

1 KAMALA D. HARRIS
Attorney General of California
2 KENT D. HARRIS
Supervising Deputy Attorney General
3 STEPHANIE ALAMO-LATIF
Deputy Attorney General
4 State Bar No. 283580
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 327-6819
Facsimile: (916) 327-8643
7 E-mail: Stephanie.AlamoLatif@doj.ca.gov
Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 5234

13 **JENNIFER ANN BRIDGES**
5909 Brittany Way
14 Citrus Heights, CA 95610

A C C U S A T I O N

15 **Pharmacy Technician Registration No. TCH**
60386

16 Respondent.
17

18
19 Virginia Herold ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the Executive
22 Officer of the Board of Pharmacy ("Board"), Department of Consumer Affairs.

23 2. On or about January 11, 2005, the Board issued Pharmacy Technician Registration
24 Number TCH 60386 to Jennifer Ann Bridges ("Respondent"). The Pharmacy Technician
25 Registration was in full force and effect at all times relevant to the charges brought herein and will
26 expire on January 31, 2015, unless renewed.
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1 to the extent that the use impairs the ability of the person to conduct with safety to the public the
2 practice authorized by the license.”

3 ...

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

6 ...

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

11 ...

12 8. Code section 4021 of the Code states:

13 “‘Controlled Substance’ means any substance listed in Chapter 2 (commencing with section
14 11053) of Division 10 of the Health and Safety Code.”

15 9. Code section 4022 states, in pertinent part:

16 “Dangerous drug” means any drug unsafe for self-use in humans or animals, and includes the
17 following:

18 “(a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing without
19 a prescription,’ ‘Rx only.’ Or words of similar import.”

20 ...

21 “(c) Any drug that by federal or state law can be lawfully dispensed only on
22 prescription or furnished pursuant to section 4006.”

23 10. Code section 4059 provides, in pertinent part, that no person shall furnish any
24 dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist, or
25 veterinarian.

26 11. Code section 4060 states, in pertinent part, that no person shall possess any controlled
27 substance, except that furnished upon a valid prescription/drug order.

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1 **Health and Safety Code**

2 12. Health and Safety Code section 11170 states that “no person shall prescribe,
3 administer, or furnish a controlled substance for himself.”

4 13. Health and Safety Code section 11173 provides, in pertinent part, that no person shall
5 obtain or attempt to obtain controlled substances, or procure or attempt to procure the
6 administration of controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or
7 (2) by the concealment of a material fact.

8 14. Health and Safety Code section 11350, in pertinent part, makes it unlawful to possess
9 any controlled substance listed in Schedule II (Health and Safety Code section 11055), subdivision
10 (b) or (c), or any controlled substance which is a narcotic drug in Schedules III-V, absent a valid
11 prescription.

12 **COST RECOVERY**

13 15. Code section 125.3 states, in pertinent part, that the Board may request the
14 administrative law judge to direct a licentiate found to have committed a violation or violations of
15 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17 **DRUGS**

18 16. “Adipex,” or “Phentermine” is a Schedule IV controlled substance pursuant to Health
19 and Safety Code section 11057, subdivision (f), and a dangerous drug pursuant to Business and
20 Professions Code section 4022. It is a stimulant and an appetite suppressant.

21 **FIRST CAUSE FOR DISCIPLINE**

22 **(Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit or Corruption)**

23 17. Respondent is subject to discipline under Code section 4301, subdivision (f), for
24 unprofessional conduct, in that Respondent committed numerous acts involving moral turpitude,
25 dishonesty, fraud, deceit or corruption. The circumstances are as follows:

26 a. Between approximately April 2013 and October 2013, Respondent stole
27 approximately two bottles of phentermine tablets and one bottle of phentermine capsules schedule
28 IV controlled substances, from Walgreens Pharmacy in Citrus Heights, where Respondent was

1 employed a pharmacy technician. On or about October 3, 2013, Respondent admitted to stealing
2 phentermine. Respondent stole phentermine by removing a bottle from the medication shelf,
3 opening the bottle and taking tablets and/or capsules out, and placing them in her pocket. The
4 drugs she stole and illegally possessed were fraudulently and illegally used for self-medication,
5 without a prescription for those medications.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Unlawful Possession of Controlled Substances)**

8 18. Respondent is subject to discipline under Code sections 4301, subdivision (j), section
9 4060, and Health and Safety Code section 11350, in that on multiple instances, Respondent
10 possessed controlled substances (phentermine) without a prescription, as more fully set forth
11 above in paragraph 17 and its subpart.

12 **THIRD CAUSE FOR DISCIPLINE**

13 **(Unlawful Self-Administration of Controlled Substances)**

14 19. Respondent is subject to discipline under Code section 4301, subdivision (h), and
15 Health and Safety Code section 11170, in that on multiple instances, Respondent administered to
16 herself controlled substances (phentermine) without a prescription, as more fully set forth above in
17 paragraph 17 and its subpart.

18 **FOURTH CAUSE FOR DISCIPLINE**

19 **(Furnishing of Dangerous Drugs)**

20 20. Respondent is subject to discipline under Code sections 4301, subdivision (j), section
21 4059, and Health and Safety Code section 11170, in that on multiple instances, Respondent
22 furnished to herself controlled substances and dangerous drugs (phentermine) without a valid
23 prescription, as more fully set forth above in paragraph 17 and its subpart.

24 **FIFTH CAUSE FOR DISCIPLINE**

25 **(Violation of Statutes Governing Controlled Substances)**

26 21. Respondent is subject to discipline under Code section 4301, subdivision (j), in that
27 Respondent violated statutes regulating controlled substances and dangerous drugs, including
28 Code section 4059, as set forth above in paragraph 20, Code section 4060, as set forth above in

1 paragraph 18, and Health and Safety Code section 11350, as set forth above in paragraph 18, and
2 Health and Safety Code section 11170, as set forth above in paragraphs 19 and 20.

3 **SIXTH CAUSE FOR DISCIPLINE**

4 **(Violation of Laws Governing Pharmacy)**

5 22. Respondent is subject to discipline under Code section 4301, subdivision (o), in that
6 Respondent violated the laws governing pharmacy, as more fully set forth above in paragraphs 17
7 through 21, and their subparts.

8 **PRAYER**

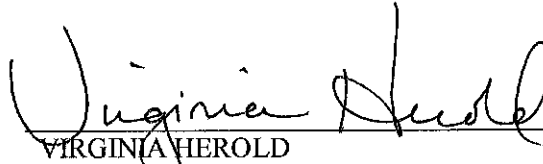
9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
10 and that following the hearing, the Board of Pharmacy issue a decision:

11 1. Revoking or suspending Pharmacy Technician Registration Number TCH 60386,
12 issued to Jennifer Ann Bridges;

13 2. Ordering Jennifer Ann Bridges to pay the Board of Pharmacy the reasonable costs of
14 the investigation and enforcement of this case, pursuant to Business and Professions Code section
15 125.3;

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

17
18
19 DATED: 9/14/14


VIRGINIA HEROLD

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

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