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7	Attorneys for Complainant
8 9 10	BEFORE THE BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
11	In the Matter of the Accusation Against: Case No. 3207
12	FLORA MONIK DIXON 8526 Saturn Street, #3A C C U S A T I O N
13	Los Angeles, CA 90035
. 14	Pharmacy Technician License No. TCH 64779
15	Respondent.
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17	Complainant alleges:
18	PARTIES
, 19	1. Virginia Herold (Complainant) brings this Accusation solely in her official
20	capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
21	2. On or about August 31, 2005, the Board of Pharmacy (Board) issued
22	Pharmacy Technician License Number TCH 64779 to Flora Monik Dixon (Respondent). The
23	Pharmacy Technician License was in full force and effect at all times relevant to the charges
24	brought herein and will expire on July 31, 2009, unless renewed.
25	JURISDICTION
26	3. This Accusation is brought before the Board under the authority of the
27	following laws. All section references are to the Business and Professions Code unless otherwise
28	indicated.
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1	STATUTORY PROVISIONS	
2	4. Section 4300, subdivision (a) states: "Every license issued may be	
3	suspended or revoked."	
4	5. Section 4301 states, in pertinent part:	
5	"The board shall take action against any holder of a license who is guilty of	
6	6 unprofessional conduct or whose license has been procured by fraud or misrepresentation or	
7	7 issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the	
. 8	following:	
9	••••	
10	"(j) The violation of any of the statutes of this state, of any other state, or of	
11	the United States regulating controlled substances and dangerous drugs."	
12	6. Section 4060 states, in pertinent part:	
13	"No person shall possess any controlled substance, except that furnished to a	
14	4 person upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or	
15	5 naturopathic doctor pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a	
16	6 certified nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section	
17	17 2836.1, a physician assistant pursuant to Section 3502.1, a naturopathic doctor pursuant to	
18	18 Section 3640.5, or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause	
19	(iv) of subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall	
20	not apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,	
21	pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified	
22	nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly	
23	labeled with the name and address of the supplier or producer."	
24	CONTROLLED SUBSTANCE AND DANGEROUS DRUG	
25	7. Hydrocodone-Acetaminophen is a Schedule III controlled substance as	
26	designated by Health and Safety Code section 11056, subdivisions (a) and (e), and is a dangerous	
27	drug, as defined in section 4022.	
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COST RECOVERY PROVISION

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

CAUSE FOR DISCIPLINE

(Unprofessional Conduct/Possession of a Controlled Substance)

9. Respondent is subject to disciplinary action under section 4301, 8 9 subdivision (j), and section 4060, for possessing a controlled substance. On or about December 1, 2005, police officers responded to a suspect's residence to arrest him for a parole violation. 10 Respondent was present at the suspect's residence. During a search of the suspect's residence, 11 one of the officers observed a bottle containing pills, with no prescription label visible, inside a 12 woman's purse. The officer asked Respondent if she had a prescription for the pills, and she 13 answered, "No." The officers arrested Respondent for violating Health and Safety Code section 14 11350, subdivision (a) [possession of a controlled substance]. The pills were later identified as 15 Hydrocodone-Acetaminophen. No criminal case was filed against Respondent as a result of this 16 17 arrest.

PRAYER

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

Revoking or suspending Pharmacy Technician License Number TCH
 64779, issued to Flora Monik Dixon;

23 2. Ordering Flora Monik Dixon to pay the Board the reasonable costs of the
investigation and enforcement of this case, pursuant to Business and Professions Code section
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125.3; and Taking such other and further action as deemed necessary and proper. 3. 5/14/09 DATED: б VIRGINIA NEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant LA2008601490 60397661.wpd .17