

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

In the Matter of the Accusation Against:

Case No. 1H 2013 371

DENISE JOANNE BALDOVINO
2948 Fashion Avenue
Long Beach, CA 90810

Respiratory Care Practitioner License No. 31425

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary 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 January 25, 2015.

It is so ORDERED January 15, 2015.

Original signed by:
ALAN ROTH, MS, MBA, RRT-NPS, FAARC
PRESIDENT, RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

1 KAMALA D. HARRIS
Attorney General of California
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7
8 **BEFORE THE**
RESPIRATORY CARE BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 1H 2013 371

11 **DENNISE JOANNE BALDOVINO, RCP**

OAH No. 2014070846

12
13 2948 Fashion Avenue
14 Long Beach, CA 90810-2851
Respiratory Care Practitioner No. 31425

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 Respondent.
16

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings 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 Trina L.
24 Saunders, Deputy Attorney General.

25 2. Respondent Dennise Joanne Baldovino, RCP ("Respondent") is representing herself
26 in this proceeding and has chosen not to exercise her right to be represented by counsel.

27 ///

1 Respondent shall notify the Board in writing within three (3) days of any incident resulting
2 in her arrest, or charges filed against, or a citation issued against, Respondent.

3 2. **QUARTERLY REPORTS** Respondent shall file quarterly reports of compliance
4 under penalty of perjury, on forms to be provided, to the probation monitor assigned by the
5 Board. Omission or falsification in any manner of any information on these reports shall
6 constitute a violation of probation and shall result in the filing of an accusation and/or a petition
7 to revoke probation against Respondent's respiratory care practitioner license.

8 Quarterly report forms will be provided by the Board. Respondent is responsible for
9 contacting the Board to obtain additional forms if needed. Quarterly reports are due for each year
10 of probation and the entire length of probation as follows:

- 11 • For the period covering January 1st through March 31st, reports are to be
12 completed and submitted between April 1st and April 7th.
- 13 • For the period covering April 1st through June 30th, reports are to be completed
14 and submitted between July 1st and July 7th.
- 15 • For the period covering July 1st through September 30th, reports are to be
16 completed and submitted between October 1st and October 7th.
- 17 • For the period covering October 1st through December 31st, reports are to be
18 completed and submitted between January 1st and January 7th.

19 3. **PROBATION MONITORING PROGRAM** Respondent shall comply with
20 requirements of the Board appointed probation monitoring program, and shall, upon reasonable
21 request, report to or appear to a local venue as directed.

22 Respondent shall claim all certified mail issued by the Board, respond to all notices of
23 reasonable requests timely, appear as requested by the Board, and submit Annual Reports,
24 Identification Update reports or other reports similar in nature, as requested and directed by the
25 Board or its representative.

26 Respondent shall provide to the Board the names, physical work addresses, work mailing
27 addresses, telephone numbers, and e-mail addresses of all employers, human resources personnel,
28 directors, managers, supervisors, and contractors, and any person providing direct supervision,

1 and shall give specific, written consent that the Respondent authorizes the Board and its
2 representatives and the employers, human resources personnel, directors, managers, supervisors,
3 and contractors, and any person providing direct supervision, to communicate regarding the
4 Respondent's work status, performance, and monitoring. Monitoring includes, but is not limited
5 to, any violation or potential violation of any probationary term and condition.

6 Respondent is encouraged to contact the Board's Probation Program at any time she has a
7 question or concern regarding the terms and conditions of probation.

8 **4. PROBATION MONITORING COSTS** All costs incurred for probation
9 monitoring during the entire probation shall be paid by the Respondent. The monthly cost may be
10 adjusted as expenses are reduced or increased. Respondent's failure to comply with all terms and
11 conditions may also cause this amount to be increased. Probation monitoring costs will not be
12 tolled.

13 All payments for costs are to be sent directly to the Respiratory Care Board and must be
14 received by the date(s) specified. (Periods of tolling will not toll the probation monitoring costs
15 incurred.)

16 If Respondent is unable to submit costs for any month, Respondent shall be required,
17 instead to submit an explanation of why she is unable to submit the costs, and the date(s) she will
18 be able to submit the costs including payment amount(s). Supporting documentation and
19 evidence of why the Respondent is unable to make such payment(s) must accompany this
20 submission.

21 Respondent understands that failure to submit costs timely is a violation of probation and
22 submission of evidence demonstrating financial hardship does not preclude the Board from
23 pursuing further disciplinary action. However, Respondent understands that by providing
24 evidence and supporting documentation of financial hardship it may delay further disciplinary
25 action.

26 In addition to any other disciplinary action taken by the Board, an unrestricted license will
27 not be issued at the end of the probationary period and the respiratory care practitioner license
28 will not be renewed, until such time all probation monitoring costs have been paid.

1 The filing of bankruptcy by the Respondent shall not relieve the Respondent of her
2 responsibility to reimburse the Board for costs incurred.

3 5. **EMPLOYMENT REQUIREMENT** Respondent shall be employed a minimum of
4 24 hours per week as a respiratory care practitioner for a minimum of 2/3 of her probation period.

5 Respondent may substitute successful completion of a minimum of 30 additional
6 continuing education hours, beyond that which is required for license renewal, for each eight (8)
7 months of employment required. Respondent shall submit proof to the Board of successful
8 completion of all continuing education requirements. Respondent is responsible for paying all
9 costs associated with fulfilling this term and condition of probation.

10 6. **NOTICE TO EMPLOYER** Respondent shall be required to inform all current and
11 subsequent employers, directors, managers, supervisors, and contractors during the probation
12 period, of the discipline imposed by this decision by providing her current and subsequent human
13 resources personnel, directors, managers, supervisors, and contractors with a complete copy of
14 the decision and order, and the Accusation in this matter prior to the beginning of or returning to
15 employment or within three (3) days from each change in a supervisor or director.

16 If Respondent is employed by or through a registry, Respondent shall also make each
17 hospital or establishment to which she is sent aware of the discipline imposed by this decision by
18 providing the human resources personnel, manager, and supervisor for each shift, at each hospital
19 or establishment with a copy of this decision, and the Accusation in this matter prior to the
20 beginning of employment. This must be done each time there is a change in supervisors or
21 administrators.

22 The employer will then inform the Board, in writing, that he/she is aware of the discipline,
23 on forms to be provided to the Respondent. Respondent is responsible for contacting the Board to
24 obtain additional forms if needed. All reports completed by the employer must be submitted from
25 the employer directly to the Board.

26 In addition, any employer, director, manager, supervisor or contractor, shall report to the
27 Board immediately, within 24 hours, if he or she suspects that Respondent is under the influence
28 of alcohol or any substance or has had any occurrence of substance abuse.

1 7. **SUPERVISOR QUARTERLY REPORTS** Supervisor Quarterly Reports of
2 Performance are due for each year of probation and the entire length of probation from each
3 employer, as follows:

- 4 • For the period covering January 1st through March 31st, reports are to be
5 completed and submitted between April 1st and April 7th.
- 6 • For the period covering April 1st through June 30th, reports are to be completed
7 and submitted between July 1st and July 7th.
- 8 • For the period covering July 1st through September 30th, reports are to be
9 completed and submitted between October 1st and October 7th.
- 10 • For the period covering October 1st through December 31st, reports are to be
11 completed and submitted between January 1st and January 7th.

12 Respondent is ultimately responsible for ensuring that her employer(s) submits complete
13 and timely reports.

14 8. **CHANGES OF EMPLOYMENT OR RESIDENCE** Respondent shall notify the
15 Board, and appointed probation monitor, in writing, of any and all changes of employment,
16 location, and address within three (3) days of such change. This includes but is not limited to
17 applying for employment, termination or resignation from employment, change in employment
18 status, change in supervisors, administrators or directors.

19 Respondent shall also notify her probation monitor and the Board in writing of any changes
20 of residence or mailing address within three (3) days. P.O. Boxes are accepted for mailing
21 purposes, however the Respondent must also provide her physical residence address as well.

22 9. **COST RECOVERY** Respondent shall pay to the Board a sum not to exceed the
23 costs of the investigation and prosecution of this case. That sum shall be \$4,547.50 and shall be
24 paid in full directly to the Board, in equal quarterly payments, within 12 months from the
25 effective date of this decision. Cost recovery will not be tolled.

26 If Respondent is unable to submit costs timely, she shall be required, instead to submit an
27 explanation of why she is unable to submit these costs in part or in entirety, and the date(s)
28 Respondent will be able to submit the costs including payment amount(s). Supporting

1 documentation and evidence of why the Respondent is unable to make such payment(s) must
2 accompany this submission.

3 Respondent understands that failure to submit costs timely is a violation of probation and
4 submission of evidence demonstrating financial hardship does not preclude the Board from
5 pursuing further disciplinary action. However, Respondent understands that by providing
6 evidence and supporting documentation of financial hardship may delay further disciplinary
7 action.

8 Consideration to financial hardship will not be given should Respondent violate this term
9 and condition, unless an unexpected and unavoidable hardship is established from the date of this
10 order to the date payment(s) is due.

11 The filing of bankruptcy by the Respondent shall not relieve the Respondent of her
12 responsibility to reimburse the Board for these costs.

13 **10. TOLLING FOR OUT-OF-STATE RESIDENCE OR PRACTICE** Periods of
14 residency or practice outside California, whether the periods of residency or practice are
15 temporary or permanent, will toll the probation period but will not toll the obey all laws, quarterly
16 reports, probation monitoring program, probation monitoring costs, or cost recovery
17 requirements. Travel out of California for more than 30 days must be reported to the Board in
18 writing prior to departure. Respondent shall notify the Board, in writing, within three (3) days,
19 upon her return to California and prior to the commencement of any employment where
20 representation as a respiratory care practitioner is/was provided.

21 Respondent's license shall automatically be cancelled if Respondent's cumulative period of
22 tolling is greater than five years. However, the cancellation of the license does not relieve the
23 Respondent from outstanding cost recovery or probation monitoring costs.

24 **11. VALID LICENSE STATUS** Respondent shall maintain a current, active and valid
25 license for the length of the probation period. Failure to pay all fees and meet CE requirements
26 prior to her license expiration date shall constitute a violation of probation.

27 **12. VIOLATION OF PROBATION** If Respondent commits a "Major Violation," as
28 identified in the Disciplinary Guidelines, incorporated by reference pursuant to section 1399.374,

1 she shall receive a notice to cease the practice of respiratory care, as directed by the Board. The
2 Board shall attempt to contact Respondent by electronic and/or telephonic means to advise her of
3 the notice to cease practice and shall deliver such notice by certified and regular mail. The Board
4 shall update its licensing database to reflect the status of the license.

5 If the Respondent is ordered to cease practice, she may file a written appeal, within 10 days
6 of the date of the notice to cease practice, to provide additional evidence disputing the finding of
7 the violation(s) that was cause for the notice to cease practice. The Executive Officer will review
8 the appeal and make a determination in the matter, within 10 days from the date the written
9 appeal and all supporting evidence or documentation is received. The probationer shall be
10 notified of the outcome by certified mail.

11 Respondent shall not resume the practice of respiratory care until a final decision on an
12 accusation and/or petition to revoke probation is made or until such time as the Board delivers
13 written notification that the notice to cease practice has been dissolved. The cessation of practice
14 shall not apply to the reduction of the probationary time period.

15 The Board will contact the Respondent and her employers, human resources personnel,
16 directors, managers, supervisors, and contractors and notify them that Respondent has been issued
17 a notice to cease practice.

18 In addition, if Respondent violates any term of the probation in any respect, the Board, after
19 giving Respondent notice and the opportunity to be heard, may revoke probation and carry out the
20 disciplinary order that was stayed.

21 If a petition to revoke probation is filed against Respondent during probation, the Board
22 shall have continuing jurisdiction and the period of probation shall be extended until the matter is
23 final. No petition for modification of penalty shall be considered while there is an accusation or
24 petition to revoke probation or other penalty pending against Respondent.

25 **13. COMPLETION OF PROBATION** Upon successful completion of probation,
26 Respondent's license shall be fully restored.

27 **14. WORK SCHEDULES** Respondent shall be required to submit to the probation
28 monitor work schedules on a monthly basis for the length of probation for each and every place of

1 employment. Respondent shall ensure the Board has a copy of her current work schedule at all
2 times for each place of employment.

3 **15. BIOLOGICAL FLUID TESTING** Respondent, at her expense, shall participate in
4 random testing, including but not limited to biological fluid testing (i.e. urine, blood, saliva),
5 breathalyzer, hair follicle testing, and/or any drug screening program approved by the Board.

6 Respondent shall be required to make daily contact, to determine if she is required to
7 submit a specimen for testing, each day, including weekends, holidays, and vacations in or
8 outside of California, at a lab approved by the Board. Board representatives may also appear
9 unannounced, at any time to collect a specimen. All collections will be observed.

10 At all times, Respondent shall fully cooperate with the Board or any of its representatives,
11 and shall, when directed, appear for testing as requested and submit to such tests and samples for
12 the detection of alcohol, narcotics, hypnotic, dangerous drugs or other controlled substances. All
13 alternative testing sites, due to vacation or travel outside of California must be approved by the
14 Board, 30 days prior to the vacation or travel.

15 If Respondent is unable to provide a specimen in a reasonable amount of time from the
16 request, while at the work site, Respondent understands that any Board representative may
17 request from the supervisor, manager or director on duty to observe Respondent in a manner that
18 does not interrupt or jeopardize patient care in any manner until such time Respondent provides a
19 specimen acceptable to the Board.

20 If Respondent tests positive for a banned substance (including testing positive for ETG), the
21 Board will contact the Respondent and her employers, human resources personnel, directors,
22 managers, supervisors, and/or contractors and notify them of the positive test, including the
23 substance(s) and levels detected. Thereafter, the Board may contact the specimen collector,
24 laboratory, Respondent, treating physician, treatment provider and/or support group facilitators to
25 determine whether the positive test is evidence of prohibited use. If the Board determines the
26 positive test is not evidence of prohibited use, the Board shall inform the Respondent and others
27 previously contacted, that the positive test was not a violation of Respondent's probationary
28 order.

1 **16. ABSTENTION FROM USE OF MOOD ALTERING SUBSTANCES** For
2 purposes of these terms and conditions, a banned substance includes alcohol, marijuana,
3 controlled substances and any and all other mood altering drugs and substances. Respondent
4 shall completely abstain from the possession or use of all banned substances and their associated
5 paraphernalia. Respondent may take other medication when lawfully prescribed by a licensed
6 practitioner as part of a documented medical treatment. Respondent shall provide the Board a
7 copy of a prescription within five (5) days of the date the prescription was filled.

8 Respondent shall execute a release authorizing the release of pharmacy and prescribing
9 records as well as physical and mental health medical records. Respondent shall also provide
10 information of treating physicians, counselors or any other treating professional as requested by
11 the Board.

12 Respondent shall ensure that she is not in the presence of or in the same physical location as
13 individuals who are using illegal substances, even if Respondent is not personally ingesting the
14 drug(s). Respondent shall also ensure she is not ingesting or using any product that contains trace
15 amounts of alcohol or any other banned substances (including but not limited to: cold/flu
16 medications, cough syrups, diet pills/products, mouth wash, skin care or hygiene products,
17 perfumes, poppy seeds, dessert or any foods, etc...).

18 Any positive result that registers over the established laboratory cutoff level for a banned
19 substance, shall be reported to each of Respondent's employers.

20 **17. SUSPENSION** As part of probation, Respondent shall be suspended from the
21 practice of respiratory care for a period of six (6) days, beginning the effective date of this
22 decision. Respondent shall ensure that each employer informs the Board, in writing, that it is
23 aware of the dates of suspension.

24 **18. RESTRICTION OF PRACTICE** Respondent may not be employed or function as
25 a member of respiratory care management or supervisory staff during the entire length of
26 probation. This includes lead functions. Respondent is prohibited from working as part of a
27 transport team. Respondent is also prohibited from providing instruction or supervision to
28 respiratory care students or applicants whether in a clinical or classroom setting.

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Respiratory Care Board.

Dated: *December 4, 2014*

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General

Trina L. Saunders
TRINA L. SAUNDERS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 1H 2013 371

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Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
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Attorneys for Complainant
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FILED
STATE OF CALIFORNIA
RESPIRATORY CARE BOARD
SACRAMENTO JUNE 2, 2014
BY [Signature] ANALYST

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

12 In the Matter of the Accusation Against:	Case No. 1H 2013 371
13 DENNISE JOANNE BALDOVINO, RCP	ACCUSATION
14 2948 Fashion Avenue	
15 Long Beach, California 90810	
16 Respiratory Care Practitioner License 31425,	
17 Respondent.	

18
19 Complainant alleges:

20 **PARTIES**

- 21 1. Stephanie Nunez (Complainant) brings this Accusation solely in her official capacity
22 as the Executive Officer of the Respiratory Care Board of California (Board).
23 2. On May 31, 2011, the Board issued Respiratory Care Practitioner License No. 31425
24 to Dennise Joanne Baldovino (Respondent). That license was in full force and effect at all times
25 relevant to the charges brought herein and will expire on December 31, 2015, unless renewed.

26 **JURISDICTION**

- 27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions Code (Code) unless otherwise

1 indicated.

2 4. Section 3710 of the Code states: "The Respiratory Care Board of California,
3 hereafter referred to as the board, shall enforce and administer this chapter [Chapter 8.3, the
4 Respiratory Care Practice Act]."

5 5. Section 3718 of the Code states: "The board shall issue, deny, suspend, and revoke
6 licenses to practice respiratory care as provided in this chapter."

7 6. Section 3750 of the Code states, in relevant part, as follows:

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

10 "...

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

14 7. Section 3750.5 of the Code states, in relevant part, as follows:

15 "In addition to any other grounds specified in this chapter, the board may deny, suspend
16 place on probation, or revoke the license of any applicant or license holder who has done
17 any of the following:

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

24 "...

25 "(d) Been convicted of a criminal offense involving [...] the possession of [...] the
26 substances described in subdivision (a), in which event the record of the conviction is
27 conclusive evidence thereof."

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8. Section 3752 of the Code states, in relevant part, as follows:

“A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of any offense which substantially relates to the qualifications, functions, or duties of a respiratory care practitioner is deemed to be a conviction within the meaning of this article. The board shall order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.”

COST RECOVERY

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

“In any order issued in resolution of a disciplinary proceeding before the board, the board or the administrative law judge may direct any practitioner or applicant found to have committed a violation or violations of law or any term and condition of board probation to pay to the board a sum not to exceed the costs of the investigation and prosecution of the case.”

10. Section 3753.7 of the Code states:

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

11. Section 3753.1 of the Code states:

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

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Conviction of a Crime Involving Possession of a Controlled Substance)**

3 12. Respondent's license is subject to disciplinary action under Code section 3750.5,
4 subdivision (d), in that she has been convicted of a criminal offense involving the possession of a
5 Schedule I controlled substance as defined in Health and Safety Code section 11054, subdivision
6 (d), in which event the record of the conviction is conclusive evidence thereof. The
7 circumstances are as follows:

8 13. On June 7, 2013, Respondent was driving in the vicinity of Alondra Boulevard and
9 Woodruff Avenue, in the city of Bellflower. Respondent stopped her vehicle at a pre-designated
10 area at a DUI checkpoint. An officer standing at the window on the driver's side of her car
11 detected a strong odor of burnt marijuana coming from inside the vehicle. When questioned as to
12 whether there was marijuana in the car, Respondent nodded her head affirmatively and said, "Just
13 a little bit of weed somewhere in the back." Respondent was detained until further investigation
14 could be completed. Although Respondent passed the field sobriety tests administered and it was
15 determined that she was not driving under the influence, the investigation revealed that she was in
16 possession of illegal drugs and related items. During a search of her car, officers found a plastic
17 pill bottle containing marijuana in the center console and a large glass marijuana bong on the
18 back seat. In addition, a Ziploc baggie containing powder cocaine was found in Respondent's
19 purse, which was on the passenger side floor of the car. Respondent was read her Miranda rights.
20 She indicated that she understood those rights and agreed to speak to the officer on scene.
21 Respondent stated that the powder cocaine that was recovered was hers and was for her own
22 personal use. She also stated that she had recently developed a drug use problem. Respondent
23 was arrested.

24 14. On or about June 14, 2013, in a criminal proceeding entitled *People of State of*
25 *California v. Dennise Joanne Frijas Baldovino*, in *Los Angeles County Superior Court*, Case
26 Number VA130605, Respondent was charged in a Felony Complaint with one criminal count
27 relating to the acts that occurred around June 7, 2013. The felony criminal count was as follows:
28

1 Count 1: Health and Safety Code section 11350(a): Unlawful possession of a controlled
2 substance, to wit cocaine.

3 15. On or about July 22, 2013, Respondent pled guilty to violation of Health and Safety
4 Code section 11350(a) (count 1), a felony, unlawful possession of a controlled substance.

5 16. The Court placed Respondent on deferred entry of judgment for eighteen (18)
6 months, ordered that she not use or possess any narcotics, dangerous or restricted drugs or
7 associated paraphernalia except with a valid prescription, and cooperate in a plan for drug
8 counseling.

9 17. The Court ordered Respondent to appear in court on February 16, 2015, for deferred
10 entry of judgment termination/dismissal.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(Obtained or Possessed a Controlled Substance in Violation of Law)**

13 18. Respondent's license is subject to disciplinary action under Code section 3750.5,
14 subdivision (a), in that she obtained and/or possessed in violation of law a controlled substances
15 as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code.¹ The
16 circumstances are as follows:

17 19. Paragraphs 12 through 17 above are incorporated by reference here as if set forth in
18 full.

19 **PRAYER**

20 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
21 and that following the hearing, the Respiratory Care Board issue a decision:

22 1. Revoking or suspending Respiratory Care Practitioner License Number RCP 31425,
23 issued to Respondent Dennise Joanne Baldovino;

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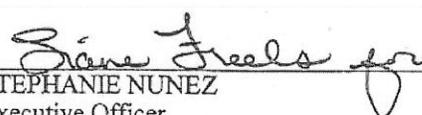
26 ¹ Health and Safety Code section 11055, subdivision (a), states as follows: "The
27 controlled substances listed in this section are included in Schedule II." Cocaine is a controlled
28 substance is a powerful nervous system stimulant listed under Schedule II. (Health & Saf. Code, §
11055, subd.(b)(6).)

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2. Ordering Dennise Joanne Baldovino to pay the Respiratory Care Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: June 2, 2014


STEPHANIE NUNEZ
Executive Officer
Respiratory Care Board of California
Department of Consumer Affairs
State of California

Complainant

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