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7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 3304

11 CYNTHIA MARIE CRIST
12 1702 Ventura Street
Suisun, CA 94585

A C C U S A T I O N

13 Pharmacy Technician License No. TCH 20695

14 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 November 7, 1996, the Board of Pharmacy issued Pharmacy
22 Technician License Number TCH 20695 to Cynthia Marie Crist (Respondent). The Pharmacy
23 Technician License was in full force and effect at all times relevant to the charges brought herein
24 and will expire on December 31, 2010, unless renewed.

25 JURISDICTION

- 26 3. This Accusation is brought before the Board of Pharmacy (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code (Code) unless otherwise indicated.

1 16. **Methamphetamine** is a Schedule II controlled substance as designated by
2 Health and Safety Code section 11055(d)(2) and a dangerous drug as designated by Business and
3 Professions Code section 4022. It is a stimulant drug.

4 FACTUAL BACKGROUND

5 17. On or about December 31, 2007, Respondent was contacted by Vacaville
6 Police. A search of her person and belongings turned up a glass pipe with a usable amount of
7 **methamphetamine** still inside. Respondent admitted to acquiring the **methamphetamine** for
8 personal use, and Respondent told police that she smoked all but the amount left in the pipe (two
9 hits worth) approximately 48 hours prior. Respondent was placed under arrest on suspicion of
10 violating Health and Safety Code section 11377 (Possession of Controlled Substance) and Health
11 and Safety Code section 11364 (Possession of Opium Pipe/Drug Paraphernalia).

12 FIRST CAUSE FOR DISCIPLINE

13 (Self-Administration of Controlled Substance)

14 18. Respondent is subject to discipline under section 4301(h) of the Code, in
15 that Respondent, as described in paragraph 17 above, self-administered **methamphetamine**, a
16 controlled substance, on or about December 29, 30, or 31, 2007.

17 SECOND CAUSE FOR DISCIPLINE

18 (Possession of Controlled Substance)

19 19. Respondent is subject to discipline under section 4301(j) and/or (o) and/or
20 section 4060 of the Code, and/or Health and Safety Code section 11377 in that Respondent, as
21 described in paragraph 17 above, possessed, conspired to possess, and/or assisted in or abetted
22 possession of **methamphetamine**, a controlled substance, without a prescription.

23 THIRD CAUSE FOR DISCIPLINE

24 (Possession of Drug Paraphernalia)

25 20. Respondent is subject to discipline under section 4301(j) and/or (o), and/or
26 Health and Safety Code section 11364, in that Respondent, as described in paragraph 17 above,
27 possessed, conspired to possess, and/or assisted in or abetted possession of drug paraphernalia.
28

1 FOURTH CAUSE FOR DISCIPLINE

2 (Self-Administration/Use of Controlled Substance)

3 21. Respondent is subject to discipline under section 4301(j) and/or (o) of the
4 Code, and/or Health and Safety Code section(s) 11170 and/or 11550, in that Respondent, as
5 described in paragraph 17 above, self-administered/used, conspired to self-administer/use, and/or
6 assisted in/abetted self-administration/use of a controlled substance, without prescription.

7 FIFTH CAUSE FOR DISCIPLINE

8 (Unprofessional Conduct)

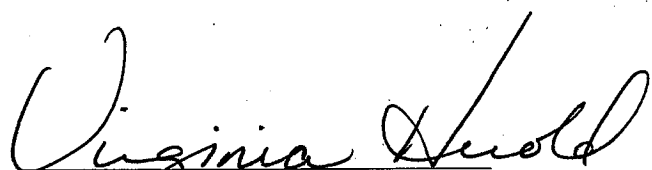
9 22. Respondent is subject to discipline under section 4301 of the Code in that
10 Respondent, as described in paragraphs 17-21 above, engaged in unprofessional conduct.

11 PRAYER

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

- 14 A. Revoking or suspending Pharmacy Technician License Number TCH
15 20695, issued to Cynthia Marie Crist (Respondent);
- 16 B. Ordering Respondent to pay the Board reasonable costs of investigation
17 and enforcement of this case, pursuant to Business and Professions Code section 125.3;
- 18 C. Taking such other and further action as is deemed necessary and proper.
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21 DATED: 5/14/09

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 23 VIRGINIA HEROLD
 24 Executive Officer
 25 Board of Pharmacy
 26 Department of Consumer Affairs
 27 State of California
 28 Complainant