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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2023-094493

12 **YVETTE LORETO, PTGL**
13 **157 E. Riverside Dr., Bldg. A2**
Watsonville, CA 95076-5080

DEFAULT DECISION
AND ORDER

14 **Polysomnographic Technologist**
15 **Registration No. PTGL 589**

[Gov. Code, §11520]

16 Respondent.

17 **FINDINGS OF FACT**

18 1. On or about October 14, 2025, Complainant Reji Varghese, in his official capacity as
19 the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed
20 an Accusation, Case No. 800-2023-094493, against Respondent Yvette Loreto, PTGL
21 (Respondent) before the Medical Board of California. The Accusation was based upon two
22 separate incidents of driving under the influence of alcohol on December 24, 2022, and December
23 1, 2023, respectively. Both of these incidents resulted in misdemeanor convictions in the
24 Superior Court, County of Santa Cruz.

25 2. On or about January 7, 2014, the Medical Board of California (Board) issued
26 Polysomnographic Technologist Registration No. PTGL 589 to Respondent. The
27 Polysomnographic Technologist Registration was in full force and effect at all times relevant to
28

1 the charges brought herein and will expire on January 31, 2026, unless renewed. (Exhibit
2 Package: Exhibit 1, Certificate of Licensure.)

3 3. On January 20, 2023, a misdemeanor complaint entitled *People vs. Yvette Loreto-*
4 *Zamora*, Case No. 23CR00310, was filed in the Superior Court, County of Santa Cruz, alleging
5 that on December 24, 2022, Respondent drove a vehicle with a blood alcohol concentration that
6 was 0.08 percent or higher in violation of Vehicle Code section 23152(b). Later, on May 8, 2023,
7 Respondent pled no contest to a misdemeanor violation of Vehicle Code section 23152(b),
8 driving under the influence with a blood alcohol content of 0.08 percent or more, by weight, of
9 alcohol in her blood. (Exhibit Package: Exhibit 2, Certified Conviction Documents.)

10 4. On December 19, 2023, a misdemeanor complaint entitled *People vs. Yvette Loreto-*
11 *Zamora*, Case No. 23CR05535, was filed in the Superior Court, County of Santa Cruz, that
12 alleged on December 1, 2023, Respondent drove a vehicle with a blood alcohol concentration that
13 was 0.08 percent or higher in violation of Vehicle Code section 23152(b). Later, on August 29,
14 2024, Respondent pled no contest to a misdemeanor violation of Vehicle Code section 23152(b),
15 driving under the influence with a blood alcohol content of 0.08 percent or more, by weight, of
16 alcohol in her blood. Respondent admitted to one prior driving under the influence conviction.
17 Respondent also admitted to the enhancement of driving with a blood alcohol content in excess of
18 .15 percent, pursuant to Vehicle Code section 23578. (Exhibit Package: Exhibit 3, Certified
19 Conviction Documents.)

20 5. On or about October 14, 2025, Talia Silva, an employee of the Board, served by both
21 U.S. Mail and U.S. Certified Mail a copy of the Accusation, Case No. 800-2023-094493,
22 Statement to Respondent, Request for Discovery, Government Codes 11507.5, 11507.6, and
23 11507.7, and two copies of the Notice of Defense form, to Respondent's address of record with
24 the Board, which was and is 157 E. Riverside Dr., Bldg. A2, Watsonville, CA 95076-5080.
25 (Exhibit Package: Exhibit 4, Accusation, related documents, and Declaration of Service.)

26 6. Service of the Accusation was effective as a matter of law under the provisions of
27 Government Code section 11505, subdivision (c).
28

1 7. By October 27, 2025, the aforementioned documents served by both U.S. Mail and
2 U.S. Certified Mail were returned by the U.S. Postal Service to the Board. (Exhibit Package:
3 Exhibit 5, Declaration of Talia Silva.)

4 8. Again on or about October 28, 2025, Talia Silva, an employee of the Board, served
5 by both U.S. Mail and U.S. Certified Mail a copy of the Accusation, Case No. 800-2023-094493,
6 Statement to Respondent, Request for Discovery, Government Codes 11507.5, 11507.6, and
7 11507.7, and two copies of the Notice of Defense form, to Respondent's address of record with
8 the Board, which was and is 157 E. Riverside Dr., Bldg. A2, Watsonville, CA 95076-5080.
9 (Exhibit Package: Exhibit 6, Proof of Service.) By November 17, 2025, the aforementioned
10 documents mailed by First Class U.S. Mail were returned to the Board by the U.S. Postal Office,
11 marked "Return to Sender." (Exhibit Package: Exhibit 7, Returned envelope re First Class U.S.
12 Mail.) By November 24, 2025, the aforementioned documents mailed by Certified U.S. Mail
13 were returned to the Board by the U.S. Postal Office, marked "Return to Sender." (Exhibit
14 Package: Exhibit 8, Returned envelope re Certified U.S. Mail.) *See*
15 https://tools.usps.com/go/TrackConfirmAction_input?origTrackNum=70202450000068647627
16 (last reviewed December 9, 2025).

17 9. On or about November 14, 2025, an employee of the Attorney General's Office sent a
18 Courtesy Notice of Default (Courtesy Notice) to Respondent at Respondent's address of record
19 by both U.S. Mail and U.S. Certified Mail. The address of record was and is 157 E. Riverside
20 Dr., Bldg. A2, Watsonville, CA 95076-5080. The Courtesy Notice advised Respondent of the
21 service of the Accusation and provided Respondent with an opportunity to file a Notice of
22 Defense and request relief from default. The Courtesy Notice included a copy of the Accusation,
23 the Statement to Respondent, a Notice of Defense, Request for Discovery, and discovery statutes,
24 and it advised Respondent that she was in default. (Exhibit Package: Exhibit 9, Courtesy Notice
25 of Default and Declaration of Service.)

26 10. Respondent failed to file a Notice of Defense within 15 days after service upon her of
27 the Accusation, and therefore, she waived her right to a hearing on the merits of the Accusation,
28 Case No. 800-2023-094493.

1 11. Cost incurred by the Board investigating and enforcing the matter amounted to
2 \$16,617.00. (Exhibit Package: Exhibit 10, Certification of Costs, Declaration of Trace O.
3 Maiorino, Deputy Attorney General.)

4 **STATUTORY AUTHORITY**

5 12. Government Code section 11506 states, in pertinent part:

6 (c) The respondent shall be entitled to a hearing on the merits if the respondent
7 files a notice of defense, and the notice shall be deemed a specific denial of all parts
8 of the accusation not expressly admitted. Failure to file a notice of defense shall
9 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
10 may nevertheless grant a hearing.

11 13. Respondent waived her right to a hearing on the merits of the Accusation, Case No.
12 800-2023-094493, because she failed to file a Notice of Defense within 15 days after service
13 upon her of the Accusation.

14 14. California Government Code section 11520 states, in pertinent part:

15 (a) If the respondent either fails to file a notice of defense or to appear at the
16 hearing, the agency may take action based upon the respondent's express admissions
17 or upon other evidence and affidavits may be used as evidence without any notice to
18 respondent.

19 15. Business and Professions Code section 125.3 states, in pertinent part:

20 (a) Except as otherwise provided by law, in any order issued in resolution of a
21 disciplinary proceeding before any board within the department or before the
22 osteopathic Medical Board, upon request of the entity bringing the proceeding, the
23 administrative law judge may direct a licensee found to have committed a violation or
24 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
25 investigation and enforcement of the case.

26 16. Pursuant to its authority under Government Code section 11520, the Board finds
27 Respondent is in default. The Board will take action without further hearing and, based on
28 Respondent's express admissions by way of default and the evidence before it, contained in the
Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, filed concurrently in the Exhibits Package, finds that the
allegations in the Accusation, Case No. 800-2023-094493, are true.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Yvette Loreto has subjected her
Polysomnographic Technologist Registration No. PTGL 589 to discipline.

1 2. A copy of the Accusation and the related documents and Declaration of Service are
2 contained in the Exhibit Package, filed concurrently.

3 3. The Board has jurisdiction to adjudicate this case by default.

4 4. Pursuant to its authority under Government Code section 11520, the Board finds
5 Respondent Yvette Loreto is in default. The Board will take action without further hearing and,
6 based on Respondent Yvette Loreto's express admissions by way of default and the evidence
7 before it contained in the Exhibit Package, finds that the allegations in the Accusation, Case No.
8 800-2023-094493, as follows, are true.

9 a. Based upon the December 24, 2022 incident, Respondent Yvette Loreto is
10 subject to disciplinary action under sections 480, 490, 3576, and 3576.3, subdivision (c), of the
11 Code and section 1379.68 of Title 16 of the California Code of Regulations, in that Respondent
12 was convicted of a crime substantially related to the practice of polysomnography. Respondent
13 engaged in unprofessional conduct when she was convicted on or about May 8, 2023, of driving
14 on December 24, 2022, under the influence with an alcohol blood content in excess of .08
15 percent, a violation of Vehicle Code section 23152(b), a misdemeanor.

16 b. Based upon the December 24, 2022 incident, Respondent Yvette Loreto is also
17 subject to disciplinary action under sections 480, 3576, and 3576.3, subdivision (b), of the Code,
18 in that on December 24, 2022, Respondent consumed alcohol to such an extent as to be dangerous
19 to herself and other members of the public.

20 c. Based upon the December 1, 2023 incident, Respondent Yvette Loreto is
21 subject to disciplinary action under sections 480, 490, 3576, and 3576.3, subdivision (c), of the
22 Code and section 1379.68 of Title 16 of the California Code of Regulations in that Respondent
23 was convicted of a crime substantially related to the practice of polysomnography. Respondent
24 engaged in unprofessional conduct when she was convicted on or about August 29, 2024, of
25 driving on December 1, 2023, under the influence with an alcohol blood content in excess of .08
26 percent, a violation of Vehicle Code section 23152(b), a misdemeanor.

27 d. Based upon the December 1, 2023 incident, Respondent Yvette Loreto is also
28 subject to disciplinary action under sections 480, 3576, and 3576.3, subdivision (b), of the Code,

1 in that on December 1, 2023, Respondent consumed alcohol to such an extent as to endanger
2 herself and other members of the public.

3 5. The Medical Board of California is authorized to revoke Respondent Yvette Loreto's
4 Polysomnographic Technologist Registration No. PTGL 589 based upon the allegations in the
5 Accusation, Case No. 800-2023-094493.

6 6. Pursuant to Business and Professions Code section 125.3, the Board is authorized to
7 order Respondent to pay the Board the reasonable costs of investigation and enforcement of the
8 case prayed for in the Accusation, totaling \$16,617.00, based on the Certification of Costs.
9 (Exhibit Package: Exhibit 10, Certification of Costs, Declaration of Trace O. Maiorino)

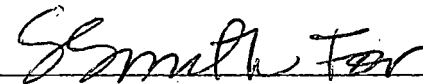
10 **ORDER**

11 IT IS SO ORDERED that Polysomnographic Technologist Registration No. PTGL 589,
12 heretofore issued to Respondent Yvette Loreto, is revoked. Respondent Yvette Loreto is ordered
13 to pay the Board the costs of the investigation and enforcement of this case in the amount of
14 \$16,617.00.

15 **Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a**
16 **written motion requesting that the Decision be vacated and stating the grounds relied on**
17 **within seven (7) days after service of the Decision on Respondent.** The Board in its discretion
18 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the
19 statute.

20 This Decision shall become effective at 5:00 p.m. on JAN 20 2026.

21 It is so ORDERED JAN 07 2026

22
23 

24 REJI VARGHESE
25 EXECUTIVE DIRECTOR
26 MEDICAL BOARD OF CALIFORNIA
27 DEPARTMENT OF CONSUMER AFFAIRS
28

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9 **MEDICAL BOARD OF CALIFORNIA**
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11 In the Matter of the Accusation Against:

Case No. 800-2023-094493

12 **YVETTE LORETO**
13 **157 E. Riverside Dr. Bldg. A2**
Watsonville, CA 95076-5080

A C C U S A T I O N

14 **Polysomnographic Technologist**
15 **Registration No. PTGL 589,**

Respondent.

16
17
18 **PARTIES**

19 1. Reji Varghese (Complainant) brings this Accusation solely in his official capacity as
20 the Executive Director of the Medical Board of California, Department of Consumer Affairs
21 (Board).

22 2. On or about January 7, 2014, the Medical Board issued Polysomnographic
23 Technologist Registration Number PTGL 589 to Yvette Loreto (Respondent). The
24 Polysomnographic Technologist Registration was in full force and effect at all times relevant to
25 the charges brought herein and will expire on January 31, 2026, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 480 of the Code states:

(a) Notwithstanding any other provision of this code, a board may deny a license regulated by this code on the grounds that the applicant has been convicted of a crime or has been subject to formal discipline only if either of the following conditions are met:

(1) The applicant has been convicted of a crime within the preceding seven years from the date of application that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, regardless of whether the applicant was incarcerated for that crime, or the applicant has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made and for which the applicant is presently incarcerated or for which the applicant was released from incarceration within the preceding seven years from the date of application. However, the preceding seven-year limitation shall not apply in either of the following situations:

(A) The applicant was convicted of a serious felony, as defined in Section 1192.7 of the Penal Code or a crime for which registration is required pursuant to paragraph (2) or (3) of subdivision (d) of Section 290 of the Penal Code.

(B) The applicant was convicted of a financial crime currently classified as a felony that is directly and adversely related to the fiduciary qualifications, functions, or duties of the business or profession for which the application is made, pursuant to regulations adopted by the board, and for which the applicant is seeking licensure under any of the following:

(i) Chapter 6 (commencing with Section 6500) of Division 3.

(ii) Chapter 9 (commencing with Section 7000) of Division 3.

(iii) Chapter 11.3 (commencing with Section 7512) of Division 3.

(iv) Licensure as a funeral director or cemetery manager under Chapter 12 (commencing with Section 7600) of Division 3.

(v) Division 4 (commencing with Section 10000).

(2) The applicant has been subjected to formal discipline by a licensing board in or outside California within the preceding seven years from the date of application based on professional misconduct that would have been cause for discipline before the board for which the present application is made and that is substantially related to the qualifications, functions, or duties of the business or profession for which the present application is made. However, prior disciplinary action by a licensing board within the preceding seven years shall not be the basis for denial of a license if the basis for that disciplinary action was a conviction that has been dismissed pursuant to

1 Section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code or a
2 comparable dismissal or expungement. Formal discipline that occurred earlier than
3 seven years preceding the date of application may be grounds for denial of a license
4 only if the formal discipline was for conduct that, if committed in this state by a
physician and surgeon licensed pursuant to Chapter 5 (commencing with Section
2000) of Division 2, would have constituted an act of sexual abuse, misconduct, or
relations with a patient pursuant to Section 726 or sexual exploitation as defined in
subdivision (a) of Section 729.

5 (b) Notwithstanding any other provision of this code, a person shall not be
6 denied a license on the basis that the person has been convicted of a crime, or on the
7 basis of acts underlying a conviction for a crime, if that person has obtained a
certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of
Title 6 of Part 3 of the Penal Code, has been granted clemency or a pardon by a state
or federal executive, or has made a showing of rehabilitation pursuant to Section 482.

8 (c) Notwithstanding any other provision of this code, a person shall not be
9 denied a license on the basis of any conviction, or on the basis of the acts underlying
10 the conviction, that has been dismissed pursuant to Section 1203.4, 1203.4a, 1203.41,
11 1203.42, or 1203.425 of the Penal Code, or a comparable dismissal or expungement.
An applicant who has a conviction that has been dismissed pursuant to Section
1203.4, 1203.4a, 1203.41, or 1203.42 of the Penal Code shall provide proof of the
dismissal if it is not reflected on the report furnished by the Department of Justice.

12 (d) Notwithstanding any other provision of this code, a board shall not deny a
13 license on the basis of an arrest that resulted in a disposition other than a conviction,
14 including an arrest that resulted in an infraction, citation, or a juvenile adjudication.

15 (e) A board may deny a license regulated by this code on the ground that the
16 applicant knowingly made a false statement of fact that is required to be revealed in
the application for the license. A board shall not deny a license based solely on an
applicant's failure to disclose a fact that would not have been cause for denial of the
license had it been disclosed.

17 (f) A board shall follow the following procedures in requesting or acting on an
18 applicant's criminal history information:

19 (1) A board issuing a license pursuant to Chapter 3 (commencing with Section
20 5500), Chapter 3.5 (commencing with Section 5615), Chapter 10 (commencing with
Section 7301), Chapter 20 (commencing with Section 9800), or Chapter 20.3
(commencing with Section 9880), of Division 3, or Chapter 3 (commencing with
Section 19000) or Chapter 3.1 (commencing with Section 19225) of Division 8 may
21 require applicants for licensure under those chapters to disclose criminal conviction
22 history on an application for licensure.

23 (2) Except as provided in paragraph (1), a board shall not require an applicant
24 for licensure to disclose any information or documentation regarding the applicant's
criminal history. However, a board may request mitigating information from an
25 applicant regarding the applicant's criminal history for purposes of determining
substantial relation or demonstrating evidence of rehabilitation, provided that the
26 applicant is informed that disclosure is voluntary and that the applicant's decision not
to disclose any information shall not be a factor in a board's decision to grant or deny
an application for licensure.

27 (3) If a board decides to deny an application for licensure based solely or in part
28 on the applicant's conviction history, the board shall notify the applicant in writing of

all of the following:

(A) The denial or disqualification of licensure.

(B) Any existing procedure the board has for the applicant to challenge the decision or to request reconsideration.

(C) That the applicant has the right to appeal the board's decision.

(D) The processes for the applicant to request a copy of the applicant's complete conviction history and question the accuracy or completeness of the record pursuant to Sections 11122 to 11127 of the Penal Code.

(g) (1) For a minimum of three years, each board under this code shall retain application forms and other documents submitted by an applicant, any notice provided to an applicant, all other communications received from and provided to an applicant, and criminal history reports of an applicant.

(2) Each board under this code shall retain the number of applications received for each license and the number of applications requiring inquiries regarding criminal history. In addition, each licensing authority shall retain all of the following information:

(A) The number of applicants with a criminal record who received notice of denial or disqualification of licensure.

(B) The number of applicants with a criminal record who provided evidence of mitigation or rehabilitation.

(C) The number of applicants with a criminal record who appealed any denial or disqualification of licensure.

(D) The final disposition and demographic information, consisting of voluntarily provided information on race or gender, of any applicant described in subparagraph (A), (B), or (C).

(3) (A) Each board under this code shall annually make available to the public through the board's internet website and through a report submitted to the appropriate policy committees of the Legislature deidentified information collected pursuant to this subdivision. Each board shall ensure confidentiality of the individual applicants.

(B) A report pursuant to subparagraph (A) shall be submitted in compliance with Section 9795 of the Government Code.

(h) "Conviction" as used in this section shall have the same meaning as defined in Section 7.5.

(i) This section does not in any way modify or otherwise affect the existing authority of the following entities in regard to licensure:

(1) The State Athletic Commission.

(2) The Bureau for Private Postsecondary Education.

(3) The California Horse Racing Board.

1 5. Section 490 of the Code states:

2 (a) In addition to any other action that a board is permitted to take against a
3 licensee, a board may suspend or revoke a license on the ground that the licensee has
4 been convicted of a crime, if the crime is substantially related to the qualifications,
5 functions, or duties of the business or profession for which the license was issued.

6 (b) Notwithstanding any other provision of law, a board may exercise any
7 authority to discipline a licensee for conviction of a crime that is independent of the
8 authority granted under subdivision (a) only if the crime is substantially related to the
9 qualifications, functions, or duties of the business or profession for which the
10 licensee's license was issued.

11 (c) A conviction within the meaning of this section means a plea or verdict of
12 guilty or a conviction following a plea of nolo contendere. Any action that a board is
13 permitted to take following the establishment of a conviction may be taken when the
14 time for appeal has elapsed, or the judgment of conviction has been affirmed on
15 appeal, or when an order granting probation is made suspending the imposition of
16 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of
17 the Penal Code.

18 (d) The Legislature hereby finds and declares that the application of this section
19 has been made unclear by the holding in *Petropoulos v. Department of Real Estate*
20 (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant
21 number of statutes and regulations in question, resulting in potential harm to the
22 consumers of California from licensees who have been convicted of crimes.
23 Therefore, the Legislature finds and declares that this section establishes an
24 independent basis for a board to impose discipline upon a licensee, and that the
25 amendments to this section made by Chapter 33 of the Statutes of 2008 do not
26 constitute a change to, but rather are declaratory of, existing law.

27 6. Section 3576 of the Code states:

28 (a) A registration under this chapter may be denied, suspended, revoked, placed
on probation, or otherwise subjected to discipline for any of the following by the
holder:

(1) Incompetence, gross negligence, or repeated similar negligent acts
performed by the registrant.

(2) An act of dishonesty or fraud.

(3) Committing any act or being convicted of a crime constituting grounds for
denial of licensure or registration under Section 480.

(4) Violating or attempting to violate this chapter or any regulation adopted
under this chapter.

(b) Proceedings under this section shall be conducted in accordance with
Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the
Government Code, and the board shall have all powers granted therein.

1 7. Section 3576.3 of the Code states:

2 (a) The board may suspend or revoke the registration of a polysomnographic
3 technologist, polysomnographic technician, or polysomnographic trainee for
 unprofessional conduct as described in this section. .

4 (b) The use of any controlled substance or the use of any of the dangerous drugs
5 specified in Section 4022, or of alcoholic beverages, to the extent, or in such a
6 manner as to be dangerous or injurious to the registrant, or to any other person or to
7 the public, or to the extent that this use impairs the ability of the registrant to practice
 safely or more than one misdemeanor or any felony conviction involving the use,
8 consumption, or self-administration of any of the substances referred to in this
 section, or any combination thereof, constitutes unprofessional conduct. The record of
 the conviction is conclusive evidence of this unprofessional conduct.

9 (c) A plea or verdict of guilty or a conviction following a plea of nolo
10 contendere is deemed to be a conviction within the meaning of this section. The board
11 may order discipline of the registrant in accordance with Section 2227 or may order
12 the denial of the registration when the time for appeal has elapsed or the judgment of
13 conviction has been affirmed on appeal or when an order granting probation is made
 suspending imposition of sentence, irrespective of a subsequent order under the
 provisions of Section 1203.4 of the Penal Code allowing this person to withdraw his
 or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of
 guilty, or dismissing the accusation, complaint, information, or indictment.

14 8. Section 1379.68 of Title 16 of the California Code of Regulations states, in pertinent
15 part:

16 For the purpose of denial, suspension, or revocation of the registration of a
17 polysomnography registrant pursuant to Division 1.5 (commencing with Section 475) of the
18 Code, a crime or act shall be considered substantially related to the qualifications,
19 functions, and duties of a polysomnographic registrant if to a substantial degree it evidences
20 present or potential unfitness of a polysomnographic registrant to perform the functions
 authorized by his or her registration in a manner consistent with the public health, safety, or
 welfare. Such crimes or acts shall include, but not be limited to, those involving the
 following:

21 (a) Violating or attempting to violate, directly or indirectly, or assisting or abetting
22 the violation of or conspiring to violate any provision or term of Chapter 7.8 of Division 2
 of the Code.

23 (b) Conviction of a crime involving fiscal dishonesty, or theft.

24 (c) Battery or assault.

25 (d) Sexual misconduct or abuse.

26 (e) Conviction of a crime involving lewd conduct, prostitution or solicitation thereof,
27 or pandering and/or indecent exposure, as defined by the Penal Code.

1 **COST RECOVERY**

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

8 **FACTUAL ALLEGATIONS**

9 ***Incident One - December 24, 2022***

10 10. Late on, or about, December 24, 2022, at approximately 11:30 p.m., California
11 Highway Patrol (CHP) officers were on duty in Santa Cruz County when they observed a black
12 sport utility vehicle traveling westbound on Main Street, at Auto Center Drive, at a high rate of
13 speed. Once activated, the patrol vehicle's radar indicated that the vehicle was traveling at 59
14 miles per hour (MPH) in a 35 MPH zone. The CHP officers activated the over-head lights to
15 initiate a traffic stop and the vehicle came to a stop on Prospect Avenue.

16 11. Upon contact with the driver, later identified as Respondent, a CHP officer requested
17 that she exit her vehicle. The CHP officer immediately smelled the strong odor of alcohol
18 emitting from Respondent's breath and person. The CHP officer observed Respondent's eyes to
19 be watery. Respondent denied drinking any alcoholic beverages. Based on the objective
20 symptoms, the CHP officer conducted field sobriety exercises and concluded that Respondent
21 failed to successfully complete the field sobriety exercises.

22 12. The CHP officer placed Respondent under arrest for operating a vehicle under the
23 influence of alcohol. The CHP officer administered two preliminary alcohol screening tests and
24 both tests showed a blood alcohol concentration of .28 percent. The CHP officer transported
25 Respondent to the Santa Cruz County Jail. Upon advisement, Respondent refused to have her
26 blood drawn for any further chemical testing.

27 13. On January 20, 2023, a misdemeanor complaint entitled *People vs. Yvette Loreto-*
28 *Zamora*, Case No. 23CR00310, was filed in the Superior Court, County of Santa Cruz, that

1 alleged that Respondent drove a vehicle with a blood alcohol concentration that was 0.08 percent
2 or higher in violation of Vehicle Code section 23152(b). On May 8, 2023, Respondent pled no
3 contest to a misdemeanor violation of Vehicle Code section 23152(b), driving under the influence
4 with a blood alcohol content of 0.08 percent or more, by weight, of alcohol in her blood. The
5 Court sentenced Respondent to three years of formal probation. The Court sentenced Respondent
6 to 6 days in county jail. The Court ordered Respondent to complete 3 months of a DUI – Licensed
7 Program, to not drive without a valid license, to obey all laws, and to pay the required fines and
8 fees.

9 *Incident Two - December 1, 2023*

10 14. Early in the morning of December 1, 2023, at approximately 3:40 a.m., Watsonville
11 Police Department officers were dispatched to 134 East Beach Street because a vehicle had
12 collided into a vacant building. Upon arrival, officers contacted Respondent who admitted to
13 driving the vehicle.

14 15. The officer observed Respondent had red and watery eyes, spoke with slurred speech,
15 and emitted the odor of an alcoholic beverage from her breath and person. Respondent admitted
16 to drinking two White Claw seltzers. Based on the objective symptoms and Respondent's
17 admission, the officer conducted field sobriety exercises and concluded that Respondent failed to
18 successfully complete the field sobriety exercises.

19 16. The officer placed Respondent under arrest for operating a vehicle under the
20 influence of alcohol. The officer administered three preliminary alcohol screening tests. The
21 tests showed a blood alcohol concentration of .13 percent, .27 percent, and .26 percent,
22 respectively. The officer transported Respondent to the Watsonville Community Hospital for
23 medical clearance and, once received, transported to the Santa Cruz County Jail.

24 17. On December 19, 2023, a misdemeanor complaint entitled *People vs. Yvette Loreto-*
25 *Zamora*, Case No. 23CR05535, was filed in the Superior Court, County of Santa Cruz, that
26 alleged Respondent drove a vehicle with a blood alcohol concentration that was 0.08 percent or
27 higher in violation of Vehicle Code section 23152(b).

1 18. On August 29, 2024, in Santa Cruz County Superior Court Case No. 23CR05535,
2 Respondent pled no contest to a misdemeanor violation of Vehicle Code section 23152(b),
3 driving under the influence with a blood alcohol content of 0.08 percent or more, by weight, of
4 alcohol in her blood. Respondent admitted to one prior driving under the influence conviction.
5 Respondent also admitted to the enhancement of driving with a BAC in excess of .15 percent,
6 pursuant to Vehicle Code section 23578. The Court sentenced Respondent to three years of
7 formal probation. The Court sentenced Respondent to 20 days in county jail. The Court ordered
8 Respondent to complete a DUI – 18 Month Licensed Program, to not drive without a valid
9 license, to obey all laws, and to pay the required fines and fees.

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Unprofessional Conduct - Conviction of a Crime)**

12 *Incident One - December 24, 2022*

13 19. Respondent Yvette Loreto is subject to disciplinary action under sections 480, 490,
14 3576, and 3576.3, subdivision (c), of the Code and section 1379.68 of Title 16 of the California
15 Code of Regulations in that Respondent committed a crime substantially related to the practice of
16 polysomnography. The circumstances are as follows:

17 20. Complainant realleges paragraphs 10 through 13, and those paragraphs are
18 incorporated by reference as if fully set forth herein.

19 21. Respondent engaged in unprofessional conduct when she was convicted on or about
20 May 8, 2023 of driving under the influence with an alcohol blood content in excess of .08
21 percent, a violation of Vehicle Code section 23152(b), a misdemeanor.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Unprofessional Conduct - Excessive Use of Alcohol)**

24 *Incident One - December 24, 2022*

25 22. Respondent Yvette Loreto is subject to disciplinary action under sections 480, 3576,
26 and 3576.3, subdivision (b), of the Code in that Respondent used an excessive amount of alcohol
27 in such a way to make her dangerous to herself and other members of the public. The
28 circumstances are as follows:

23. Complainant realleges paragraphs 10 through 13, and those paragraphs are incorporated by reference as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Conviction of a Crime)

Incident Two - December 1, 2023

24. Respondent Yvette Loreto is subject to disciplinary action under sections 480, 490 3576, and 3576.3, subdivision (c), of the Code and section 1379.68 of Title 16 of the California Code of Regulations in that the Respondent committed a crime substantially related to the practice of polysomnography. The circumstances are as follows:

25. Complainant realleges paragraphs 14 through 18, and those paragraphs are incorporated by reference as if fully set forth herein.

26. Respondent engaged in unprofessional conduct when she was convicted on or about August 29, 2024 of driving under the influence with an alcohol blood content in excess of .08 percent, a violation of Vehicle Code section 23152(b), a misdemeanor.

FOURTH CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Excessive Use of Alcohol)

Incident Two - December 1, 2023

27. Respondent Yvette Loreto is subject to disciplinary action under sections 480, 3576, and 3576.3, subdivision (b), of the Code in that Respondent used an excessive amount of alcohol in such a way to make her dangerous to herself and other members of the public. The circumstances are as follows:

28. Complainant realleges paragraphs 14 through 18, and those paragraphs are incorporated by reference as if fully set forth herein.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Polysomnographic Technologist Registration Number PTGL 589, issued to Respondent Yvette Loreto;

1 2. Ordering Respondent Yvette Loreto to pay the Board the costs of the investigation
2 and enforcement of this case, and if placed on probation, the costs of probation monitoring; and

3 3. Taking such other and further action as deemed necessary and proper.

4
5 DATED: OCT 14 2025


REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant