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

11 In the Matter of the Accusation Against:

Case No. 3375

12 **CORIN E. RINI**
 160 Box Canyon Road
 13 Canoga Park, CA 91304
 Pharmacy Technician Registration No. TCH 30033

ACCUSATION

14 Respondent.

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 17 Complainant alleges:

18 **PARTIES**

19 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
 20 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

21 2. On or about July 20, 1999, the Board of Pharmacy (Board) issued Pharmacy
 22 Technician Registration No. TCH 30033 to Corin E. Rini (Respondent). The Pharmacy
 23 Technician Registration was in full force and effect at all times relevant to the charges brought
 24 herein and will expire on August 31, 2010, unless renewed.

25 **JURISDICTION**

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

STATUTORY PROVISIONS

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2 4. Section 118, subdivision (b), provides that the suspension, expiration, surrender or
3 cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary
4 action during the period within which the license may be renewed, restored, reissued or
5 reinstated.

6 5. Section 4060 states, in pertinent part, that “[n]o person shall possess any controlled
7 substance, except that furnished to a person upon the prescription of a physician, dentist,
8 podiatrist, optometrist, veterinarian, or naturopathic doctor”

9 6. Section 4300 states, in pertinent part, that “[e]very license issued may be suspended
10 or revoked.”

11 7. Section 4301 states, in pertinent part:

12 "The board shall take action against any holder of a license who is guilty of unprofessional
13 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.
14 Unprofessional conduct shall include, but is not limited to, any of the following:

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16 "(j) The violation of any of the statutes of this state, or any other state, or of the United
17 States regulating controlled substances and dangerous drugs.

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19 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
20 violation of or conspiring to violate any provision or term of this chapter or of the applicable
21 federal and state laws and regulations governing pharmacy, including regulations established by
22 the board or by any other state or federal regulatory agency. . . ."

23 8. Health and Safety Code section 11173, subdivision (a), states:

24 “No person shall obtain or attempt to obtain controlled substances, or procure or attempt to
25 procure the administration of or prescription for controlled substances, (1) by fraud, deceit,
26 misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

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COST RECOVERY

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

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CONTROLLED SUBSTANCES / DANGEROUS DRUGS

10. Hydrocodone/Acetaminophen is a Schedule III controlled narcotic substance pursuant to Health and Safety Code section 11056(e)(4) and a dangerous drug pursuant to section 4022.

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FIRST CAUSE FOR DISCIPLINE

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(Violating Pharmacy Law)

11. Respondent is subject to disciplinary action under section 4300 for unprofessional conduct as defined in section 4301, subdivision (o), in conjunction with section 4060, in that, while employed as a pharmacy technician, she possessed controlled substances, without valid prescriptions. The circumstances are as follows:

15 a. In the six months preceeding February 21, 2007, and while on duty as a pharmacy technician employed at Rite Aid Pharmacy #5787, located at 1159 E. Los Angeles Ave., Simi Valley, California 93065, Respondent, through her own written admission, would grab handfuls of tablets of hydrocodone with acetaminophen 10mg/325mg, a controlled substance and dangerous drug, without valid prescriptions, and place the tablets in her clothes pockets for concealment and exit of Rite Aid without detection.

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SECOND CAUSE FOR DISCIPLINE

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(Illegally Obtain/Possess Controlled Substances)

12. Respondent is subject to disciplinary action under section 4300 for unprofessional conduct as defined in section 4301, subdivision (j), in conjunction with Health and Safety Code section 11173, subdivision (a), when she illegally obtained and / or possessed controlled substances and dangerous drugs. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraph 11, inclusive, as though fully set forth herein.

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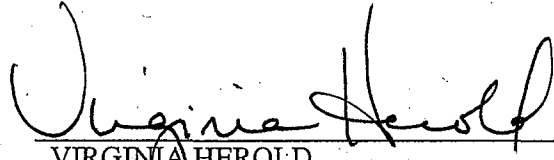
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PRAYER

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

1. Revoking or suspending Pharmacy Technician Registration No. TCH 30033, issued to Respondent;
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 11/3/09



VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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