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9 **BEFORE THE**
10 **SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY**
11 **& HEARING AID DISPENSERS BOARD**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 11-2009-14

14 CATHERINE ANNE JOHNSON, S.P.
2511 Costero Magestuoso
15 San Clemente, CA 92673

ACCUSATION

16 Speech-Language Pathologist
License No. SP 8097

17 Respondent.
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20 Complainant alleges:

21 **PARTIES**

22 1. Annemarie Del Mugnaio (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Officer of the Speech-Language Pathology & Audiology & Hearing
24 Aid Dispensers Board (Board), Department of Consumer Affairs.

25 2. On or about May 20, 1991, Speech-Language Pathologist License No. SP 8097 was
26 issued by the Board to Catherine Anne Johnson, S.P. (Respondent). The Speech-Language
27 Pathologist License was in full force and effect at all times relevant to the charges brought herein
28 and will expire on October 31, 2012, unless renewed.

1 “(A) Conducting speech-language screening, without interpretation, and using screening
2 protocols developed by the supervising speech-language pathologist.

3 “(B) Providing direct treatment assistance to patients or clients under the supervision of a
4 speech-language pathologist.

5 “(C) Following and implementing documented treatment plans or protocols developed by a
6 supervising speech-language pathologist.

7 “(D) Documenting patient or client progress toward meeting established objectives, and
8 reporting the information to a supervising speech-language pathologist.

9 “(E) Assisting a speech-language pathologist during assessments, including, but not limited
10 to, assisting with formal documentation, preparing materials, and performing clerical duties for a
11 supervising speech-language pathologist.

12 “(F) When competent to do so, as determined by the supervising speech-language
13 pathologist, acting as an interpreter for non-English-speaking patients or clients and their family
14 members.

15 “(G) Scheduling activities and preparing charts, records, graphs, and data.

16 “(H) Performing checks and maintenance of equipment, including, but not limited to,
17 augmentative communication devices.

18 “(I) Assisting with speech-language pathology research projects, in-service training, and
19 family or community education.

20 “The regulations shall provide that speech-language pathology assistants are not authorized
21 to conduct evaluations, interpret data, alter treatment plans, or perform any task without the
22 express knowledge and approval of a supervising speech-language pathologist.

23 “...”

24 8. California Code of Regulations, title 16, section 1399.170.16, states:

25 “A supervisor shall not supervise more than three (3) support personnel, not more than two
26 of which hold the title of speech-language pathology assistant. Support personnel include speech-
27 language pathology assistants and speech-language pathology aides.”

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1 with her in the first couple of sessions. Thereafter, Respondent assigned J.C. to be seen by A.C.,
2 an aide at SLLC, whom Respondent introduced to J.C.'s mother as "an excellent speech
3 therapist." A.C. did the majority of J.C.'s sessions. At each session, A.C. greeted J.C., took her
4 into the therapy room, returned J.C. to her mother, and gave J.C.'s mother a summary of what
5 occurred in the session.

6 16. In about April or May 2008, J.C. was seen by a second speech-language pathologist
7 at SLLC. J.C. had about a half dozen sessions with the second speech-language pathologist.

8 17. J.C. continued to be seen at SLLC until about October 2008.

9 18. A.C. is not registered as a speech-language pathology assistant. A.C. does not hold
10 any other speech-language pathology related license or registration.

11 19. Respondent aided and abetted the unlicensed practice of speech-language pathology
12 when she assigned A.C., an unlicensed aide, to provide speech-language pathology services to
13 patients T.B. and J.C., as set forth in paragraphs 11 through 18, above.

14 **SECOND CAUSE FOR DISCIPLINE**

15 (Commission of Dishonest or Fraudulent Act or Acts)

16 20. Respondent is further subject to disciplinary action under Code section 2533, as
17 defined by sections 2533, subdivision (e), 2538.7, subdivision (b), and California Code of
18 Regulations, title 16, section 1399.156, subdivision (a), in that she committed a dishonest or
19 fraudulent act or acts. The circumstances are as follows:

20 21. Paragraphs 11 through 19, above, are incorporated herein.

21 22. Respondent allowed her aide, A.C., to provide speech-language pathology services to
22 clients T.B. and J.C., as if she were a licensed speech-language pathology assistant, when in fact
23 Respondent knew A.C. was not so licensed.

24 23. Respondent billed for A.C.'s services to clients T.B. and J.C., as if A.C. were a
25 licensed therapist, when in fact Respondent knew A.C. was not licensed.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 (Supervision of More Than Three Support Personnel)

3 24. Respondent is further subject to disciplinary action under Code section 2533 and
4 California Code of Regulations, title 16, sections 1399.156, subdivision (a), and 1399.170.16, in
5 that she supervises more than three support personnel. The circumstances are as follows:

6 25. From or about April 2009 to the present, Respondent committed unprofessional
7 conduct by supervising three speech-language pathology assistants – G.N., K.M., M.S. , and an
8 aide – A.C.

9 **PRAYER**

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Speech-Language Pathology & Audiology & Hearing Aid
12 Dispensers Board issue a decision:

13 1. Revoking, suspending or imposing probationary conditions on Speech-Language
14 Pathologist License No. SP 8097, issued to Respondent Catherine Anne Johnson, S.P.;

15 2. Ordering Respondent Catherine Anne Johnson, S.P. to pay the Speech-Language
16 Pathology & Audiology & Hearing Aid Dispensers Board the reasonable costs of the
17 investigation and enforcement of this case, pursuant to Business and Professions Code section
18 125.3; and,

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

20 DATED: 10/29/10


ANNEMARIE DEL MUGNAIO
Executive Officer
Speech-Language Pathology & Audiology & Hearing
Aid Dispenser's Board
Department of Consumer Affairs
State of California
Complainant