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8  
9 **BEFORE THE**  
10 **RESPIRATORY CARE BOARD**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 DOMINIQUE J. BOWLES  
26738 Columbia Street  
14 Hemet, CA 92544  
15 Respiratory Care Practitioner  
License No. 17959

16 Respondent.

Case No. R-2036

**DEFAULT DECISION  
AND ORDER**

[Gov. Code, §11520]

17  
18 FINDINGS OF FACT

19 1. On or about June 29, 2006, Complainant Stephanie Nunez, in her official  
20 capacity as the Executive Officer of the Respiratory Care Board of California, Department of  
21 Consumer Affairs, filed Accusation No. R-2036 against DOMINIQUE J. BOWLES  
22 (Respondent) before the Respiratory Care Board.

23 2. On or about May 31, 1995, the Respiratory Care Board (Board) issued  
24 Respiratory Care Practitioner License No. 17959 to Respondent. The Respiratory Care  
25 Practitioner License expired on January 31, 2005, and has not been renewed.

26 3. On or about June 29, 2006, Jennifer Porcalla, an employee of the  
27 Complainant Agency, served Respondent by Certified and First Class Mail a true and correct  
28 copy of the Accusation No. R-2036, Statement to Respondent, Notice of Defense, Request for

1 Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 at his address of  
2 record on file with the Board, which was and is 26738 Columbia Street, Hemet, CA 92544. A  
3 copy of the Accusation, accompanying documents, and Declaration of Service are attached hereto  
4 as Exhibit A and are incorporated by reference as if fully set forth herein.

5 4. Service of the Accusation was effective as a matter of law under the  
6 provisions of Government Code section 11505, subdivision (c).

7 5. On or about July 21, 2006, the aforementioned documents were returned  
8 by the U.S. Postal Service marked "Undeliverable as Addressed." A copy of the postal returned  
9 documents are attached hereto as Exhibit B, and are incorporated herein by reference.

10 6. Business and Professions Code section 118 states, in pertinent part:

11 “(b) The suspension, expiration, or forfeiture by operation of law of a  
12 license issued by a board in the department, or its suspension, forfeiture, or  
13 cancellation by order of the board or by order of a court of law, or its surrender  
14 without the written consent of the board, shall not, during any period in which it  
15 may be renewed, restored, reissued, or reinstated, deprive the board of its  
16 authority to institute or continue a disciplinary proceeding against the licensee  
17 upon any ground provided by law or to enter an order suspending or revoking the  
18 license or otherwise taking disciplinary action against the license on any such  
19 ground.”

20 7. Government Code section 11506 states, in pertinent part:

21 “(a) Within 15 days after service of the accusation the respondent may file  
22 with the agency a notice of defense in which the respondent may:

23 “(1) Request a hearing.

24 “. . .

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Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on November 10, 2006.

It is so ORDERED October 11, 2006.

Original signed by: \_\_\_\_\_  
LARRY L. RENNER, BS, RRT, RCP, RPFT,  
PRESIDENT, RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS