



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION AFFIRMED

June 17, 2019

Professional Medical Careers Institute of California, LLC, Owner
 Professional Medical Careers Institute
 920 Hampshire Road, Suite S
 Westlake Village, CA 91361

Date of Issuance	Citation Number	Institution Code
June 17, 2019	1819171	75356466

On May 24, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1819171 (Citation) against Professional Medical Careers Institute of California, Owner of Professional Medical Careers Institute. In attendance were Leeza Rifredi, Deputy Bureau Chief; and Helen Taylor, Owner.

Pursuant to Business and Professions Code, §148; California Education Code (CEC), section 94944; and Title 5 of California Code of Regulations (5, CCR), section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1819171.

It is the decision of the Deputy Bureau Chief that on June 12, 2019, Citation No. 1819171 is affirmed for the following reason(s):

- No new substantive facts were presented at the conference.

VIOLATION CODE SECTIONS

#	Below you will find the California Education Code (CEC) and/or Title 5 of the California Code of Regulations (5, CCR) code section(s) of law you are charged with violating.
1.	Violation: 5, CCR Section 71920(b)(1)(A). Student Records. <i>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</i>

	<p><i>(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:</i></p> <p><i>(A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test;</i></p> <p>Bureau staff conducted a review of the Certified Nursing Assistant (CNA) program student files and found that files were missing the verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with 5, CCR section 71920(b)(1)(A)</p> <p><u>Assessment of Fine:</u> The fine for this violation is \$500.00</p>
2.	<p><u>Violation:</u> 5, CCR Section 71770(a)(1) Admissions Standards and Transferred Credits Policy. <i>(a) The institution shall establish specific written standards for student admissions for each educational program. These standards shall be related to the particular educational program. An institution shall not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program. In addition to any specific standards for an educational program, the admissions standards must specify as applicable that:</i></p> <p><i>(1) Each student admitted to an undergraduate degree program, or a diploma program, shall possess a high school diploma or its equivalent, or otherwise successfully take and pass the relevant examination as required by section 94904 of the Code.</i></p> <p>Bureau staff reviewed the Institutions admission policies and determined that the Institution failed to include specific written admission standards that requires students in the CNA program and Continuing Education programs to possess a high school diploma or equivalency, or to successfully complete an Ability to Benefit Exam.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with 5, CCR section 71920(b)(1)(A).</p> <p><u>Assessment of Fine</u> The fine for this violation is \$100.00</p>
3.	<p><u>Violation:</u> 5, CCR Section 74112(m)(1-9). Uniform Data - Annual Report, Performance Fact Sheet. <i>(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:</i></p>

- (1) the list of job classifications determined to be considered gainful employment for the educational program;
- (2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;
- (3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;
- (4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;
- (5) for students who become self-employed, all documentation necessary to demonstrate self-employment;
- (6) a description of all attempts to contact each student or employer;
- (7) any and all documentation used to provide data regarding license examinations and examination results;
- (8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and
- (9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.

During the announced compliance inspection, the Institution failed to provide required supporting documentation as required by 5, CCR section 74112(m)(1-9). Specifically, Bureau staff identified the following:

The CNA program for years 2015-2016 and VN program for year 2015 are missing the supporting documentation for:

- Student address
- Phone number
- Email address
- Program completed
- Program start date
- Scheduled completion date
- A description of all attempts to contact each student or employer

The VN program for year 2016 is missing the supporting documentation for the:

- Student address
- Program completed
- Program start date
- Scheduled completion date
- A description of all attempts to contact each student or employer

Order of Abatement:

The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with 5, CCR section 74112(m)(1-9).

Assessment of Fine

The fine for this violation is \$5000.00

4.

Violation:

5. CCR Section 71745(a)(6). Financial Resources.

(a) The institution shall document that it has at all times sufficient assets and financial resources to do all of the following:

(6) Maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year when using generally accepted accounting principles, or for an institution participating in Title IV of the federal Higher Education Act of 1965, meet the composite score requirements of the U.S. Department of Education. For the purposes of this section, current assets does not include: intangible assets, including goodwill, going concern value, organization expense, startup costs, long-term prepayment of deferred charges, and non-returnable deposits, or state or federal grant or loan funds that are not the property of the institution but are held for future disbursement for the benefit of students. Unearned tuition shall be accounted for in accordance with general accepted accounting principles.

Bureau staff reviewed the Institutions financial statements for the year ending December 31, 2016 and 2015. The financial records for 2016 demonstrated that the Institution failed to maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater. The institution's ratio for 2016 was 1.19.

Order of Abatement:

The Bureau orders the Institution to:

1. Submit a detailed plan to address its financial shortfalls and to meet the ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year in accordance with 5, CCR 71745(a)(6)
2. In addition, please provide an explanation of all measures to be taken by the Institution to ensure it meets future financial responsibilities.
3. Please provide the Bureau with, in electronic format:
 - a) a roster of all currently enrolled students that includes the student (1) names, (2) addresses, (3) telephone numbers, (4) email addresses, (5) program in which they are enrolled, (6) date of enrollment, (7) total cost of the program and (8) the total amount the student has paid.

Assessment of Fine

The fine for this violation is \$00.00

TOTAL ADMINISTRATIVE FINE DUE: \$5,600.00

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within **30 days** from the date of this decision.

PENALTY – ASSESSMENT OF A FINE

Payment of the administrative fine is due within **30 days** from the date of this decision. Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

Ray Delaney, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this affirmed Citation. You *do*, however, have the right to appeal this affirmed Citation through an Administrative Hearing. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you do not wish to appeal this affirmed Citation you must withdraw your initial request for an Administrative Hearing. Please complete and mail the enclosed Withdrawal – Request for Administrative Hearing within **30 Days** of the date of this decision.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This affirmed Citation is effective on June 17, 2019. The order of abatement and payment are due by **July 17, 2019**.

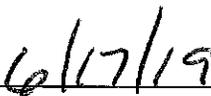
Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the affirmed Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

Should you have any questions regarding this decision or desire further information, please contact Ray Delaney, Citation Analyst, at (916) 431-6946 or at Ray.Delaney@dca.ca.gov.



Christina Villanueva
Discipline Manager



Date

Enclosures

- Payment of Fine - Waiver of Appeal Rights
- Withdrawal- Request for Administrative Hearing
- Declaration of Service by Certified and First-Class Mail