

DEPARTMENT OF CANNABIS CONTROL

**DISCIPLINARY GUIDELINES FOR ALL
DISTRIBUTOR, RETAILER,
MICROBUSINESS, CANNABIS EVENT
ORGANIZER, CANNABIS EVENT, AND
TESTING LABORATORY LICENSES**

AMENDED

JULY 2021

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I. INTRODUCTION

Pursuant to Business and Professions Code section 26011.5, the protection of the public is of the highest priority for the Department of Cannabis Control (Department). In keeping with its mandate to protect the public, the Department has adopted these recommended uniform guidelines in order to promote consistency in disciplinary orders for similar offenses on a statewide basis. This document is intended for use by those involved in the administrative disciplinary process (e.g., Administrative Law Judges (ALJ), Deputy Attorneys General (DAG), Department licensees and their legal counsel, and other interested parties), and may be revised from time to time, and distributed to interested parties upon request.

The Department requests that the suggested disciplinary orders contained in these guidelines be levied consistently and appropriately, based on the nature and seriousness of the violation(s) confirmed in an administrative action. The Department recognizes that mitigating or aggravating circumstances, in addition to other factors, may necessitate departure from these recommended orders and terms of probation. If there are any deviations from the guidelines, the Department requests that the ALJ hearing the matter include an explanation in the Proposed Decision so that the circumstances can be better understood and evaluated by the Department before final action is taken.

Additionally, these guidelines only apply to formal administrative disciplinary processes. These guidelines do not apply to other alternatives available to the Department, such as administrative citations and fines, except in cases where an Accusation has been filed for failure to pay an assessed administrative fine and/or comply with an order of abatement issued by the Department.

II. FACTORS TO BE CONSIDERED IN DETERMINING PENALTIES

In determining whether revocation, suspension, probation, fine, or a combination is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), violations, offenses, or crime(s) under consideration.
2. Actual or potential harm to the public.
3. Actual or potential harm to any consumer.
4. Prior disciplinary and/or administrative record.
5. Number and/or variety of current violations.
6. Mitigating evidence.
7. Rehabilitation evidence, including but not limited to, a statement of rehabilitation containing any evidence that demonstrates fitness for licensure, or a certificate of rehabilitation under Penal Code section 4852.01.
8. In case of a criminal conviction, compliance with conditions of sentence and/or court-ordered probation.
9. Overall criminal record.
10. Time passed since the act(s) or offense(s) occurred.
11. If applicable, evidence of expungement proceedings pursuant to Penal Code Section 1203.4.
12. Whether the conviction is a felony conviction based on possession or use of cannabis goods that would not be a felony if the person was convicted during the time of licensure.

III. DISCIPLINARY GUIDELINES

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) specifies the offenses for which the Department may take disciplinary action. Following are samples of the codes and regulation numbers, titles of the offenses and the associated Department determined disciplinary recommendations. When filing an accusation, the Department or Office of the Attorney General are not limited to the violations listed herein. They may also cite any and all additional related statutes and regulations violated not listed below. The following is **not** a comprehensive list of potential violations and in no way, should limit the Department or the Attorney General's Office from asserting any relevant and applicable violation. The Department suggests that for cases with multiple violations, suspensions or other disciplines run concurrently. All standard terms of probation as stated in these Disciplinary Guidelines shall be included for all probations.

As used in these Disciplinary Guidelines, statutes and regulations are referenced as follows:
Business and Professions Code: (B&P)
Title 4, California Code of Regulations: (CCR)
Penal Code: (PC)

California Code of Regulations Disciplinary Order Guidelines - Tier 1

Minimum: revocation stayed, 5 to 15-day suspension, a fine (as determined by the "Fine Formula" below), or a combination of a suspension and fine.

Maximum: revocation

Tier 1 discipline is recommended for:

- violations which are potentially harmful

Violations of the following codes are representative of this category:

Violation Description	Authority
Failure to Pay Appropriate Fees	CCR § 15015
Failure to Cancel, Destroy, or Surrender License	B&P § 119(d) CCR § 15022
Failure to Comply with Business Modifications Requirements and Notice	CCR § 15023
Use of Cannabis Diffuser or Vaporizer on Licensed Premises	CCR § 15025
Unauthorized Modification of Licensed Premises	B&P § 26055(c) CCR § 15027

Prohibited Distribution or Sale of Cannabis Goods Designated “For Medical Use Only”	CCR § 15032
Unauthorized Storage of Inventory	CCR § 15033
Failure to Maintain Records	B&P § 26160 CCR §§ 15037, 15310, 15426, 15505-15507, 15739
Unauthorized Use of the Track and Trace System and Failure to Maintain Track and Trace System Requirements	CCR §§ 15048-15052
Failure to Properly Display and Post License	CCR § 15039
Failure to Comply with Advertising and Marketing Requirements	B&P §§ 26151- 26152 CCR §§ 15040-15041
Failure to Maintain and Restrict Limited-Access and Other Restricted Areas	B&P § 26070 CCR § 15042
Failure of Licensee or Employee to Properly Display Licensee-issued Identification Badge	CCR § 15043
Failure to Comply with Security Requirements	CCR §§ 15044-15047 and 15403.1
Improper Acceptance or Rejection of Cannabis Goods Shipment	CCR § 15052.1
Failure to Comply with Proper Cannabis Destruction and Waste Management	CCR §§ 15054, 15405(c), 15410(e) and 15727(c)
Unauthorized Storage of Cannabis Goods and Storage-only Services	CCR §§ 15033 and 15300-15302
Failure to Comply with Packaging and Labeling Requirements	B&P §§ 26120-26121 CCR §§ 15303, 15408(a)(3), and 15412
Failure to Comply with Insurance Requirements	CCR § 15308
Failure to Account for Inventory, or to Complete Inventory Reconciliation as Required	CCR §§ 15051, 15309 and 15423-15424
Unauthorized Return of Cannabis Goods	CCR §§ 15053 and 15410

Failure to Comply with Transportation Requirements of Cannabis Goods	B&P § 26070 CCR §§ 15311-15312
Failure to Comply with Transport Personnel Requirements	CCR § 15313
Unauthorized Use of Distributor Transport Only License	CCR § 15315
Failure to Maintain Proper Chain of Custody of Testing Sample	CCR § 15706
Failure to Timely Submit a Certificate of Analysis and Results	CCR § 15726
Failure to Supply Requested Data to the Department in a Timely Manner	CCR § 15732
Failure to Comply with Shipping Manifest Requirements	B&P §§ 26067 and 26070 CCR § 15314
Failure to Confirm Age of Customers	B&P § 26140 CCR §§ 15400 and 15402
Unauthorized Hours of Operation	CCR § 15403 and 15422(b)
Failure to Properly Display Cannabis Goods	CCR § 15405
Unauthorized Sale of Cannabis Plants and Seeds	CCR § 15408(a)-(b)
Use of Pesticide on Live Plants	CCR § 15408(c)
Give Away or Furnishing of Free Cannabis Goods or Accessories	B&P § 26153 CCR § 15411
Failure to Comply with Exit Packaging Requirements	B&P § 26070.1 CCR § 15413
Failure to Comply with Delivery Requirements	CCR §§ 15415-15418 and 15421
Failure to Provide Delivery Request Receipts	B&P § 26090 CCR § 15420
Receipt of Inventory That Does Not Meet Requirements	CCR § 15422
Improper Retailer Premises Transfer	CCR § 15427
Failure to Comply with Requirements for Temporary Cannabis Event License	CCR § 15600 et seq.

Non-Permitted Use of License	B&P § 119(b)-(f)
Failure to Comply with Local Ordinance Regulating Commercial Cannabis Activity	B&P § 26030(f)
Failure to Comply with Operating Procedures	B&P § 26030(j)
Allowing for the Sale of Alcohol or Tobacco Products, or Storage or Consumption of Alcoholic Beverages, on Licensed Premises	B&P § 26054(a) CCR § 15025(d)
False or Misleading Health-Related Statements	B&P § 26154
Failure to Record Commercial Cannabis Activity on Sales Invoice or Receipt	B&P § 26161
Failure to Exercise Care for Safety of Self or Others Due to Being Under the Influence of an Intoxicating Substance	PC § 647(f)

California Code of Regulations Disciplinary Order Guidelines - Tier 2

Minimum: revocation stayed, 15 to 30-day suspension, a fine (as determined by the “Fine Formula” below), or a combination of a suspension and fine.

Maximum: revocation

Tier 2 discipline is recommended for:

- Violations with a serious potential for harm
- Violations which involve greater risk and disregard of public safety

Violations of the following codes are representative of this category:

Violation Description	Authority
Exceeding License Privileges for Commercial Cannabis Activity	B&P §§ 26050 and 26053
Holding an Interest in a Licensed Testing Laboratory and Other Commercial Cannabis License	B&P § 26053(b)
Unauthorized Use and Operation of Designated Licensed Premises	CCR § 15025
Sale or Delivery of Cannabis Goods to a Motor Vehicle	CCR § 15025(c)
Subletting of Premises	CCR § 15028

Failure to Comply with Track and Trace Reporting and System Reconciliation Requirements	CCR §§ 15049-15051
Failure to Comply with Video Surveillance System Requirements	CCR § 15044
Failure to Comply with Security Personnel Requirements	CCR § 15045
Failure to Comply with Age Restrictions for Employees and Other Persons Retained by Licensee	B&P § 26140 CCR § 15031
Sale or Furnish of Adult-use Cannabis Goods to Minors	B&P §§ 26030(g) and 26140 CCR § 15404(a)
Unauthorized Consumption of Cannabis Goods on Licensed Premises	B&P § 26200
Unauthorized Sale of Non-Cannabis Goods on Premises	CCR § 15407
Exceeding Daily Limits of Cannabis Goods Sales	CCR § 15409
Unauthorized Storefront Activities with Non-Storefront Retail License	CCR § 15414
Consumption of Cannabis Goods During Delivery	CCR § 15419
Failure to Ensure Laboratory Testing Arrangements, Proper Sampling and Quality Assurance	CCR §§ 15304-15305, and 15307
Failure to Present the Cannabis Goods Batch With Accurate Information, in its Entirety, and Final Form	CCR §§ 15304 and 15305
Reporting Results when Laboratory Quality Control (LQC) Data is Outside of Acceptance Criteria and/or Not Analyzing Required LQC Samples	CCR § 15730
Failure to Follow Good Laboratory Practices	CCR §§ 15729 and 15730
Unauthorized Remediation of Failed Sample Batches	CCR § 15306
Failure to Comply with Microbusiness Requirements	CCR § 15500 et seq.
Failure to Comply with Laboratory Testing Requirements	CCR § 15700 et seq.

Failure to Obtain a Representative Sample	CCR §§ 15707 and 15708
Unauthorized Re-sampling and/or Re-testing of a Cannabis Goods Batch	CCR § 15305.1
False or Misleading Declaration of Correction in a Notice to Comply	CCR § 15801
Prohibited Attire and Conduct	CCR § 15806
Prohibited Entertainers and Conduct	CCR § 15807
Allowing for the Copy or Display of a Fictitious License or a License that is Canceled, Revoked, or Altered	B&P § 119
Misdemeanor Offenses by Licensees	B&P § 125
Discipline by Another Agency	B&P § 141
Failure to Provide Safe Conditions for Inspection	B&P § 26030(i)
Engaging in any Prohibited Restraint of Trade, or Other Prohibited Act to Create a Monopoly or Injure Competitors	B&P § 26052
Violation of Building Standards or Regulations Relating to Hazardous Materials	B&P § 26056
Failure to Comply with Manufacturing Standards	B&P §§ 26130-26133

California Code of Regulations Disciplinary Order Guidelines - Tier 3

Minimum: revocation stayed, 45-day suspension, a fine (as determined by the “Fine Formula” below), or a combination of a suspension and fine.

Maximum: revocation

Tier 3 discipline is recommended for:

- Knowing or willfully violating laws or regulations pertaining to commercial cannabis activity
- Fraudulent acts relating to the licensee’s commercial cannabis business

Violations of the following codes are representative of this category:

Violation Description	Authority
Engaging in Business Modification Practices without Department Approval	CCR § 15023
Failure to Notify the Department of a Change in Ownership	CCR §§ 15023(c) and 15024
Obtaining a License for Premises in Restricted Location	B&P § 26054 CCR § 15026
Conducting Commercial Cannabis Activity with Non-Licensees	CCR § 15032(a)
Failure to Notify the Department of Criminal Acts, Civil Judgments, Labor Standards Violations, and Revocation of a Local Authorization after Licensure	CCR § 15035
Failure to Notify the Department of Significant Discrepancy, Theft, Loss, and Criminal Activity	B&P § 26070 (k) CCR § 15036
Restricting or Hindering the Examination of Books, Records, or Equipment	B&P §§ 26160-26161 CCR §§ 15037(c)-(e) and 15800
False Reporting of a Disaster	CCR § 15038
Retail Sale of Untested Cannabis Goods, or Cannabis Goods Not Received From a Licensed Distributor or Licensed Microbusiness	CCR § 15406
Sale of Customer-Returned Cannabis Goods	CCR § 15410(c)

Unauthorized Release of a Cannabis Goods Batch for Retail Sale, Including Dry-labbing and/or False Reporting of Results	CCR §§ 15707-15708, 15710, 15715, 15717 et seq., 15727, 15730
Unauthorized Release of a Cannabis Goods Batch for Retail Sale or Distribution Transfers	CCR §§ 15304, 15305, 15306, 15307, 15307.1, and 15307.2
Failure to Complete all Required Analyses at One Licensed Laboratory Premises, Including Subcontracting or Transferring Samples Between Laboratories	CCR § 15705
Amending or Changing a Regulatory Compliance COA after Issuance	CCR § 15726
Obstruction of Inspections, Investigations, or Audits	CCR § 15800
Failure to Provide Access to Premises for Any Inspection, Audit, Review, or Investigation	CCR § 15800
Delivery or Transport of Cannabis Goods Outside of California or to a Publicly Owned or Leased Location	B&P § 26080 CCR § 15416(b)-(c)
Failure to Correct Any Objectionable Conditions on Premises	CCR § 15808(a)-(b)
Illegal Sale of Dangerous Drugs, or Other Controlled Substances	CCR § 15808(e)
Failure to Pay Fine	B&P § 125.9(b)(5) CCR § 15802
Engage in Conduct that is Grounds for Denial of Licensure	B&P § 480(a)
False Statement or Omission in Application	B&P § 480(d)
Conviction of a Crime Substantially Related to Qualifications, Functions, or Duties of Licensure	B&P § 490(a)
Securing License by Fraud, Deceit, or Misrepresentation.	B&P § 498
Failure to Pay Taxes	B&P § 26030(d)
Unauthorized Release of Patient Information	B&P § 26162.5

Fine Formula

In instances where the Bureau allows a fine to be paid, the following method will be used to calculate the fine.

Gross Revenue divided by **Number of Days Open During the Preceding 12 Months** = **Average Daily Sale Amount**

50% of the Average Daily Sale Amount multiplied by **Number of Days of the Suspension** = **Potential Fine Amount**

The books and records of the licensee shall be kept in such a manner that the gross revenue, average daily sale amount, and/or the loss of profits from commercial cannabis activity that the licensee would have suffered from a suspension can be determined with reasonable accuracy, and such books, records, and information shall be accessible to the Department to make an accurate and complete determination of any fine amount. The fine formula is a guide for calculating a fine amount and is not determinative of any assessed or final fine amount. The Department may in its sole discretion adjust the fine amount against any licensee to any amount within the minimum and maximum fine amounts, or to any amount exceeding the maximum fine amount for each license type. The factors the Department will consider in determining a fine amount include those factors under Section II of the Disciplinary Guidelines.

Minimum and Maximum Fine Amounts

The minimum and maximum fine amount is based on the tier the licensee falls into on the annual license fee schedule listed in 4 CCR § 15014. These fine amounts do not limit or supersede any fine amounts prescribed by statute, if the statutory fines exceed those amounts listed here. For instance, Business and Professions Code section 26160, subsection (f), provides that a licensee shall be subject to a citation and fine of up to thirty thousand dollars per individual violation, for a failure to maintain or provide records as required pursuant to that section. The minimum fine amount for any disciplinary action shall not be less than \$1,000.

Minimum and Maximum Fine Amounts for Testing Laboratory

Gross Revenue (\$ Max. Per License)	Minimum Fine to Maximum Fine
Less or equal to \$160,000	\$1,500 to \$6,000
More than \$160,000 and less or equal to \$320,000	\$3,000 to \$12,000
More than \$320,000 and less or equal to \$480,000	\$4,000 to \$16,000
More than \$480,000 and less or equal to \$800,000	\$6,500 to \$26,000
More than \$800,000 and less or equal to \$1.2 million	\$10,000 to \$40,000
More than \$1.2 million and less or equal to \$2.0 million	\$16,000 to \$64,000
More than \$2.0 million and less or equal to \$2.8 million	\$24,000 to \$96,000
More than \$2.8 million and less or equal to \$4.4 million	\$36,000 to \$144,000
More than \$4.4 million	\$56,000 to \$224,000

Minimum and Maximum Fine Amounts for Distributor

Gross Revenue (\$ Max. Per License)	Minimum Fine to Maximum Fine
Less or equal to \$1.0 million	\$1,000 to \$3,000
More than \$1.0 million and less or equal to \$2.5 million	\$3,000 to \$12,000
More than \$2.5 million and less or equal to \$5.0 million	\$5,625 to \$22,500
More than \$5.0 million and less or equal to \$10.0 million	\$11,250 to \$45,000
More than \$10.0 million and less or equal to \$20.0 million	\$22,500 to \$90,000
More than \$20.0 million and less or equal to \$30.0 million	\$37,500 to \$150,000
More than \$30.0 million and less or equal to \$50.0 million	\$60,000 to \$240,000
More than \$50.0 million and less or equal to \$70.0 million	\$90,000 to \$360,000
More than \$70.0 million	\$120,000 to \$480,000

Minimum and Maximum Fine Amounts for Distributor Transport Only (Self Distribution)

Gross Revenue (\$ Max. Per License)	Minimum Fine to Maximum Fine
Less or equal to \$1,000	\$1,000 to \$2,000
More than \$1,000 and less or equal to \$3,000	\$1,000 to \$4,000

Minimum and Maximum Fine Amounts for Retailer

Gross Revenue (\$ Max. Per License)	Minimum Fine to Maximum Fine
Less or equal to \$500,000	\$1,250 to \$5,000
More than \$500,000 and less or equal to \$750,000	\$2,750 to \$11,000
More than \$750,000 and less or equal to \$1.0 million	\$3,750 to \$15,000
More than \$1.0 million and less or equal to \$1.5 million	\$5,500 to \$22,000
More than \$1.5 million and less or equal to \$2.0 million	\$7,250 to \$29,000
More than \$2.0 million and less or equal to \$3.0 million	\$11,250 to \$45,000
More than \$3.0 million and less or equal to \$4.0 million	\$15,250 to \$61,000
More than \$4.0 million and less or equal to \$5.0 million	\$19,250 to \$77,000
More than \$5.0 million and less or equal to \$6.0 million	\$23,250 to \$93,000
More than \$6.0 million and less or equal to \$7.5 million	\$28,500 to \$114,000
More than \$7.5 million	\$48,000 to \$192,000

Minimum and Maximum Fine Amounts for Microbusiness

Gross Revenue (\$ Max. Per License)	Minimum Fine to Maximum Fine
Less or equal to \$1.0 million	\$2,500 to \$10,00
More than \$1.0 and less or equal to \$2.0 million	\$6,000 to \$24,000
More than \$2.0 and less or equal to \$3.0 million	\$10,000 to \$40,000
More than \$3.0 and less or equal to \$4.0 million	\$16,000 to \$64,000
More than \$4.0 and less or equal to \$6.0 million	\$22,500 to \$90,000
More than \$6.0 and less or equal to \$7.0 million	\$30,000 to \$120,000
More than \$7.0 and less or equal to \$10.0 million	\$40,000 to \$160,000
More than \$10.0 and less or equal to \$20.0 million	\$50,000 to \$200,000
More than \$20.0 and less or equal to \$30.0 million	\$60,000 to \$240,000
More than \$30.0 and less or equal to \$40.0 million	\$70,000 to \$280,000
More than \$40.0 and less or equal to \$50.0 million	\$80,000 to \$320,000
More than \$50.0 and less or equal to \$60.0 million	\$90,000 to \$360,000
More than \$60.0 and less than or equal to \$80.0 million	\$110,000 to \$440,000
More than \$80 million	\$150,000 to \$600,000

IV. STANDARD CONDITIONS OF PROBATION

The protection of the public is the highest priority of the Department. In disciplinary matters where probation has been imposed, the Department believes the conditions of probation will help ensure public protection and allow the probationer the opportunity to demonstrate rehabilitation. The following conditions of probation provide for consumer protection and establish a mechanism to monitor the rehabilitation progress of a probationer. Generally, the Department recommends a minimum of three (3) years' probation.

Introductory Language and Conditions 1-9 are required as follows:

1. OBEY LAWS

- Respondent shall obey all state and local laws. A full and detailed account of any and all violations of law shall be reported by the respondent to the Department in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.
- CRIMINAL COURT ORDERS: If respondent, or an owner of the respondent, is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. SUBMIT WRITTEN REPORTS

- Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Department, but no more frequently than once each calendar quarter. These reports/declarations shall contain statements relative to respondent's compliance with all the conditions of the Department's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Department or its representatives.

3. REPORT IN PERSON

- Respondent, during the period of probation, through its designated owner or owners, shall appear in person at interviews/meetings as directed by the Department or its representatives.

4. COMPLY WITH CONDITIONS OF PROBATION

- Respondent shall fully comply with the conditions of probation established by the Department and cooperate with representatives of the Department in its monitoring and investigation of the respondent's compliance with the Department's Probation Program. Respondent shall inform the Department in writing within no more than 15 calendar days of any address change. Upon successful completion of probation, respondent's license shall be fully restored.

5. POSTING OF SIGN

- During the period of suspension, Respondent shall prominently post a sign or signs, provided by the Department, indicating the beginning and ending dates of the suspension and indicating the reason for the suspension. The sign or signs shall be conspicuously displayed in a location or locations open to and frequented by customers. The location(s) of the sign(s) shall be approved by the Department and shall remain posted during the entire period of actual suspension.
- Additionally, the Respondent shall circulate a notice of the conditions of probation to all employees and post the notice in a conspicuous place where notices to employees are posted or available to employees. New employees shall also be provided a copy of the notice of the conditions of probation.

6. MAINTAIN VALID LICENSE

- Respondent shall, at all times while on probation, maintain a current and valid license with the Department, including any period during which suspension or probation is tolled.

7. COST RECOVERY

- Respondent shall pay to the Department costs associated with its investigation and enforcement pursuant to Business and Professions Code Section 26031 in the amount of \$_____. Respondent shall be permitted to pay these costs in a payment plan approved by the Department, with payments to be completed no later than three months prior to the end of the probation term.
- If respondent has not complied with this condition during the probationary term, and respondent has presented sufficient documentation of good faith efforts to comply with this condition, and if no other conditions have been violated, the Department, in its discretion, may grant an extension of the respondent’s probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation will apply.

8. LICENSE SURRENDER

- During respondent’s term of probation, if it ceases business or is otherwise unable to satisfy the conditions of probation, respondent may surrender its license to the Department. The Department reserves the right to evaluate respondent’s request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license, respondent will no longer be subject to the conditions of probation. Surrender of respondent’s license shall be considered a disciplinary action and shall become a part of respondent’s license history with the Department.

9. VIOLATION OF PROBATION

- If a respondent violates the conditions of probation, the Department after giving the respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of the respondent’s license. If during the period of probation, an accusation or petition to revoke probation is filed against respondent’s license, or the Department has served the respondent a notice of intent to set aside the stay, the Department shall have continuing jurisdiction, and the probationary period shall automatically be extended and shall not expire until final resolution of the matter.

V. INTRODUCTORY LANGUAGE AND OPTIONAL TERMS AND CONDITIONS OF PROBATION

The following introductory language and all standard probation conditions are to be included in probationary decisions/orders. For applicants, cost recovery conditions do not apply. For licensees, all standard probation conditions apply. Optional terms and conditions may be included in orders of probation based upon violations.

INTRODUCTORY LANGUAGE FOR ALL ORDERS

IT IS HEREBY ORDERED that License Number _____ issued to Respondent is [revoked/suspended/fined] [for/in the amount of] [days/amount], [however, the revocation

is stayed] and respondent is placed on probation for _____ years on the following conditions.

SEVERABILITY CLAUSE – Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.