch, Citation Analyst by email at Aspen.Grambusch@dca.ca.gov or by phone at (279) 895-6005.

“Original Signature on File”

6/19/2025

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

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