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

11 In the Matter of the Accusation Against:

Case No. 3640

12 **KAREN AZIZYAN**
13 13728 Proctor Ave., #D
La Puente, CA 91744

ACCUSATION

14 Pharmacy Technician License No. TCH 56494
15 Respondent.

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17
18 Complainant alleges:

19 **PARTIES**

- 20 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs (Board).
22 2. On or about May 19, 2004, the Board issued Pharmacy Technician License No. TCH
23 56494 to Karen Azizyan (Respondent). The Pharmacy Technician License was in full force and
24 effect at all times relevant to the charges brought herein and will expire on December 31, 2011,
25 unless renewed.

26 **JURISDICTION**

- 27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions 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 4300, subdivision (a), states that "[e]very license issued may be suspended or
7 revoked."

8 6. Section 4301 states, in pertinent part:

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

12

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

16 "(g) Knowingly making or signing any certificate or other document that falsely
17 represents the existence or nonexistence of a state of facts.

18

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

21

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

26 7. Section 4059, subdivision (a), states:

27 "A person may not furnish any dangerous drug, except upon the prescription of a physician,
28 dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7. A

1 person may not furnish any dangerous device, except upon the prescription of a physician, dentist,
2 podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7.”

3 8. Section 4060 states:

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

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

18 COST RECOVERY

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

23 CONTROLLED SUBSTANCES / DANGEROUS DRUGS

24 10. Xanax, a brand name for alprazolam, is an anti-anxiety benzodiazepin and is a
25 Schedule IV controlled substance as designated by Health and Safety Code section 11057(d)(1)
26 and is categorized as a dangerous drug pursuant to section 4022.

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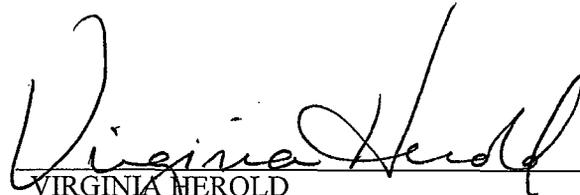
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1 PRAYER

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

- 4 1. Revoking or suspending Pharmacy Technician License No. TCH 56494, issued to
5 Respondent;
- 6 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
7 enforcement of this case, pursuant to section 125.3; and
- 8 3. Taking such other and further action as deemed necessary and proper.

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10
11 DATED: 4/5/11



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

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