



CITATION ORDER

<p>Citation Issued To: Marian Health Careers Center 3333 Wilshire Blvd. Ste. 820 Los Angeles, CA 90010</p> <p>Institution Code: 1922871</p>	<p>Citation Number: 23240276</p>
	<p>Total Fine Amount: \$3,001.00</p>
	<p>Order of Abatement Included: Yes</p>

Elizabeth Elias issues this 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 April 26, 2011, the Bureau granted an Accredited Institution Approval to Operate a Private Postsecondary Institution to Marian Health Careers Center (hereinafter referred to as the "Institution"). This Approval to Operate expired on or about February 28, 2024, and is pending renewal. An application for renewal of the Institution's Approval to Operate a Private Postsecondary Institution was received on January 29, 2024, and is under review.

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.

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

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

Violation #1:

5 CCR section 71600 (c) Application for Significant Change in Method of Instructional Delivery in conjunction with CEC 94896 (a) Substantive Change for Institution's Approved by means of Accreditation.

Cause for Citation: On or about October 5, 2023, the Bureau received an allegation that the Institution provided distance education as a method of instructional delivery for their Vocational Nursing program without prior approval from the Bureau. A Bureau investigation was conducted, and the Bureau substantiated that on or about March 15, 2021, the Institution's accreditor, Accrediting Bureau of Health Education Schools (ABHES), granted permission to change their method of instructional delivery to a blended education delivery method. The Institution's School Catalogs for 2021, 2022, and 2023 showed they offered the Vocational Nursing program using a blended education delivery method. The Application for Significant Change in Method of Instructional Delivery was not received by the Bureau until September 8, 2023, and not approved until March 5, 2024. In addition, ABHES requested the Institution to submit documentation of Bureau approval by June 11, 2021.

The Institution failed to notify the Bureau of the change in the method of instructional delivery within 30 days of that change. Additionally, the Institution failed to provide their accreditor documentation of program delivery method approval by the Bureau.

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:

The Bureau orders the Institution to submit a statement of attestation they agree to notify the Bureau of any future changes in method of delivery and substantive changes pursuant to CCR 71600 and CEC 94896.

Violation #2: CEC 94913 (a)(1) – Institutional Web Site Requirements
Cause for Citation: On or about February 27, 2024, as part of the Bureau’s investigation, Bureau staff visited the Institution’s website and found that the Institution’s catalog was not posted on their website. The Institution failed to provide the Institution’s catalog on their website pursuant to CEC 94913.
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 a statement of attestation they will ensure that the school catalog will be posted on the Institution’s website pursuant to CEC 94913. The statement of attestation must be dated and signed by an authorized representative of the Institution.

COMPLIANCE WITH ORDER OF ABATEMENT

5. In accordance with the provisions of CEC section 94936 and 5 CCR section 75020, 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 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

6. In accordance with the provisions of CEC section 94936, and 5 CCR sections 75020 and 75030, 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 service of this citation unless an informal conference or hearing is requested. 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

7. You have the right to contest this citation through an informal conference with the Bureau pursuant to 5 CCR section 75020 and/or through an administrative hearing in accordance with Chapter 5 (Commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you wish to contest this citation, you may submit a written request to the Bureau or submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form within 30 days from the date of issuance of this citation.

Failure to submit a written request for an informal conference and/or administrative hearing within 30 days from the date of issuance of this citation will forfeit your ability to appeal the citation.

If a hearing is requested, you are not required to comply with this citation until a final order is entered against you.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

8. Pursuant to BPC section 125.9 and 5 CCR 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.

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Institution: Marian Health Careers Center
Institution Code: 1922871

Pursuant to 5 CCR 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.

BUREAU CONTACT INFORMATION

9. 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”

5/22/2024

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

- Notice of Appeal of Citation: Request for Informal Conference and/or Administrative Hearing
- Payment of Fine – Waiver of Appeal
- Declaration of Service by Certified and First-Class Mail