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

In the Matter of the Cease Practice
Order Against:

SANDERSON GEDA BENASFRE
1231 W. Denni St.
Wilmington, CA 90744

Respiratory Care Practitioner License
No. 32602

Respondent/Probationer.

NOTICE TO CEASE PRACTICE

CASE NO.: 1H 2010 829

TO SANDERSON GEDA BENASFRE:

I am the Executive Officer of the Respiratory Care Board (“Board”), Department of
Consumer Affairs, State of California.

The licensing and regulation of respiratory care practitioners in California is governed by
the Respiratory Care Practice Act (Business and Professions Code section 3700 et seq.). Business
and Professions Code section 315.4 and California Code of Regulations section 1399.375
authorize the Board to order a licensee on probation to cease practice for major violations as
identified in its Disciplinary Guidelines (California Code of Regulations section 1399.374).

Condition 14 of your probationary order states, “Respondent shall participate in random
testing, including but not limited to biological fluid testing (i.e. urine, blood, saliva), breathalyzer,
hair follicle testing, or any drug screening program approved by the Board. Test costs range from
\$21.00 to \$200.00 each. The length of time shall be for the entire probation period. The
frequency and location of testing will be determined by the Board. At all times, Respondent shall
fully cooperate with the Board or any of its representatives, and shall when directed, appear for
testing as requested and submit to such tests and samples for the detection of alcohol, narcotics,
hypnotic, dangerous drugs or other controlled substances. If Respondent is unable to provide a

1 specimen in a reasonable amount of time from the request, while at the work site, Respondent
2 understands that any Board representative may request, from the supervisor, manager or director
3 on duty to observe Respondent in a manner that does not interrupt or jeopardize patient care in
4 any manner until such time Respondent provides a specimen acceptable to the Board. Failure to
5 submit to testing or appear as requested by any Board representative for testing, as directed shall
6 constitute a violation of probation and shall result in the filing of an accusation and/or petition to
7 revoke probation against Respondent's respiratory care practitioner license."

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9 Pursuant to the Board's Disciplinary Guidelines, major violations include, but are not
10 limited to, failure to make daily contact as directed, submit to testing on the day requested, or
11 appear as requested by any Board representative for testing, in accordance with the "biological
12 fluid testing" term and condition. You committed a major violation of probation by failing to
13 check-in with Fortes Laboratories on April 17, 2016, in violation of Condition 14, Biological
14 Fluid Testing, of your probationary order.

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16 Condition 4 of your probationary order states, "All costs incurred for probation monitoring
17 during the entire probation shall be paid by the Respondent. The monthly costs may be adjusted
18 as expenses are reduced or increased. Respondent's failure to comply with all terms and
19 conditions may also cause this amount to be increased. All payments for costs are to be sent
20 directly to the Respiratory Care Board and must be received by the date(s) specified. (Periods of
21 tolling will not toll the probation monitoring costs incurred.) If Respondent is unable to submit
22 costs for any month, he/she shall be required, instead to submit an explanation of why he/she is
23 unable to submit the costs, and the date(s) he/she will be able to submit the costs including
24 payment amount(s). Supporting documentation and evidence of why the Respondent is unable to
25 make such payment(s) must accompany this submission. Respondent understands that failure to
26 submit costs timely is a violation of probation and submission of evidence demonstrating
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1 financial hardship does not preclude the Board from pursuing further disciplinary action.

2 However, Respondent understands that by providing evidence and supporting documentation of
3 financial hardship it may delay further disciplinary action. In addition to any other disciplinary
4 action taken by the Board, an unrestricted license will not be issued at the end of the probationary
5 period and the respiratory care practitioner license will not be renewed, until such time all
6 probation monitoring costs have been paid. The filing of bankruptcy by the Respondent shall not
7 relieve the Respondent of his/her responsibility to reimburse the Board for costs incurred.”
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9 Condition 8 of your probationary order states, “Respondent shall pay to the Board a sum
10 not to exceed the costs of the investigation and prosecution of this case. That sum shall be
11 \$4845.00 and shall be paid in full directly to the Board, in equal quarterly payments, within 12
12 months from the effective date of this decision. Costs recovery will not be tolled. If Respondent
13 is unable to submit costs timely, he/she shall be required, instead to submit an explanation of why
14 he/she is unable to submit these costs in part or in entirety, and the date(s) he/she will be able to
15 submit the costs including payment amount(s). Supporting documentation and evidence of why
16 the Respondent is unable to make such payment(s) must accompany this submission. Respondent
17 understands that failure to submit costs timely is a violation of probation and submission of
18 evidence demonstrating financial hardship does not preclude the Board from pursuing further
19 disciplinary action. However, Respondent understands that by providing evidence and supporting
20 documentation of financial hardship may delay further disciplinary action. Consideration to
21 financial hardship will not be given should Respondent violate this term and condition, unless and
22 unexpected and unavoidable hardship is established from the date of this order to the date
23 payment(s) is due. The filing of bankruptcy by the Respondent shall not relieve the Respondent
24 of his/her responsibility to reimburse the Board for these costs.”
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27 Pursuant to the Board’s Disciplinary Guidelines, minor violations include, but are not
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1 limited to, failure to submit cost recovery or monthly probation monitoring costs timely. Your
2 probation monitoring costs are currently in arrears \$5000.00 and your cost recovery fees are
3 currently in arrears \$3936.37.

4 Condition 10 of your probationary order states, "Respondent shall maintain a current, active
5 and valid license for the length of the probation period. Failure to pay all fees and meet CE
6 requirements prior to his/her license expiration date shall constitute a violation of probation."

7 Pursuant to the Board's Disciplinary Guidelines, minor violations include, but are not
8 limited to, any other violation that does not present a threat to the Respondent or public.

9 Your respiratory care practitioner license number 32602 expired on August 31, 2015. You
10 committed a minor violation of probation by failing to maintain a current, active, and valid
11 license for the length of the probation term.

12 Your multiple minor violations of probation including, failure to pay probation monitoring
13 costs and cost recovery fees timely, and failure to maintain a current and valid license, constitute
14 an additional major violation of probation.

15 Based on the foregoing, you are hereby ordered to immediately cease practice as a
16 respiratory care practitioner. You shall not resume the practice of respiratory care until a final
17 decision on an accusation and/or petition to revoke probation is made or until such time as the
18 Board delivers written notification that the notice to cease practice has been dissolved. This
19 cessation of practice shall not apply to the reduction of your probationary period.

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22 IT IS SO ORDERED this 4th day of May 2016.

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25 Original signed by Christine Molina for:
26 Stephanie Nunez, Executive Officer
27 Respiratory Care Board
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