

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

In the Matter of the Accusation Against:

Case No. 1H 2010 112

ANGELICA MARIA CASTRO
22501 Marlin Place
West Hills CA 91307

Respiratory Care Practitioner License No. 28805

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Respiratory Care Board of California, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on March 11, 2011.

It is so ORDERED March 1, 2011.

Original Signed by: _____

LARRY L. RENNER, BS, RRT, RCP, RPFT
PRESIDENT, RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

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

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11 In the Matter of the Accusation Against:

RCB Case No. 1H 2010 112

12 **ANGELICA MARIA CASTRO**
22501 Marlin Drive
13 West Hills, California 91307

OAH No. 2010110694

14 **Respiratory Care Practitioner License No.**
15 **28805**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 Respondent.
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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
19 proceeding that the following matters are true:

20 PARTIES

21 1. Stephanie Nunez (Complainant) is the Executive Officer of the Respiratory Care
22 Board of California. She brought this action solely in her official capacity and is represented in
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Abraham M.
24 Levy, Deputy Attorney General.

25 2. Angelica Maria Castro (Respondent) is representing herself in this proceeding and
26 has chosen not to exercise her right to be represented by counsel.

27 3. On or about June 9, 2009, the Board issued Respiratory Care Practitioner License No.
28 28805 to Angelica Marie Castro (Respondent). The Respiratory Care Practitioner License was in

1 full force and effect at all times relevant to the charges brought herein and is currently inactive
2 with an expiration date of June 30, 2012.

3 JURISDICTION

4 4. Accusation No. 1H 2010 112 was filed before the Respiratory Care Board (Board),
5 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
6 and all other statutorily required documents were properly served on Respondent on October 21,
7 2010. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of
8 Accusation No. 1H 2010 112 is attached as exhibit A and incorporated herein by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations in
11 Accusation No. 1H 2010 112. Respondent also has carefully read, and understands the effects of
12 this Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of her legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
15 her own expense; the right to confront and cross-examine the witnesses against her; the right to
16 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
17 compel the attendance of witnesses and the production of documents; the right to reconsideration
18 and court review of an adverse decision; and all other rights accorded by the California
19 Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 1H 2010 112, agrees that cause exists for discipline and hereby surrenders her Respiratory
25 Care Practitioner License No. 28805 for the Board's formal acceptance.

26 9. Respondent further agrees that if she ever petitions for reinstatement of her license all
27 of the charges and allegations contained in the Accusation identified above shall be deemed true,
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1 correct and fully admitted by Respondent for purposes of that proceeding or any other licensing
2 proceeding involving respondent in the State of California or elsewhere.

3 10. Respondent understands that by signing this stipulation, she enables the Board to
4 issue an order accepting the surrender of her Respiratory Care Practitioner License without
5 further process.

6 CONTINGENCY

7 11. This stipulation shall be subject to approval by the Board. Respondent understands
8 and agrees that counsel for Complainant and the staff of the Board may communicate directly
9 with the Board regarding this stipulation and surrender, without notice to or participation by
10 Respondent. By signing the stipulation, Respondent understands and agrees that she may not
11 withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers
12 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the
13 Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
14 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
15 be disqualified from further action by having considered this matter.

16 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of
17 License and Order, including facsimile signatures thereto, shall have the same force and effect as
18 the originals.

19 13. In consideration of the foregoing admissions and stipulations, the parties agree that
20 the Board may, without further notice or formal proceeding, issue and enter the following Order:

21 ORDER

22 IT IS HEREBY ORDERED that Respiratory Care Practitioner License No. 28805, issued to
23 Respondent Angelica Maria Castro, is surrendered and accepted by the Respiratory Care Board.

24 1. The surrender of Respondent's Respiratory Care Practitioner License and the
25 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
26 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
27 of Respondent's license history with the Board.
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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Respiratory Care Board of the Department of Consumer Affairs.

Dated: February 2, 2011

Respectfully submitted,
KAMALA HARRIS
Attorney General of California
E.A. JONES, III
Supervising Deputy Attorney General

Original Signed by: _____
ABRAHAM M. LEVY
Deputy Attorney General
Attorneys for Complainant