

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 KERRY WEISEL  
Deputy Attorney General  
4 State Bar No. 127522  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5590  
6 Facsimile: (415) 703-5480

7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY**  
10 **AND HEARING AID DISPENSERS BOARD**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 11 2011 5

13 **MELANIE JOY CLARK**

14 **Speech-Language Pathologist Assistant**  
15 **License No. SPA 772**

**ACCUSATION**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Annemarie Del Mugnaio (“Complainant”) brings this Accusation solely in her official  
20 capacity as the Executive Officer of the Speech-Language Pathology and Audiology and Hearing  
21 Aid Dispensers Board, Department of Consumer Affairs.

22 2. On May 22, 2008, the then-titled Speech-Language Pathology and Audiology Board  
23 issued Speech-Language Pathologist Assistant License Number SPA 772 to Melanie Joy Clark  
24 (“Respondent”). The license expired on November 30, 2011, and has not been renewed. There is  
25 no record of Board discipline against this license.

26 **JURISDICTION**

27 3. This Accusation is brought before the Speech-Language Pathology and Audiology  
28 and Hearing Aid Dispensers Board (“Board”), Department of Consumer Affairs, under the

1 authority of the following laws. All section references are to the Business and Professions Code  
2 unless otherwise indicated.

3 4. Section 2531.5 provides that the Board “shall issue, suspend, and revoke licenses and  
4 approvals to practice speech-language pathology and audiology as authorized by this chapter [the  
5 Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act].”

6 5. Section 2533 provides that “[t]he Board may . . . suspend, or revoke, or impose terms  
7 and conditions upon the license of any licensee for any of the following causes:

8 “(a) Conviction of a crime substantially related to the qualifications, functions,  
9 and duties of a speech-language pathologist or audiologist . . . . The record of the  
10 conviction shall be conclusive evidence thereof.

11 “ . . . .

12 “(j) Any cause that would be grounds for denial of an application for a license.  
13 [See section 480.]

14 “ . . . .”

15 6. Section 2533.1 provides that a plea or verdict of guilty or a conviction following a  
16 plea of nolo contendere made to a charge substantially related to the qualifications, functions, and  
17 duties of a speech-language pathologist or audiologist is deemed to be a conviction within the  
18 meaning of this article. The board may order a licensee be disciplined or denied a license as  
19 provided in Section 2533 when the time for appeal has elapsed, or the judgment of conviction has  
20 been affirmed on appeal, or when an order granting probation is made suspending the imposition  
21 of sentence irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing  
22 the person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside  
23 the verdict of guilty, or dismissing the accusation, information or indictment.”

24 7. Section 118(b) provides that the expiration of a license issued by the Board does not,  
25 during any period in which the license may be renewed, deprive the Board of its authority to  
26 initiate or continue a disciplinary action against the licensee.

27 8. Section 2535.2 allows an expired license to be renewed at any time within five years  
28 after its expiration.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PRAYER**

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

1. Revoking or suspending Speech-Language Pathologist Assistant License No. SPA 7729, issued to Melanie Joy Clark;
2. Ordering Melanie Joy Clark to pay the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: February 28, 2012   
ANNEMARIE DEL MUGNAIO  
Executive Officer  
Speech-Language Pathology and Audiology  
and Hearing Aid Dispensers Board  
Department of Consumer Affairs  
State of California  
*Complainant*