1	Kamala D. Harris	
2	Attorney General of California KENT D. HARRIS	
2	Supervising Deputy Attorney General	
	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 BOARD OF PHARMACY	
10		CONSUMER AFFAIRS CALIFORNIA
11		
12	In the Matter of the Accusation Against:	Case No. 5234
13	JENNIFER ANN BRIDGES 5909 Brittany Way	
14	Citrus Heights, CA 95610	ACCUSATION
15	Pharmacy Technician Registration No. TCH 60386	
16	Respondent.	
17		
18		
19	Virginia Herold ("Complainant") alleges:	
20		<u>TIES</u>
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.	
27		
28		1
	·	1
		Accusation (Case No. 5234)

1	JURISDICTION	
- 2	3. This Accusation is brought before the Board under the authority of the following laws.	
3	All section references are to the Business and Professions Code ("Code") unless otherwise	
4	indicated.	
5	4. Code section 4011 provides, in pertinent part, that the Board shall administer and	
6	enforce both the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled	
7	Substances Act [Health & Safety Code, § 11000 et seq.].	
8	5. Code section 4300 states, in pertinent part, that every license issued may be suspended	
9	or revoked.	
10	6. Code section 4300.1 states:	
11	"The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation	
12	of law or by order or decision of the board or a court of law, the placement of a license on a	
13	retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of	
14	jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding	
15	against, the licensee or to render a decision suspending or revoking the license."	
16	STATUTORY PROVISIONS	
17	Business and Professions Code	
18	7. Code section 4301 of the Code states, in pertinent part:	
19	The board shall take action against any holder of a license who is guilty of unprofessional	
20	conduct. Unprofessional conduct shall include, but is not limited to, any of the following:	
21		
22	"(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or	
23	corruption, whether the act is committed in the course of relations as a licensee or otherwise, and	
24	whether the act is a felony or misdemeanor or not."	
25	···	
26	"(h) The administering to oneself, of any controlled substance, or the use of any dangerous	
27	drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to	
28	oneself, to a person holding a license under this chapter, or to any other person or to the public, or	
	2	
	Accusation (Case No. 5234)	

to the extent that the use impairs the ability of the person to conduct with safety to the public the 1 practice authorized by the license." 2 3 "(i) The violation of any of the statutes of this state, or any other state, or of the United 4 States regulating controlled substances and dangerous drugs." 5 6 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the 7 8 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 9 board or by any other state or federal regulatory agency." 10 11 ... Code section 4021 of the Code states: 8. 12 "Controlled Substance' means any substance listed in Chapter 2 (commencing with section 13 11053) of Division 10 of the Health and Safety Code." 14 9. Code section 4022 states, in pertinent part: 15 "Dangerous drug" means any drug unsafe for self-use in humans or animals, and includes the 16 following: 17 "(a) Any drug that bears the legend: 'Caution: federal law prohibits dispensing without 18 a prescription,' 'Rx only.' Or words of similar import." 19 20"(c) Any drug that by federal or state law can be lawfully dispensed only on 21 prescription or furnished pursuant to section 4006." 22Code section 4059 provides, in pertinent part, that no person shall furnish any 10. 23 dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist, or 24 25 veterinarian. Code section 4060 states, in pertinent part, that no person shall possess any controlled 11. 26 substance, except that furnished upon a valid prescription/drug order. 27 /// 28 3

Health and Safety Code 12. Health and Safety Code section 11170 states that "no person shall prescribe,	
12. Health and Safety Code section 11170 states that "no person shall prescribe,	
administer, or furnish a controlled substance for himself."	
13. Health and Safety Code section 11173 provides, in pertinent part, that no person shall	
obtain or attempt to obtain controlled substances, or procure or attempt to procure the	
administration of controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or	
(2) by the concealment of a material fact.	
14. Health and Safety Code section 11350, in pertinent part, makes it unlawful to possess	
any controlled substance listed in Schedule II (Health and Safety Code section 11055), subdivision	
(b) or (c), or any controlled substance which is a narcotic drug in Schedules III-V, absent a valid	
prescription.	
COST RECOVERY	
15. Code section 125.3 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.	
DRUGS	
16. "Adipex," or "Phentermine" is a Schedule IV controlled substance pursuant to Health	
and Safety Code section 11057, subdivision (f), and a dangerous drug pursuant to Business and	
Professions Code section 4022. It is a stimulant and an appetite suppressant.	
FIRST CAUSE FOR DISCIPLINE	
(Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit or Corruption)	
17. Respondent is subject to discipline under Code section 4301, subdivision (f), for	
unprofessional conduct, in that Respondent committed numerous acts involving moral turpitude,	
dishonesty, fraud, deceit or corruption. The circumstances are as follows:	
a. Between approximately April 2013 and October 2013, Respondent stole	
approximately two bottles of phentermine tablets and one bottle of phentermine capsules schedule	
IV controlled substances, from Walgreens Pharmacy in Citrus Heights, where Respondent was 4	

÷

ŝ

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	
	5	
	Accusation (Case No. 5234)	

•

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 20	DATED: 9/14/14 Juginia Aude		
20	Executive Officer Board of Pharmacy		
21	Department of Consumer Affairs State of California		
23	Complainant		
24	SA2014116763		
25	32040527.doc		
26			
27			
28			
	6		
	Accusation (Case No. 5234)		

41.4

ć