

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 KIMBERLEY J. BAKER-GUILLEMET  
Deputy Attorney General  
4 State Bar No. 242920  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2533  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

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. 3390

11 **CRISTINA ALONSO**  
12 **11501 N. Poema Pl., #204**  
13 **Chatsworth, CA 91311**  
14 **Pharmacy Technician Registration No. TCH**  
**56096**

**A C C U S A T I O N**

15 Respondent.

16  
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 April 20, 2004, the Board of Pharmacy issued Pharmacy Technician  
22 Registration Number TCH 56096 to Cristina Alonso (Respondent). The Pharmacy Technician  
23 Registration was in full force and effect at all times relevant to the charges brought herein. The  
24 license will expire on October 31, 2011, unless renewed.

25 **JURISDICTION**

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

1           4.     Section 4301 of the Code states:

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

5           ...

6           "(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or  
7     corruption, whether the act is committed in the course of relations as a licensee or otherwise, and  
8     whether the act is a felony or misdemeanor or not.

9           ...

10          5.     Section 4060 of the Code states:

11          "No person shall possess any controlled substance, except that furnished to a person upon  
12     the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor  
13     pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified  
14     nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a  
15     physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,  
16     or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of  
17     subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not  
18     apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,  
19     pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified  
20     nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly  
21     labeled with the name and address of the supplier or producer.

22          "Nothing in this section authorizes a certified nurse-midwife, a nurse practitioner, a  
23     physician assistant, or a naturopathic doctor, to order his or her own stock of dangerous drugs and  
24     devices."

25          6.     Section 118, subdivision (b), of the Code provides that the suspension, expiration,  
26     surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
27     disciplinary action during the period within which the license may be renewed, restored, reissued  
28     or reinstated.

1 **COST RECOVERY**

2 7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licentiate 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.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Commission of an Act Involving Moral Turpitude, Dishonesty, Fraud, Deceit or**  
8 **Corruption)**

9 8. Respondent is subject to disciplinary action under section 4301, subdivision (f) of the  
10 Code in that she committed an act involving moral turpitude, dishonesty, fraud, deceit and/or  
11 corruption. The circumstances are as follows:

12 a. On or about May 25, 2008, a County of San Bernardino Sheriff's Deputy conducted  
13 an enforcement stop on a boat for "bow riding" in the Colorado River/ Lake Havasu area. Upon  
14 conducting a record check of the driver's identification, the deputy determined that he was a Los  
15 Angeles County probationer. Accordingly, the deputy conducted a probation search of the driver  
16 and the area where he was sitting. In that area, there was a bag that was later determined to  
17 belong to Respondent. The deputy asked who the bag belonged to. According to the deputy,  
18 Respondent replied that "everyone's stuff was in the bag." Upon searching the bag, the deputy  
19 found a purse. Inside of the purse the deputy located two dollar bills folded up. As the deputy  
20 unfolded the dollar bills, he observed that there was a "usable amount of methamphetamine in  
21 each bill." The deputy told Respondent that he had found contraband in her purse. Respondent  
22 stated that a friend of hers was keeping some of her property in Respondent's purse. When the  
23 deputy asked where the friend was, Respondent replied that she did not know and she could not  
24 give the deputy a name for the friend that left the property in her purse.

25 b. The deputy placed Respondent under arrest for violation of Health & Safety Code  
26 section 11377, subdivision (a ) (possession of a controlled substance, methamphetamine) and  
27 transported her to the Sheriff's command post where the deputy conducted an interview of  
28 Respondent. Respondent told the deputy that she was at the Colorado River with some friends.

1 She met a female there but could not remember her name. Respondent stated that she got into a  
2 physical altercation with the female over a boy that she liked. Respondent stated that the friend  
3 placed some property in Respondent's purse after the physical altercation. Respondent denied  
4 using methamphetamine and claimed that she was unaware that it was in her purse.

5 c. The deputy tested a sample of the substance he found in Respondent's purse using a  
6 Marquis Reagent test kit. The test revealed the presence of amphetamines.

7 d. The case was forwarded to the District Attorney's Office for review and filing. On or  
8 about July 3, 2008, in case number MNE800146, a misdemeanor complaint of one count of  
9 violation of Health & Safety Code section 11377, subdivision (a) was filed against Respondent.  
10 Respondent failed to appear at her arraignment on August 11, 2008. On August 13, 2008, a  
11 bench warrant was issued by the court, bail was set at \$20,000 and Respondent was given fugitive  
12 status by the court. As of the date of the filing of this Accusation, Respondent is not in custody  
13 and the bench warrant is still active.

## 14 **SECOND CAUSE FOR DISCIPLINE**

### 15 **(Unlawful Possession of a Controlled Substance)**

16 9. Respondent is subject to disciplinary action under section 4060 in that she unlawfully  
17 possessed a controlled substance, methamphetamine, as set forth in paragraph 8, subsections (a)  
18 through (d) above. Complainant refers to, and by this reference incorporates, the allegations set  
19 forth above in paragraph 8, subsections (a) through (d), as though set forth fully.

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1 **PRAYER**

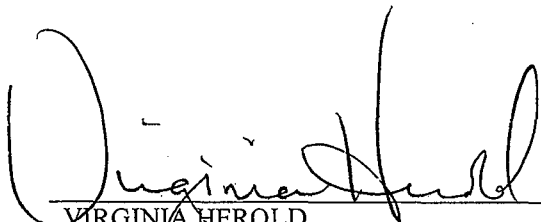
2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Board of Pharmacy issue a decision:

4 1. Revoking or suspending Pharmacy Technician Registration Number TCH 56096,  
5 issued to Cristina Alonso.

6 2. Ordering Cristina Alonso to pay the Board of Pharmacy the reasonable costs of the  
7 investigation and enforcement of this case, pursuant to Business and Professions Code section  
8 125.3;

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

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11  
12 DATED: 3/15/10

  
13 VIRGINIA HEROLD  
14 Executive Officer  
15 Board of Pharmacy  
16 Department of Consumer Affairs  
17 State of California  
18 Complainant

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