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1 KAMALA D. HARRIS
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 BRIAN D. BILL
Deputy Attorney General
4 State Bar No. 239146
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 897-9474
Facsimile: (213) 897-9395
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 11-2014-33

12 **LEEZA E. YEGHIKIAN,**
13 **1313 Valley View Road, #112**
Glendale, CA 91202
14 **Speech-Language Pathology Assistant**
License No. SPA 3237,

A C C U S A T I O N

15 _____ Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Paul Sanchez (Complainant) brings this Accusation solely in his official capacity as
21 the Executive Officer of the Speech-Language Pathology and Audiology and Hearing Aid
22 Dispensers Board, Department of Consumer Affairs.

23 2. On or about April 30, 2015, the Speech-Language Pathology and Audiology and
24 Hearing Aid Dispensers Board issued Speech-Language Pathology Assistant License Number
25 SPA 3237 to LEEZA E. YEGHIKIAN, (Respondent); that license will expire on February 28,
26 2017, unless renewed. On or about November 10, 2008, the Speech-Language Pathology and
27 Audiology and Hearing Aid Dispensers Board issued Speech-Language Pathology Aide License
28 Number AID 1024 to LEEZA E. YEGHIKIAN. This license was cancelled on April 29, 2015.

1 The Speech-Language Pathology Aide License was in full force and effect at all times relevant to
2 the charges brought herein.

3 **JURISDICTION**

4 3. This Accusation is brought before the Speech-Language Pathology and Audiology
5 and Hearing Aid Dispensers Board (Board), Department of Consumer Affairs, under the authority
6 of the following laws. All section references are to the Business and Professions Code unless
7 otherwise indicated.

8 4. Section 2531.02 of the Code states:

9 “Protection of the public shall be the highest priority for the Speech-Language Pathology
10 and Audiology and Hearing Aid Dispensers Board in exercising its licensing, regulatory, and
11 disciplinary functions. Whenever the protection of the public is inconsistent with other interests
12 sought to be promoted, the protection of the public shall be paramount.”

13 5. Section 2530.6 of the Code states:

14 “Speech-language pathologists and audiologists supervising speech-language pathology or
15 audiology aides shall register with the board the name of each aide working under their
16 supervision. The number of aides who may be supervised by a licensee shall be determined by
17 the board. The supervising audiologist or speech-language pathologist shall be responsible for the
18 extent, kind, and quality of services performed by the aide, consistent with the board's designated
19 standards and requirements.”

20 6. Section 2531.5 of the Code states: “The board shall issue, suspend, and revoke
21 licenses and approvals to practice speech-language pathology and audiology as authorized by this
22 chapter.”

23 7. Section 2533 of the Code states:

24 “The board may refuse to issue, or issue subject to terms and conditions, a license on the
25 grounds specified in Section 480, or may suspend, revoke, or impose terms and conditions upon
26 the license of any licensee for any of the following:

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1 “(a) Conviction of a crime substantially related to the qualifications, functions, and duties of
2 a speech-language pathologist or audiologist or hearing aid dispenser, as the case may be. The
3 record of the conviction shall be conclusive evidence thereof.

4 “(b) Securing a license by fraud or deceit.

5 “(c)

6 “(1) The use or administering to himself or herself of any controlled substance.

7 “(2) The use of any of the dangerous drugs specified in Section 4022, or of alcoholic
8 beverages, to the extent or in a manner as to be dangerous or injurious to the licensee, to any other
9 person, or to the public, or to the extent that the use impairs the ability of the licensee to practice
10 speech-language pathology or audiology safely.

11 “(3) More than one misdemeanor or any felony involving the use, consumption, or self-
12 administration of any of the substances referred to in this section.

13 “(4) Any combination of paragraph (1), (2), or (3).

14 “The record of the conviction shall be conclusive evidence of unprofessional conduct.

15 “(d) Advertising in violation of Section 17500. Advertising an academic degree that was
16 not validly awarded or earned under the laws of this state or the applicable jurisdiction in which it
17 was issued is deemed to constitute a violation of Section 17500.

18 “(e) Committing a dishonest or fraudulent act that is substantially related to the
19 qualifications, functions, or duties of a licensee.

20 “(f) Incompetence, gross negligence, or repeated negligent acts.

21 “(g) Other acts that have endangered or are likely to endanger the health, welfare, and safety
22 of the public.

23 “(h) Use by a hearing aid dispenser of the term "doctor" or "physician" or "clinic" or
24 "audiologist," or any derivation thereof, except as authorized by law.

25 “(i) The use, or causing the use, of any advertising or promotional literature in a manner that
26 has the capacity or tendency to mislead or deceive purchasers or prospective purchasers.

27 “(j) Any cause that would be grounds for denial of an application for a license.

28 “(k) Violation of Section 1689.6 or 1793.02 of the Civil Code.

1 “(l) Violation of a term or condition of a probationary order of a license issued by the board
2 pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the
3 Government Code.

4 “(m) Violation of a term or condition of a conditional license issued by the board pursuant
5 to this section.”

6 8. Section 2537 of the Code states:

7 “It shall constitute unprofessional conduct and a violation of this chapter for any person
8 licensed under this chapter to violate, attempt to violate, directly or indirectly, or assist in or abet
9 the violation of, or conspire to violate, any provision or term of this article, the Moscone-Knox
10 Professional Corporation Act, or any regulations duly adopted under those laws.”

11 9. California Code of Regulations, title 16, section 1399.154, states:

12 “As used in this article, the term:

13 “(a) “Speech-language pathology aide” means a person who

14 “(1) assists or facilitates while a speech-language pathologist is evaluating the speech and/or
15 language of individuals or is treating individuals with a speech-language and/or language
16 disorder, and

17 “(2) is registered by the supervisor with the board and the registration is approved by the
18 board.

19 “(b) “Audiology aide” means a person who

20 “(1) assists or facilitates while an audiologist is evaluating the hearing of individuals and/or
21 is treating individuals with hearing disorders, and

22 “(2) is registered by the supervisor with the board and the registration is approved by the
23 board.

24 “(c) “Supervisor” means a licensed speech-language pathologist who supervises a speech-
25 language pathology aide or a licensed audiologist who supervises an audiology aide.

26 “(d) “Industrial audiology aide” means an audiology aide who conducts pure tone air
27 conduction threshold audiograms for the purpose of industrial hearing testing in addition to other
28 acts and services as provided in these regulations.”

1 10. California Code of Regulations, title 16, section 1399.154.2, states:

2 “A supervisor of a speech-language pathology or audiology aide shall:

3 “(a) Have legal responsibility for the health, safety and welfare of the patients.

4 “(b) Have legal responsibility for the acts and services provided by the speech-language
5 pathology or audiology aide, including compliance with the provisions of the Act and these
6 regulations.

7 “(c) Be physically present while the speech-language pathology or audiology aide is
8 assisting with patients, unless an alternative plan of supervision has been approved by the board.

9 A supervisor of industrial audiology aides shall include a proposed plan for alternative
10 supervision with the application form. An industrial audiology aide may only be authorized to
11 conduct puretone air conduction threshold audiograms when performing outside the physical
12 presence of a supervisor. The supervisor shall review the patient histories and the audiograms and
13 make any necessary referrals for evaluation and treatment.

14 “(d) Evaluate, treat, manage and determine the future dispositions of patients.

15 “(e) Appropriately train the speech-language pathology or audiology aide to perform duties
16 to effectively assist in evaluation and/or treatment. A supervisor shall establish and complete a
17 training program for a speech-language pathology or audiology aide in accordance with Section
18 1399.154.4 which is unique to the duties of the aide and the setting in which he or she will be
19 assisting the supervisor.

20 “(f) Define the services which may be provided by the speech-language pathology or
21 audiology aide. Those services shall not exceed the competency of the aide as determined by his
22 or her education, training and experience, and shall not include any treatment beyond the plan
23 established by the supervisor for the patient.”

24 11. California Code of Regulations, title 16, section 1399.156, states:

25 “Unprofessional conduct as set forth in Section 2533 of the Code includes, but is not
26 limited to the following:

27 “(a) Violating or conspiring to violate or aiding or abetting any person to violate the
28 provisions of the Act or these regulations.

1 “(b) Committing any corrupt act, or any abusive act against a patient, which is substantially
2 related to the qualifications, functions or duties of a speech-language pathologist or audiologist.

3 “(c) Incompetence or negligence in the practice of speech-language pathology or audiology
4 which has endangered or is likely to endanger the health, welfare, or safety of the public.

5 “(d) Commission of an act prohibited by Section 1399.155.

6 “(e) On or after January 1, 2013, a violation of Section 143.5 of the Code.

7 “(f) Failure to provide to the Board, as directed, lawfully requested copies of documents
8 within 15 days of receipt of the request or within the time specified in the request, whichever is
9 later, unless the licensee is unable to provide the documents within this time period for good
10 cause, including but not limited to, physical inability to access the documents in the time allowed
11 due to illness or travel. This subsection shall not apply to a licensee who does not have access to,
12 and control over, the requested documents.

13 “(g) Failure to cooperate and participate in any Board investigation pending against the
14 licensee. This subsection shall not be construed to deprive a licensee of any privilege guaranteed
15 by the Fifth Amendment to the Constitution of the United States, or any other constitutional or
16 statutory privileges. This subsection shall not be construed to require a licensee to cooperate with
17 a request that would require the licensee to waive any constitutional or statutory privilege or to
18 comply with a request for information or other matters within an unreasonable period of time in
19 light of the time constraints of the licensee's practice. Any exercise by a licensee of any
20 constitutional or statutory privilege shall not be used against the licensee in a regulatory or
21 disciplinary proceeding against the licensee.

22 “(h) Failure to report to the Board within 30 days any of the following:

23 “(1) The bringing of an indictment or information charging a felony against the licensee.

24 “(2) The arrest of the licensee.

25 “(3) The conviction of the licensee, including any verdict of guilty, or pleas of guilty or no
26 contest, of any felony or misdemeanor.

27 “(4) Any disciplinary action taken by another licensing entity or authority of this state or of
28 another state or an agency of the federal government or the United States military.

1 “(i) Failure or refusal to comply with a court order, issued in the enforcement of a subpoena,
2 mandating the release of records to the Board.”

3 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
4 administrative law judge to direct a licentiate found to have committed a violation or violations of
5 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
6 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
7 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
8 included in a stipulated settlement.

9 **FIRST CAUSE FOR DISCIPLINE**

10 **(Unlicensed Practice)**

11 13. Respondent is subject to disciplinary action under section 2533, subdivisions (e) and
12 (g), and California Code of Regulations, title 16, section 1399.156 in that Respondent practiced as
13 a Speech Language Pathology Assistant without a license. The circumstances are as follows:

14 14. On or about July 19, 2013, J.D. hired Respondent as a licensed Speech Language
15 Pathology Aide, to work part-time at J.D.’s speech pathology company that provides services to
16 clients of the Lanterman Regional Center. Respondent is bilingual, fluent in several Armenian
17 dialects.

18 16. J.D. believed Respondent was in the process of obtaining a Speech Language
19 Pathology Assistant License. However, J.D. failed to follow up regarding the status of the
20 license. During her employment at the company, Respondent was never licensed as a Speech
21 Language Pathology Assistant. Further, during the course of her employment, Respondent never
22 informed J.D. that she was not licensed as a Speech Language Pathology Assistant.

23 17. During the period July 19, 2013 through April 30, 2014, J.D. assigned Respondent a
24 caseload and allowed her to work directly with Armenian speaking Regional Center clients in
25 their homes, without requisite supervision. Respondent documented the home therapy visits and
26 drafted reports as a licensed Speech Language Pathology Assistant.

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1 18. On or about April 23, 2014, a parent of a Regional Center client assigned to
2 Respondent filed a formal complaint alleging that J.D. allowed Respondent to treat clients
3 without requisite supervision.

4 19. During the subsequent complaint investigation, J.D. initially claimed that Respondent
5 was a licensed assistant. However, J.D. ultimately admitted that Respondent was an aide. J.D.
6 stated that she “forgot” that she hired Respondent as an aide.

7 20. On or about January 13, 2016, Investigator S.V. interviewed Respondent who
8 admitted she provided unsupervised home therapy. Further, Respondent stated that she inquired
9 of J.D. as to whether a supervisor would accompany her to the clients’ homes. According to
10 Respondent, J.D. stated “a supervisor is just a phone call away.”

11 21. J.D. terminated Respondent’s employment at the end of April 2014.

12 **SECOND CAUSE FOR DISCIPLINE**

13 **(Unprofessional Conduct)**

14 22. Respondent is subject to disciplinary action under section 2537 and California Code
15 of Regulations, title 16, section 1399.156, subdivision (a) in that Respondent practiced as a
16 Speech Language Pathology Assistant without a license.

17 23. Paragraphs 14 through 21 are incorporated by reference.

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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 Pathology Assistant License Number SPA 3237, issued to LEEZA E. YEGHIKIAN;
2. Ordering Leeza E. Yeghikian 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;
3. Taking such other and further action as deemed necessary and proper.

DATED: June 13, 2016



PAUL SANCHEZ
Executive Officer
Speech-Language Pathology and Audiology and Hearing
Aid Dispensers Board
Department of Consumer Affairs
State of California
Complainant

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