



# DISCIPLINARY ACTIONS

## October 1, 2018 – December 31, 2018

### **PASCUA, JONATHAN KAIMOA – RCP 32224**

Convicted of hit and run, possession of a controlled substance, and contempt of court. Pursuant to a Default Decision and Order, license revoked effective October 10, 2018.

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### **BUENAFE, EDRINE PINEDA – RCP 9008**

Failed to comply with Board-ordered probation by failing to make daily contact with the Board-approved chemical testing laboratory and providing a specimen for testing, failing to pay probation monitoring costs, and failing to pay cost recovery. Pursuant to a Default Decision and Disciplinary Order, license revoked effective October 10, 2018.

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### **ESPEJO, JERRY OLIVER – RCP 5561**

Committed a fraudulent, dishonest, or corrupt act by falsifying skilled nursing facility personnel records and providing false information during an investigation. Pursuant to a Default Decision and Order, license revoked effective October 10, 2018.

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### **ABEDI, HERACH ARTIE – RCP 21609**

Failed to comply with Board-ordered probation by testing positive for a banned, mood-altering substance. Pursuant to a Stipulated Surrender of License and Order, license surrendered effective October 13, 2018.

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### **ACOSTA, WALTER A – RCP 35417**

Convicted of distribution of child pornography and aggravated possession of child pornography. Pursuant to a Default Decision and Order, license revoked effective October 17, 2018.

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### **HEYWARD, DESMOND G – RCP 34790**

Convicted of child abuse/endangerment. Pursuant to a Default Decision and Order, license revoked effective October 17, 2018.

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### EXPLANATION OF DISCIPLINARY LANGUAGE AND ACTIONS

**Effective date of decision:** The date the disciplinary decision goes into operation.

**Default Decision:** A decision based on the licensee's failure to respond to formal charges after it has been served, or failure to appear at an Administrative Hearing. All charges are deemed true. The decision results in the revocation of the license.

**Disciplinary Order:** An order for discipline adopted by the Board.

**Probation:** Allows the licensee to practice as a respiratory care practitioner under terms and conditions for a set amount of time.

**Proposed Decision:** A decision rendered by an Administrative Law Judge through an Administrative Hearing. A proposed decision must be adopted by the Board before it can go into effect.

**Revoked:** The right to practice is ended due to disciplinary action. The license is invalidated, voided, annulled, or rescinded. The individual can no longer practice as a respiratory care practitioner in California.

**Revoked, Stayed:** "Stayed" means the revocation is postponed. Professional practice may continue so long as the licensee complies with specified terms and conditions of probation.

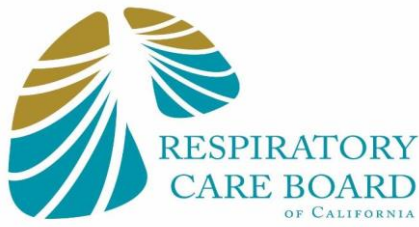
**Stipulated Settlement:** A form of plea bargaining. The case is formally negotiated and settled prior to a hearing.

**Stipulated Surrendered:** The Board agrees to allow the licensee to surrender the license as a resolution to a disciplinary matter. The individual can no longer practice as a respiratory care practitioner in California.

### **ESPINO, MARLYN – RCP 36434**

Convicted of reckless driving involving alcohol with a prior conviction for driving under the influence of alcohol. Pursuant to a Stipulated Settlement and Disciplinary Order, license revoked, stayed, and placed on three (3) years' probation effective November 1, 2018.

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### **KHAN, SHAHID H – RCP 20534**

Committed acts of negligence and unprofessional conduct by failing to adequately document information concerning the interfacility transport of two patients and failing to adequately document information concerning the ventilator alarms involving a patient. Pursuant to a Stipulated Settlement and Disciplinary Order, license revoked, stayed, and placed on thirty-five (35) months' probation effective November 13, 2018.

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### **HERNANDEZ-GUDIEL, ELVIS – RCP 40866**

Convicted of driving under the influence of alcohol and/or drugs on two separate occasions and fighting in public. Pursuant to a Stipulated Settlement and Disciplinary Order, license granted, revoked, stayed, and placed on three (3) years' probation effective November 13, 2018.

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### **ALVARDO, JACIN III – RCP 33801**

Convicted of reckless driving involving alcohol with prior convictions of driving under the influence of alcohol causing injury, riding a bicycle while under the influence of alcohol, and driving under the influence of alcohol. Pursuant to a Default Decision and Order, license revoked effective November 21, 2018.

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### **ZAMORA, MICHAEL LOUIS – RCP 32960**

Worked in a health care environment while under the influence of alcohol. Pursuant to a Stipulated Surrender of License and Order, license surrendered effective December 4, 2018.

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### **SANTOS, MACHELLE RENEE – RCP 24871**

Failed to comply with Board-ordered probation by testing positive for marijuana, failing to pay cost recovery and probation monitoring fees, and convicted of unauthorized use of another's personal identifying information. Pursuant to a Stipulated Surrender of License and Order, license surrendered effective December 16, 2018.

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### **COOK, MICHAEL ANTHONY – RCP 30942**

Convicted of driving under the influence of alcohol with two prior convictions for driving under the influence of alcohol. Pursuant to a Stipulated Settlement and Disciplinary Order, license revoked, stayed, and placed on four (4) years' probation effective December 20, 2018.

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### **FOSTER, JAZMINE ALICIA – RCP 26134**

Committed acts of negligence by not performing treatments as ordered and charting treatments that were not actually given. Pursuant to a Default Decision and Order, license revoked effective December 27, 2018.

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