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

12 In the Matter of the Petition to Revoke Probation  
Against:

Case No. 3736

13 **VALERIE GAURANO**  
14 **2683 Via De La Valle G115**  
**Del Mar, California 92014**

**PETITION TO REVOKE PROBATION**

15 **Pharmacist License No. RPH 38852**

16 Respondent.

17  
18 Complainant alleges:

19 PARTIES

20 1. Virginia Herold (Complainant) brings this Petition to Revoke Probation solely in her  
21 official capacity as Executive Officer, Board of Pharmacy, Department of Consumer Affairs.

22 2. On or about August 23, 1984, the Board of Pharmacy issued Original Pharmacist  
23 License Number RPH 38852 to Valerie Gaurano (Respondent). The License was in effect at all  
24 times relevant to the charges brought herein and will expire on April 30, 2012, unless renewed.

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1 3. In a disciplinary action entitled "In the Matter of the Accusation Against Valerie Gaurano,"  
2 Case No. 2959, the Board of Pharmacy issued a decision, effective February 21, 2007, revoking  
3 Respondent's Original Pharmacist License. Revocation was stayed and Respondent  
4 was put on probation for a period of two (2) years with certain terms and conditions. A copy of  
5 that decision is attached as exhibit A and is incorporated by reference.

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7 JURISDICTION

8 4. This Petition to Revoke Probation is brought before the Board of Pharmacy (Board),  
9 Department of Consumer Affairs, under the authority of the following laws. All section  
10 references are to the Business and Professions Code unless otherwise indicated.

11 5. Section 4011 of the Code provides that the Board shall administer and enforce both  
12 the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances  
13 Act [Health & Safety Code, § 11000 et seq.].

14 6. Section 4300(a) of the Code provides that every license issued by the Board may be  
15 suspended or revoked.

16 FACTUAL BACKGROUND

17 7. Effective February 21, 2007, pursuant to a Proposed Decision and Order adopted by  
18 the Board in prior Case No. 2959, Respondent's Pharmacist License No. RPH 38852, was  
19 revoked. Revocation was stayed, and the License was placed on probation for a period of two (2)  
20 years, subject to Terms and Conditions (T&Cs) numbering 1 to 17, including the requirement that  
21 Respondent continue to practice pharmacy for a minimum of 40 hours per calendar month in  
22 California and, if probation is tolled, to remain tolled for a period not exceeding three years.

23  
24 FIRST CAUSE TO REVOKE PROBATION

25 **(Failure to Maintain 40 Hours Monthly Employment as a Pharmacist)**

26 8. At all times after the effective date (February 23, 2007) of the Decision and Order  
27 imposing probation on Respondent's License, Term and Condition 14 of that Order required in  
28 pertinent part:

