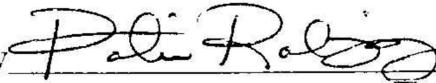


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7 **BEFORE THE**
8 **SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID**
9 **DISPENSERS BOARD**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation and Petition to
12 Revoke Probation:

13 **CARLA M. PIRIE**
1965 Keswick Lane
Concord, CA 94518

14 Speech-Language Pathologist License No. SP7829

15 Respondent.
16

Case No. 11-2004-10

**ACCUSATION AND PETITION TO
REVOKE PROBATION**

17 Complainant alleges:

18 **PARTIES**

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

23 2. On July 6, 1990, speech-language pathologist license number SP7829 was issued to
24 Carla Marie Pirie (aka Carla Marie Mays) (Respondent.) On August 1, 2007, an Accusation was
25 filed against Respondent that resulted in license revocation; however, the revocation was stayed
26 and Respondent was placed on probation for five (5) years, effective October 14, 2007. On
27 December 22, an Administrative Law Judge issued an Interim Suspension Order against the
28 license; unless renewed, it will expire on November 30, 2012.

1 **JURISDICTION**

2 3. This Accusation and Petition to Revoke Probation is brought before the
3 Board under the authority of the following laws. All section references are to the Business and
4 Professions Code unless otherwise indicated.

5 4. Business and Professions Code §2531 *et seq.* establishes the Speech-Language
6 Pathology and Audiology and Hearing Aid Dispensers Board which is charged with the
7 administration and enforcement of laws relating to speech-language pathologists, audiologists and
8 hearing aid dispensers.

9 5. Business and Professions Code §822 authorizes the Board to revoke, suspend or
10 place on probation the license of any licentiate if the Board determines that the licentiate's ability
11 to practice his or her profession safely is impaired because the licentiate is mentally ill, or
12 physically ill affecting competency.

13 6. Section 125.3 of the Code states, in pertinent part, that the Board may request the
14 administrative law judge to direct a licentiate found to have committed a violation or violations of
15 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17 **CAUSE FOR DISCIPLINE/REVOCAION OF PROBATION**

18 7. On August 1, 2007, the Board filed an Accusation in which it was alleged that
19 Respondent suffered from a mental illness, i.e. Bipolar Disorder, which impaired her ability to
20 function safely as a speech-language pathologist. Pursuant to a Stipulated Settlement and
21 Disciplinary Order, which became effective October 14, 2007, Respondent was placed on five (5)
22 years probation with terms and conditions, including mandatory psychotherapy on a weekly basis.
23 The Disciplinary Order provides that if Respondent violates probation in any respect, the board
24 may seek to revoke probation and carry out the stayed disciplinary order.

25 8. On October 6, 2010, Respondent advised the Board that she had suffered an
26 "episode" while at her place of work at the Monterey Peninsula Unified School District, Cabrillo
27 Preschool. Respondent explained that this event required her emergency transport and admission
28 to Community Hospital of the Monterey Peninsula ("CHOMP") on October 1, 2010. Additional

1 information obtained from Respondent's physicians revealed that her admitting diagnosis was
2 Bipolar Disorder with acute mania and that she remained under psychiatric care at CHOMP until
3 October 7, 2010. Medical records from that facility state that Respondent showed signs and
4 symptoms of being gravely disabled by her mental condition.

5 9. Between October 2010 and January 2011, the Board received information from
6 Respondent's employer Bilingual Therapies and the Monterey Peninsula Unified School District,
7 which indicated that Respondent was significantly impaired by mental disorganization and manic
8 behaviors while working as a speech-language pathologist with very young (zero- to three-year
9 old) children.

10 10. On January 25, 2011, Respondent signed a voluntary agreement to undergo a
11 psychological examination to determine if she was unable to practice safely and/or whether she
12 was impaired in her ability to practice safely.

13 11. The Board referred Respondent to psychologist John M. Shields, Ph.D., for
14 evaluation. Dr. Shields assessed Respondent's ability to function safely as a speech-language
15 pathologist, spending approximately 16 hours in face-to-face contact with Respondent, and
16 reviewed extensive medical documentation regarding her history and treatment. Based on several
17 months work, Dr. Shields concluded that Respondent suffers from Bipolar Disorder, Manic, with
18 psychotic features as well as a personality disorder. Respondent's mental illness prevents her
19 from safely and effectively functioning as a speech-language pathologist at this time, and
20 Respondent's mental condition has adversely affected her workplace behaviors and impaired her
21 professional judgment.

22 12. Respondent's license is subject to discipline pursuant to Sections 822 and 2531 of
23 the Code in that, due to mental illness, Respondent is unable to, and/or impaired in her ability to
24 practice speech pathology with safety to the public.

25 13. Grounds exist to revoke probation and to reimpose the order of revocation in that
26 Respondent is unable to safely practice speech pathology at this time.

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28 ///

PRAYER

WHEREFORE, Complainant prays that a hearing be held and that the Board issue an order:

1. Revoking or suspending Speech-Language Pathologist License No. SP7829 issued to Carla M. Pirie;
2. Revoking Respondent Carla M. Pirie's current probation and carrying out the disciplinary order that was stayed, a revocation of Respondent's license;
3. Ordering Respondent Carla M. Pirie to pay the Speech-Language Pathology and Audiology and Hearing Dispensers Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
4. Taking such other and further action as deemed necessary and proper.

DATED: January 5, 2012 Annemarie Del Mugnaio
ANNEMARIE DEL MUGNAIO
Executive Officer
Speech-Language Pathology, Audiology and Hearing Aid
Dispensers Board
Department of Consumer Affairs
State of California
Complainant