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8 *Attorneys for Complainant*

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

12 **In the Matter of the Accusation Against:**  
13 **LINETTE LETA BALLEN, R.C.P.,**  
14 **AKA Linette L. Ballen,**  
15 **AKA Linette Leta Larson**  
16 **1142 Country Club Lane**  
17 **Corona, CA 92880-1227**

18 **Respiratory Care Practitioner License**  
19 **No. 25928,**

20 **Respondent.**

Case No. 7002016000055

**DEFAULT DECISION**  
**AND ORDER**

[Gov. Code, §11520]

21 **FINDINGS OF FACT**

22 1..On or about November 16, 2015, Complainant Stephanie Nunez, in her official capacity  
23 as the Executive Officer of the Respiratory Care Board of California (Board), Department of  
24 Consumer Affairs, filed Accusation No. 7002016000055 against Linette Leta Ballen, R.C.P.,  
25 AKA Linette L. Ballen, AKA Linette Leta Larson (respondent) before the Respiratory Care  
26 Board.

27 2. On or about January 17, 2007, the Board issued Respiratory Care Practitioner License  
28 No. 25928 to respondent Linette Leta Ballen, R.C.P., AKA Linette L. Ballen, AKA Linette Leta  
Larson. Respiratory Care Practitioner License No. 25928 expired on November 30, 2015, and  
has not been renewed. Respondent's certified license history is attached as Exhibit A to the

1 accompanying Default Decision Evidence Packet<sup>1</sup> and is hereby incorporated by reference as if  
2 fully set forth herein.

3 3. On or about November 16, 2015, Tara M. Yoshikawa, an employee of the Board,  
4 served by Certified and First Class Mail a true and correct copy of Accusation No.  
5 7002016000055, and true and correct copies of the Statement to Respondent, Notice of Defense  
6 (two copies), Requests for Discovery, and Government Code sections 11507.5, 11507.6 and  
7 11507.7, on respondent at her address of record on file with the Board, which was and is 1142  
8 Country Club Lane, Corona, CA 92880-1227. (Exhibit B, Accusation, the related documents, and  
9 Declaration of Service.) Service of the Accusation was effective as a matter of law under the  
10 provisions of Government Code section 11505, subdivision (c).

11 4. On or about November 30, 2015<sup>2</sup>, the aforementioned documents sent by certified  
12 mail were returned by the U.S. Postal Service marked Forwarding Time Expired-Return to Sender  
13 but provided a forwarding address P.O. Box 3282, La Habra, CA 90632-3282. (Exhibit C,  
14 envelope returned by the U.S. Post Office). On or about December 3, 2015, the regular mail  
15 envelope mailed to respondent's address of record (Corona) was also returned by the post office  
16 stamped Forwarding Time Expired – Return to Sender, and again provided a forwarding address  
17 of P.O. Box 3282, La Habra, CA 90632-3282. (Exhibit C, jointly, envelope returned by the U.S.  
18 Post Office.)

19 5. On or about December 3, 2015, a courtesy copy of the previously filed accusation  
20 was sent, via certified mail to the forwarding address provided by the post office (PO Box in La  
21 Habra). The signed certification card and the certified envelope sent to the forwarding address  
22 have not been returned to the Board. (Exhibit D, Declaration of Service for December 3, 2015,  
23 regarding courtesy copy of Accusation and related documents.)

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25 <sup>1</sup> All exhibits are true and correct copies of the originals, and are attached to the  
26 accompanying Default Decision Evidence Packet. The Default Decision Evidence Packet is  
27 hereby incorporated by reference, in its entirety, as if fully set forth herein.

28 <sup>2</sup> Returned envelope was inadvertently date stamped November 31, 2015.

1           6.     Section 118 of the Code, states in pertinent part:

2           “... ”

3           “(b) The suspension, expiration, or forfeiture by operation of law of a license  
4 issued by a board in the department, or its suspension, forfeiture, or cancellation by  
5 order of the board or by order of a court of law, or its surrender without the written  
6 consent of the board, shall not, during any period in which it may be renewed,  
7 restored, reissued, or reinstated, deprive the board of its authority to institute or  
8 continue a disciplinary proceeding against the licensee upon any ground provided by  
9 law or to enter an order suspending or revoking the license or otherwise taking  
10 disciplinary action against the licensee on any such ground.

11          “... ”

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

13          “(a) Within 15 days after service of the accusation or District Statement of  
14 Reduction in Force, the respondent may file with the agency a notice of defense ...

15          “... ”

16          “(c) The respondent shall be entitled to a hearing on the merits if the  
17 respondent files a notice of defense, and the notice shall be deemed a specific denial  
18 of all parts of the accusation not expressly admitted. Failure to file a notice of  
19 defense shall constitute a waiver of respondent’s right to a hearing, but the agency in  
20 its discretion may nevertheless grant a hearing.”

21          8.     Respondent failed to file a Notice of Defense within fifteen (15) days after  
22 Accusation No. 7002016000055 was served on her (Exhibit E, Declaration of Deputy Attorney  
23 General Lori J. Forcucci) and, therefore, has waived her right to a hearing on the merits of  
24 Accusation No. 7002016000055.

25          9.     On or about December 2, 2015, Deputy Attorney General Lori J Forcucci mailed a  
26 courtesy default letter to respondent at her address of record with the Board at 1142 Country Club  
27 Lane, Corona, CA 92880-1227 informing her that she had failed to submit a Notice of Defense,  
28 and if the Notice of Defense was not received by December 9, 2015, a default would be filed.

1 The courtesy letter was returned, by the U.S. Postal office stamped Return to Sender, with a  
2 Forwarding Time Expired – Return to Sender, but provided a forwarding address of P.O. Box  
3 3282, La Habra, CA 90632. (Exhibit F, Courtesy letter to respondent dated December 2, 2015,  
4 and returned envelope from U.S. Post Office.)

5 10. On or about January 28, 2016, Deputy Attorney General Lori J. Forcucci mailed a  
6 second courtesy notice of default to respondent to the forwarding address provided by the post  
7 office – P.O. Box 3282, La Habra, CA 90632. That letter informed respondent that she had  
8 failed to submit a Notice of Defense, and if it was not received by February 4, 2016, a default will  
9 be prepared and filed against her license. Respondent was also informed of the December 2,  
10 2015, courtesy notice mailed to her address of record, which was returned stamped Return to  
11 Sender and Forward Time Expired. The letter further informed that a new address had been  
12 provided by the post office and advised her to formally change her address of record with the  
13 Board. (Exhibit G, Courtesy letter to respondent dated January 28, 2016).

14 11. On or about January 29, 2016, respondent called DAG Forcucci stating she wanted to  
15 offer a defense against the accusation. DAG Forcucci explained the default process, and told  
16 respondent that she could file a late Notice of Defense. Respondent provided DAG Forcucci with  
17 a “better” address to reach her. Respondent had not changed her address formally with the Board.  
18 Respondent requested her mail be sent to 10745 Victoria Avenue, #3, Whittier, CA 90604 and  
19 provided an email address of [nettelar@live.com](mailto:nettelar@live.com). DAG Forcucci emailed copies of the  
20 Accusation, Request for Discovery, Notice of Defense (forms) and Government Code sections  
21 11507.5, 11507.6, and 11507.7 to respondent on January 29, 2016. (Exhibit H, Copy of email to  
22 respondent dated January 29, 2016, containing Accusation and related documents.) Respondent  
23 was reserved by U.S. mail and certified mail on February 2, 2016. (Exhibit I, Declaration of  
24 Service dated February 2, 2016.) To date, respondent has failed to file a Notice of Defense and  
25 failed to update her address and contact information with the Board. (Exhibit E, Declaration of  
26 Deputy Attorney General Lori J. Forcucci.)

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12. California Government Code section 11520 states, in pertinent part:

“(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent’s express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent;...

“...”

13. Pursuant to its authority under Government Code section 11520, the Board hereby finds respondent is in default. The Board will take action without further hearing and, based on respondent’s express admissions by way of default and the evidence before it, contained in Exhibits A through N, finds that the charges and allegations in Accusation No. 7002016000055, and each of them, separately and severally, are true and correct.

14. Section 3710 of the Code states:

“The Respiratory Care Board of California, hereafter referred to as the board, shall enforce and administer this chapter.” [Chapter 8.3, the Respiratory Care Practice Act.]

15. Section 3718 of the Code states:

“The board shall issue, deny, suspend, and revoke licenses to practice respiratory care as provided in this chapter.”

16. Section 3750 of the Code states:

“The board may order the denial, suspension or revocation of, or the imposition of probationary conditions upon, a license issued under this chapter, for any of the following causes:

“...”

“(d) Conviction of a crime that substantially relates to the qualifications, functions, or duties of a respiratory care practitioner. The record of conviction or a certified copy thereof shall be conclusive evidence of the conviction.

“...”

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1           “(g) Conviction of a violation of any of the provisions of this chapter or of any  
2 provision of Division 2 (commencing with Section 500), or violating, or attempting to  
3 violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring  
4 to violate any provision or term of this chapter or of any provision of Division 2  
5 (commencing with Section 500).

6           “...”

7           “(j) The commission of any fraudulent, dishonest, or corrupt act which is  
8 substantially related to the qualifications, functions, or duties of a respiratory care  
9 practitioner.”

10          “...”

11          17. Section 3750.5 of the Code states, in pertinent part:

12                 “In addition to any other grounds specified in this chapter, the board may deny,  
13 suspend, or revoke the license of any applicant or license holder who has done any of  
14 the following:

15                 “(a) Obtained, possessed, used, or administered to himself or herself in  
16 violation of law, or furnished or administered to another, any controlled substances as  
17 defined in Division 10 (commencing with Section 11000) of the Health and Safety  
18 Code, or any dangerous drug as defined in Article 2 (commencing with Section 4015)  
19 of Chapter 9, except as directed by a licensed physician and surgeon, dentist,  
20 podiatrist, or other authorized health care provider, or illegally possessed any  
21 associated paraphernalia.

22          “...”

23          18. Section 3752 of the Code states:

24                 “A plea or verdict of guilty or a conviction following a plea of nolo contendere  
25 made to a charge of any offense which substantially relates to the qualifications,  
26 functions, or duties of a respiratory care practitioner is deemed to be a conviction  
27 within the meaning of this article. The board shall order the license suspended or  
28 revoked, or may decline to issue a license, when the time for appeal has elapsed, or

1 the judgment of conviction has been affirmed on appeal or when an order granting  
2 probation is made suspending the imposition of sentence, irrespective of a subsequent  
3 order under Section 1203.4 of the Penal Code allowing the person to withdraw his or  
4 her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of  
5 guilty, or dismissing the accusation, information, or indictment.”

6 19. Section 3752.5 of the Code states:

7 “For purposes of Division 1.5 (commencing with Section 475), and this chapter  
8 [the Respiratory Care Practice Act], a crime involving bodily injury or attempted  
9 bodily injury shall be considered a crime substantially related to the qualifications,  
10 functions, or duties of a respiratory care practitioner.”

11 20. California Code of Regulations, title 16, section 1399.370, states, in pertinent part:

12 “For the purposes of denial, suspension, or revocation of a license, a crime or  
13 act shall be considered to be substantially related to the qualifications, functions or  
14 duties of a respiratory care practitioner, if it evidences present or potential unfitness  
15 of a licensee to perform the functions authorized by his or her license or in a manner  
16 inconsistent with the public health, safety, or welfare. Such crimes or acts include but  
17 are not limited to those involving the following:

18 “(a) Violating or attempting to violate, directly or indirectly, or assisting or  
19 abetting the violation of or conspiring to violate any provision or term of the Business  
20 and Professions Code.

21 “...

22 “(h) Failure to comply with a court order.

23 “...

24 “(j) The commission of any fraudulent, dishonest or corrupt act which is  
25 substantially related to the qualifications, functions or duties of a respiratory care  
26 practitioner.

27 “...”

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1 21. Section 3753.5, subdivision (a) of the Code states:

2 “In any order issued in resolution of a disciplinary proceeding before the board,  
3 the board or the administrative law judge may direct any practitioner or applicant  
4 found to have committed a violation or violations of law or any term and condition of  
5 board probation to pay to the board a sum not to exceed the costs of the investigation  
6 and prosecution of the case. A certified copy of the actual costs, or a good faith  
7 estimate of costs where actual costs are not available, signed by the official custodian  
8 of the record or his or her designated representative shall be prima facie evidence of  
9 the actual costs of the investigation and prosecution of the case.”

10 22. Section 3753.7 of the Code states:

11 “For purposes of the Respiratory Care Practice Act, costs of prosecution shall  
12 include attorney general or other prosecuting attorney fees, expert witness fees, and  
13 other administrative, filing, and service fees.”

14 23. Section 3753.1 of the Code states, in pertinent part:

15 “(a) An administrative disciplinary decision imposing terms of probation may  
16 include, among other things, a requirement that the licensee-probationer pay the  
17 monetary costs associated with monitoring the probation.

18 “...”

19 24. Respondent has subjected her Respiratory Care Practitioner’s License No. 25928 to  
20 disciplinary action under section 3750, as defined by sections 3750, subdivision (d), 3752, and  
21 3752.5, of the Code, and section 1399.370, subdivisions (a), and (h), of title 16 of the California  
22 Code of Regulations, in that she has been convicted of a crime substantially related to the  
23 qualifications, functions or duties of a respiratory care practitioner, as more particularly alleged  
24 hereinafter:

25 25. On or about April 3, 2015, respondent was issued Citation No. PL322300 for a  
26 violation of Health and Safety Code section 11364, subdivision (a), possession of drug  
27 paraphernalia, after Officer M. conducted an owner-permitted search of a parked vehicle  
28 occupied by respondent. In the vehicle, Officer M. located a box, containing a towel that

1 was wrapped around a glass type of smoking pipe with a bulbous end that showed burn  
2 marks, with a credit card in respondent's name. Officer M. recognized the pipe as the type  
3 used to smoke methamphetamine. Respondent was cited and released on her agreement to  
4 appear on or before May 21, 2015, at 8:00 a.m., at the North Justice Center, in Fullerton,  
5 California. (Exhibit J, Citation No. PL322300 and certified copy of Placentia Police Report  
6 No. 15-1166).

7 26. On or about May 15, 2015, in the case entitled, *The People of the State of California*  
8 *v. Linette Leta Ballen, AKA Linette L. Ballen, AKA Linette Leta Larson*, Case No. 15NM06032, a  
9 complaint superseding Citation No. PL322300 was filed against respondent. In Case No.  
10 15NM06032, respondent was charged with Count 1: a violation of Health and Safety Code  
11 section 11634, subdivision (a), possession of controlled substance paraphernalia, a misdemeanor.  
12 (Exhibit K, Certified court documents: Complaint, Sentencing Recommendation and Minutes in  
13 Case No. 15NM06032.)

14 27. On or about May 21, 2015, an arraignment was held in Case No. 15NM06032.  
15 Respondent failed to appear, and Bench Warrant File No. 03751811 issued against  
16 respondent in the amount of five thousand five hundred dollars (\$5,500.00). The warrant  
17 was served on respondent on or about May 31, 2015. On or about June 8, 2015, the warrant  
18 was ordered recalled and a new arraignment on Case No. 15NM06032 was set for July 14,  
19 2015. (Exhibit K, Certified copy of Complaint, Sentencing Recommendation and Minutes  
20 in Case No. 15NM06032.)

21 28. On or about July 14, 2015, an arraignment was held in Case No. 15NM06032.  
22 Respondent again failed to appear, and Bench Warrant File No. 03764521 issued against  
23 respondent in the amount of ten thousand dollars (\$10,000.00). The warrant was served on  
24 respondent on or about July 14, 2015. (Exhibit K, Certified court documents: Complaint,  
25 Sentencing Recommendation and Minutes in Case No. 15NM06032.)

26 29. On or about July 27, 2015, while Case No. 15NM06032 was still pending against  
27 respondent, respondent was arrested for committing acts of domestic battery with corporal injury  
28 upon her former spouse, John Doe, an adult, and for committing acts of abuse on a child, willfully

1 and unlawfully injuring John Doe, a child. (Exhibit L, Certified copy of Complaint, Plea Form,  
2 Sentencing Recommendation and Minutes in Case No. 15NM10391.)

3 30. On or about July 28, 2015, in the case entitled, *The People of the State of California*  
4 *v. Linette Leta Ballen*, Case No. 15NM10391, respondent was charged with the following  
5 violations (Exhibit L, Certified copy of Complaint, Plea Form, Sentencing recommendation and  
6 Minutes in Case No. 15NM10391):

7 (a) Count 1: Penal Code section 273.5, subdivision (a), domestic battery with  
8 corporal injury, a misdemeanor; and

9 (b) Count 2: Penal Code section 273a, subdivision (b), child abuse, a  
10 misdemeanor.

11 31. On or about July 28, 2015, respondent was convicted on her plea of guilty to Count 1,  
12 Penal Code section 273.5, subdivision (a), domestic battery with corporal injury, a misdemeanor.  
13 Count 2 was dismissed on a motion of the People, and the People moved to dismiss charges in  
14 Case No. 15NM06032, in exchange for respondent's plea in case number 15NM10391. (Exhibit  
15 L, Certified copy of Complaint, Plea Form, Sentencing Recommendation and Minutes in Case  
16 No. 15NM10391.)

17 32. On or about July 28, 2015, respondent was sentenced to three (3) years' probation  
18 with terms and conditions, and among other terms of probation, was ordered to violate no laws;  
19 obey all orders, rules, and regulations of the Court, Jail and Probation; serve two days in County  
20 Jail, with credit for one day served; submit to search and seizure with or without a warrant,  
21 probable cause, or reasonable suspicion; own no dangerous or deadly weapon for ten years; use  
22 true name and date of birth; disclose terms of probation to law enforcement; payment of fines and  
23 fees and restitution; eight hours community service; enroll in and complete of a Domestic  
24 Violence Batter's Treatment Program; and comply with protective order requiring respondent to  
25 stay 100 yards away from the victim, served upon her on July 28, 2015. (Exhibit L, Certified  
26 copy of Complaint, Plea Form, Sentencing Recommendation and Minutes in Case No.  
27 15NM10391.)

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1           33. On or about August 5, 2015, Officers G. and T. of the Fullerton Police  
2 Department were dispatched to a residence to investigate allegations of a criminal contempt  
3 violation of the court order served on respondent on July 28, 2015. Respondent had gone to  
4 the victim's residence, and was found at the victim's residence. Office G. arrested  
5 respondent for violation of a court order. Respondent was transported to the Fullerton Jail,  
6 where she was booked and released. (Exhibit M, Certified copy of Fullerton Police  
7 Department Report.)

8           34. On or about August 7, 2015, a hearing was held in Case No. 15NM10391 for a  
9 Probation Violation Arraignment. Respondent admitted a violation of probation as to  
10 Count 1, and the Court found respondent in violation of probation, revoked respondent's  
11 probation and reinstated it, with the same terms and conditions. (Exhibit N, Certified copy  
12 of Complaint and Minutes for Probation Violation in Case No. 15NM10391.)

13           35. Respondent has further subjected her Respiratory Care Practitioner's License No.  
14 25928 to disciplinary action under section 3750.5, as defined by 3750.5, subdivision (a), of the  
15 Code in that she has been in possession of paraphernalia associated with any controlled substance,  
16 as more particularly alleged in paragraphs 24 through 34, above, which are hereby incorporated  
17 by reference and realigned as if fully set forth herein.

18           36. Respondent's Respiratory Care Practitioner's license is further subject to disciplinary  
19 action under section 3750, as defined by 3750, subdivision (j), of the Code in that she failed to  
20 comply with court orders, and thereby committed fraudulent, dishonest or corrupt acts  
21 substantially related to the qualifications, functions and duties of a respiratory care practitioner, as  
22 more particularly alleged in paragraphs 24 through 35, above, which are hereby incorporated by  
23 reference and realigned as if fully set forth herein.

24           37. Respondent has further subjected her Respiratory Care Practitioner's License No.  
25 25928 to disciplinary action under section 3750, as defined by 3750, subdivision (g), of the Code,  
26 and section 1399.370, subdivision (a), of title 16 of the California Code of Regulations, in that  
27 she violated a provision or provisions of the Respiratory Care Practice Act, as more particularly

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1 alleged in paragraphs 24 through 36, above, which are hereby incorporated by reference and  
2 reallaged as if fully set forth herein.

3 38. To determine the degree of discipline, if any, to be imposed on respondent,  
4 Complainant alleges that on or about September 22, 2009, in a prior action, the Respiratory Care  
5 Board of California issued Citation No. C-09-0073 and fined \$250.00, based on the following  
6 events. On or about February 3, 2008, respondent was arrested for violating Vehicle Code  
7 section 23152, subdivisions (a) and (b), driving while having a 0.08% or greater blood alcohol  
8 level. Respondent's preliminary alcohol screening test results were 0.102% and 0.098% blood  
9 alcohol. On or about November 25, 2008, in Los Angeles Superior Court Case No. 8WA13634  
10 was filed against respondent. On or about February 4, 2009, respondent was convicted by her  
11 plea of *nolo contendere* of a violation of Vehicle Code section 23152, subdivision (b), was placed  
12 on three (3) years' summary probation, and ordered to comply with various terms of probation.  
13 The fine ordered in Citation No. C-09-0073 has been paid and that citation is now final and is  
14 incorporated by reference as if fully set forth. (Exhibit O, Citation and Fine, Certified copy of  
15 Los Angeles Superior Court Minutes in Case No. 8WA13634.)

16 39. The Board finds that pursuant to Business and Professions Code section 3753.5, the  
17 costs of investigation and enforcement of the case prayed for in the Accusation total two thousand  
18 three hundred and thirty dollars and no cents (\$2,330.00), based on the Certification of Costs  
19 contained in Exhibit P. (Exhibit P, jointly, Declaration of Costs of Executive Officer, Stephanie  
20 Nunez and Declaration of Deputy Attorney Lori J. Forcucci.)

21 **DETERMINATION OF ISSUES**

22 1. Based on the foregoing findings of fact, respondent Linette Leta Ballen, R.C.P., AKA  
23 Linette L. Ballen, AKA Linette Leta Larson has subjected her Respiratory Care Practitioner  
24 License No. 25928 to discipline.

25 2. The Board has jurisdiction to adjudicate this case by default.

26 3. Pursuant to its authority under California Government Code section 11520, and based  
27 on the evidence before it, the Board hereby finds that the charges and allegations contained in

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1 Accusation No. 7002016000055, and the Findings of Fact contained in paragraphs 1 through 36,  
2 above, and each of them, separately and severally, are true and correct.

3 4. Pursuant to its authority under California Government Code section 11520, and by  
4 reason of the Findings of Fact contained in paragraphs 1 through 39, above, and Determination of  
5 Issues 1, 2, and 3, above, the Board hereby finds that respondent Linette Leta Ballen, R.C.P.,  
6 AKA Linette L. Ballen, AKA Linette Leta Larson, has subjected her Respiratory Care  
7 Practitioner License No. 25928 to disciplinary action in that:

8 a. Respondent has been convicted of a crime substantially related to the  
9 qualifications, functions or duties of a respiratory care practitioner, in violation of  
10 Business and Professions Code sections 3750, subdivision (d), 3752, 3752.5, of the  
11 Code and section 1399.370, subdivisions (a) and (h) of title 16 of the California Code  
12 of Regulations;

13 b. Respondent was in possession of paraphernalia associated with any  
14 controlled substance in violation of Business and Professions Code section 3750.5, as  
15 defined by 3750.5, subdivision (a) of the Code;

16 c. Respondent failed to comply with court orders, and thereby committed  
17 fraudulent, dishonest or corrupt acts substantially related to the qualifications,  
18 functions, or duties of a respiratory care practitioner, in violation of Business and  
19 Professions Code section 3750, as defined by 3750, subdivision (j), of the Code;

20 d. Respondent has violated or attempted to violate a provision or provisions  
21 of the Respiratory Care Practice Act, as found in paragraphs 4(a) through 4(c), above,  
22 in violation of Business and Professions Code sections 3750, as defined by 3750,  
23 subdivision (g), and section 1399.370, subdivision (a), title 16, of the California  
24 Code of Regulations; and

25 e. Respondent is liable to the Board for the costs of investigation and  
26 enforcement in Case No. 7002016000055 in the amount of two thousand three hundred and  
27 thirty dollars and no cents (\$2,330.00).

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1 **ORDER**

2 IT IS SO ORDERED that Respiratory Care Practitioner License No. 25928, heretofore  
3 issued to respondent Linette Leta Ballen, R.C.P., AKA Linette L. Ballen, AKA Linette Leta  
4 Larson is revoked.

5 If respondent ever files an application for relicensure in the State of California, the Board  
6 shall treat it as a petition for reinstatement of a revoked license. Respondent must comply with  
7 all laws and regulations and procedures for reinstatement of a revoked license at the time that the  
8 application for relicensure or petition for reinstatement is filed.

9 Respondent is ordered to reimburse the Respiratory Care Board the amount of total two  
10 thousand three hundred and thirty dollars and no cents (\$2,330.00), for its investigative and  
11 enforcement costs. The filing of bankruptcy by Respondent shall not relieve respondent of her  
12 responsibility to reimburse the Board for its costs. Respondent's Respiratory Care Practitioner  
13 License No. 25928 may not be renewed or reinstated unless all costs ordered under Business and  
14 Professions Code section 3753.5 have been paid.

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

19 This Decision shall become effective on May 18, 2016.

20 It is so ORDERED April 18, 2016.

21  
22  
23 Original signed by:

24 ALAN ROTH, MS, MBA, RRT-NPS, FAARC  
25 PRESIDENT, RESPIRATORY CARE BOARD  
26 DEPARTMENT OF CONSUMER AFFAIRS  
27 STATE OF CALIFORNIA  
28