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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. 4799

12 **GRISELDA LOPEZ**
15820 Vanowen St. #9
13 Van Nuys, CA 91406

ACCUSATION

14 Pharmacy Technician Registration
15 No. TCH 97412

16 Respondent.

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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.

22 2. On or about March 11, 2010, the Board of Pharmacy (Board) issued Pharmacy
23 Technician Registration No. TCH 97412 to Griselda Lopez (Respondent). The Pharmacy
24 Technician Registration was in full force and effect at all times relevant to the charges brought
25 herein and will expire on September 30, 2015, 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.

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

REGULATORY PROVISIONS

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

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

COST RECOVERY

9. Section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate 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, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

10. **CONTROLLED SUBSTANCES/DANGEROUS DRUGS**

"Norco," is a Schedule III controlled substance pursuant to Health and Safety Code section 11056(e) and is categorized as a dangerous drug pursuant to section 4022.

FIRST CAUSE FOR DISCIPLINE

(Illegal Possession of a Controlled Substance)

11. Respondent is subject to disciplinary action under sections 4300 and 4301, subdivision (j) for violating section 4060, on the grounds of unprofessional conduct, in that Respondent was found to be in illegal possession of a controlled substance, as follows:

1 a. On or about December 12, 2012, during a traffic enforcement stop by the Los
2 Angeles Police Department, Respondent was contacted. Respondent was asked to exit her
3 vehicle and provide her driver's license. During a consent search of her purse, the officer found a
4 piece of white paper folded several times. The officer unfolded the paper and observed a white
5 powder like substance, resembling cocaine. Respondent was subsequently arrested for violating
6 Health and Safety Code section 11350, subdivision (a) [possession of a controlled substance].
7 During the booking procedure, Respondent admitted to officers that the white powder was not
8 cocaine; but, rather it was a crushed and grinded up Norco pill. The powder was confirmed by
9 the police department to be Norco.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Unprofessional Conduct/ Violation of Licensing Chapter)**

12 12. Respondent is subject to disciplinary action under section 4301, (o), in that
13 Respondent committed acts of unprofessional conduct and/ or violated provisions of the licensing
14 chapter. Complainant refers to, and by this reference incorporates, the allegations set forth above
15 in paragraph 11, subparagraph (a), as though set forth fully.

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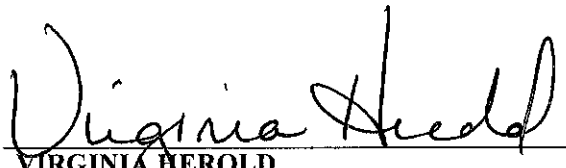
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PRAYER

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 97412, issued to Respondent Griselda Lopez;
2. Ordering Respondent Griselda Lopez 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: 5/3/14



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

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