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

12 In the Matter of the Accusation Against:

Case No. 3931

13 **BRUCE THOMAS GLASSOCK**
14 **704 Strathmore Drive**
15 **Modesto, CA. 94565**
16 **Pharmacist License No. RPH 43601**

A C C U S A T I O N

Respondent.

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 31, 1990, the Board of Pharmacy issued Original Pharmacist
22 License Number RPH 43601 to Bruce Thomas Glassock (Respondent). The Pharmacist License
23 was in full force and effect at all times relevant to the charges brought herein and will expire on
24 April 30, 2012, 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.

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1 4. Section 4300 of the Code states:

2 "(a) Every license issued may be suspended or revoked.

3 ...

4 5. Section 4301 of the Code states:

5 "The board shall take action against any holder of a license who is guilty of unprofessional
6 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

7 Unprofessional conduct shall include, but is not limited to, any of the following:

8 ...

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

12 ...

13 "(h) The administering to oneself, of any controlled substance, or the use of any dangerous
14 drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to
15 oneself, to a person holding a license under this chapter, or to any other person or to the public, or
16 to the extent that the use impairs the ability of the person to conduct with safety to the public the
17 practice authorized by the license.

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 6. Section 125.3 of the Code states, in pertinent part, that the Board may request the
27 administrative law judge to direct a licentiate found to have committed a violation or violations of

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 7. California Code of Regulations, title 16, section 1770, states:

4 "For the purpose of denial, suspension, or revocation of a personal or facility license
5 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
6 crime or act shall be considered substantially related to the qualifications, functions or duties of a
7 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
8 licensee or registrant to perform the functions authorized by his license or registration in a manner
9 consistent with the public health, safety, or welfare."

10 8. Section 118, subdivision (b), of the Code provides that the suspension, expiration,
11 surrender, or cancellation of a license shall not deprive the Board/Registrar/Director of
12 jurisdiction to proceed with a disciplinary action during the period within which the license may
13 be renewed, restored, reissued or reinstated.

14 FIRST CAUSE FOR DISCIPLINE

15 (Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)

16 9. Respondent is subject to disciplinary action under section 4301 (f) in that Respondent
17 between approximately May, 2009 and March 2010, on multiple occasions, all the exact dates
18 which are unknown, stole an estimated 8000 tablets of Schedule II, III, and IV controlled
19 substances, both narcotic and non-narcotics, including, but not limited to, Norco, amphetamines,
20 Ritalin, morphine, oxycodone, and vyanese, while on duty as a registered pharmacist.

21 SECOND CAUSE FOR DISCIPLINE

22 (Controlled Substance Violation)

23 10. Respondent is subject to disciplinary action under section 4301(j) (o) in that
24 Respondent between approximately May 2009 and March 2010, the exact dates which are
25 unknown, possessed without a valid prescription controlled substances as specified in paragraph 9
26 above in violation of Business and Professions Code section 4060 and/or Health and Safety Code
27 section 11350(a) and/ or section 11377(a).

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1 THIRD CAUSE FOR DISCIPLINE

2 (Unlawful Self-Administration of a Controlled Substance)

3 11. Respondent is subject to disciplinary action under section 4301(h) in that Respondent,
4 by his own admission, between May 2009 and March 2010, the exact dates which are unknown,
5 self-administered various controlled substances of Schedule II, schedule III, schedule IV
6 medications including both narcotics and non-narcotic medications and stimulants as specified in
7 paragraph 9, both while not at work and while at work as a pharmacist providing prescriptions
8 and patient care.

9 FOURTH CAUSE FOR DISCIPLINE

10 (Working Under the Influence)

11 12. Respondent is subject to disciplinary action under section 4301 (o) in that
12 Respondent, by his own admission, between May 2009 and March 2010, the exact dates which
13 are unknown, self-administered various schedule II, III, and IV controlled substances, both
14 narcotic and non-narcotic medications and stimulants as specified in paragraph 9 and was under
15 the influence of these controlled substances when he was engaged in the preparation,
16 compounding, dispensing, and sale of prescriptions and providing patient care as a licensed
17 pharmacist in violation of Business and Professions Code section 4022 and section 4327.

18 PRAYER

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

21 1. Revoking or suspending Pharmacist License Number RPH 43601, issued to Bruce
22 Thomas Glassock

23 2. Ordering BRUCE THOMAS GLASSOCK to pay the Board of Pharmacy the
24 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
25 Professions Code section 125.3;

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

DATED: 5/27/11

Virginia Herold

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

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