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8	BEFORE THE	
9	BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS	
10	STATE OF	CALIFORNIA
11	In the Matter of the Accusation Against:	Case No. 4816
12	SHERRI LIN OXFORD	
13	6139 W. Alameda Rd. Glendale, AZ 85310	ACCUSATION
14	Original Pharmacist License No. RPH 40226	
15	Respondent.	
16		
17	Complainant alleges:	
18	<u>PARTIES</u>	
19	1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity as	
20	the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.	
21	2. On or about August 25, 1986, the Board of Pharmacy issued Original Pharmacist	
22	License Number RPH 40226 to Sherri Lin Oxford (Respondent). The Original Pharmacist License	
23	was in full force and effect at all times relevant to the charges brought herein and will expire on	
24	September 30, 2013, unless renewed.	
25	<u>JURISDICTION</u>	
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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- 4. Section 4300 of the Code states in pertinent part:
- "(a) Every license issued may be suspended or revoked.
- "(b) The board shall discipline the holder of any license issued by the board, whose default has been entered or whose case has been heard by the board and found guilty, by any of the following methods:
 - "(1) Suspending judgment.
 - "(2) Placing him or her upon probation.
 - "(3) Suspending his or her right to practice for a period not exceeding one year.
 - "(4) Revoking his or her license.
- "(5) Taking any other action in relation to disciplining him or her as the board in its discretion may deem proper.
 - 5. Section 4300.1 of the Code states:

"The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation of law or by order or decision of the board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding against, the licensee or to render a decision suspending or revoking the license."

6. Section 4301 of the Code states in pertinent part:

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

(n) The revocation, suspension, or other discipline by another state of a license to practice pharmacy, operate a pharmacy, or do any other act for which a license is required by this chapter.

COST RECOVERY

7. Section 125.3 of the Code states, 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.

1 **CAUSE FOR DISCIPLINE** 2 (Out of State Discipline) 8. 3 Respondent is subject to disciplinary action under Code section 4301, subsection (n) in that on or about September 27, 2012, Respondent was disciplined by the Arizona Board of 4 Pharmacy with a suspension of license of not less than six (6) months, entry to a Pharmacists 5 Assisting Pharmacists Program, and a probation period of not less than five (5) years under 6 7 specified terms and conditions. The circumstances are as follows: 8 On or about April 2, 2012, Respondent was employed at a pharmacy in Arizona, and 9 was on duty when other employees observed behaviors that led them to believe she was intoxicated. Respondent was required to take a blood alcohol test and tested positive for 0.07% 10 blood alcohol by volume. 11 12 **PRAYER** WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, 13 and that following the hearing, the Board of Pharmacy issue a decision: 14 1. Revoking or suspending Original Pharmacist License Number RPH 40226, issued to Sherri Lin Oxford.; 2, Ordering Sherri Lin Oxford to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 18 125.3: 3. Taking such other and further action as deemed necessary and proper. 20 9/6/13 23 DATED: 24 Executive Officer Board of Pharmacy Department of Consumer Affairs State of California 26 Complainant SA2013112021 28 11139915.doc

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