BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATIRC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for Early Termination of Probation of: BEVERLY J. BALDOMERO, LVN No. VN 194123 Petitioner.	OAH No. 2010090308

DECISION

This matter was heard by a quorum of the Board of Vocational Nursing and Psychiatric Technicians on September 15, 2010, in Los Angeles, California. Administrative Law Judge Humberto Flores from the Office of Administrative Hearings presided.

Langston Edwards, Deputy Attorney General, represented the California Department of Justice.

Beverly J. Baldomero (Petitioner) appeared personally and represented herself.

Evidence was received and the matter was submitted for decision. The Board of Vocational Nursing and Psychiatric Technicians (Board) finds as follows:

FACTUAL FINDINGS

1. On or about January 29, 2001, the Board issued Vocational Nurse License No. 194123 to Petitioner. The license was issued on a probationary basis because Petitioner had suffered a criminal conviction for petty theft in 1998.

2. On August 7, 2004, the Board revoked Petitioner's probation because she violated numerous terms and conditions of probation, including, inter alia, failing to inform her employers of the probationary status of her license, failing to meet with Board representatives, and failing to provide proof to the Board that she completed a Law and Ethics course.

3. In a Decision effective on March 28, 2008, the Board reinstated Petitioner's Vocational Nurse License and placed her license on probation for three years on certain terms and conditions. The Board based its decision on evidence of rehabilitation presented by Petitioner at the Board hearing. Petitioner's probation is scheduled to end on March 27, 2011.

4. On May 24, 2010, Petitioner filed a Petition for Early Termination of Probation with the Board.

5. Petitioner testified that she was terminated from her previous employment in June 2009, and has not been able to find employment as an LVN since then. Petitioner believes that her probationary status has precluded her from obtaining work. She is asking the Board to terminate her probation because she believes that terminating her probation would make it easier for her to find employment as an LVN.

LEGAL CONCLUSIONS

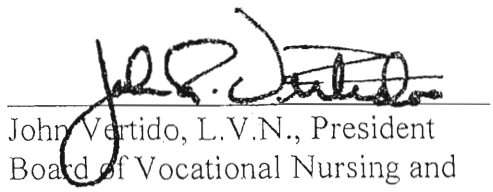
Cause does not exist under Business and Professions Code section 2878.7, to grant the Petition for Early Termination of Probation because Petitioner did not present sufficient evidence or justification to grant the petition.

ORDER

The Petition for Early Termination of Probation submitted by Beverly J. Baldomero is denied.

DATED: December 9, 2010

EFFECTIVE DATE: December 24, 2010



John Vertido, L.V.N., President
Board of Vocational Nursing and
Psychiatric Technicians