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7  
8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 5257

11 **DESTINY HAZEWOOD DORSEY**  
12 **P.O. Box 277954**  
13 **Sacramento, CA 95827**

**A C C U S A T I O N**

14 **Pharmacy Technician License No. TCH**  
15 **134139**

Respondent.

16  
17 Virginia Herold ("Complainant") alleges:

18 **PARTIES**

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

21 2. On or about November 25, 2013, the Board issued Pharmacy Technician License  
22 Number TCH 134139 to Destiny Hazewood Dorsey ("Respondent"). The license was in full  
23 force and effect at all times relevant to the charges brought herein and will expire on  
24 November 30, 2015, unless renewed.

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1 **JURISDICTION**

2 3. Business and Professions Code ("Code") section 4300(a) states, that every license  
3 issued may be suspended or revoked.

4 4. Code section 4011 states:

5 The board shall administer and enforce this chapter and the Uniform  
6 Controlled Substances Act (Division 10 (commencing with Section 11000) of the  
Health and Safety Code).

7 5. Code section 4300.1 states:

8 The expiration, cancellation, forfeiture, or suspension of a board-issued  
9 license by operation of law or by order or decision of the board or a court of law, the  
10 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  
11 investigation of, or action or disciplinary proceeding against, the licensee or to render  
a decision suspending or revoking the license.

12 **STATUTORY PROVISIONS**

13 6. Code section 4301 states, in pertinent part:

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

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

19 (j) The violation of any of the statutes of this state, or any other state, or of  
20 the United States regulating controlled substances and dangerous drugs.

21 (o) Violating or attempting to violate, directly or indirectly, or assisting in or  
22 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,  
23 including regulations established by the board or by any other state or federal  
regulatory agency . . . .

24 **COST RECOVERY**

25 7. Code section 125.3 provides, in pertinent part, that the Board may request the  
26 administrative law judge to direct a licentiate found to have committed a violation or violations of  
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
28 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
2 included in a stipulated settlement.

3 **DRUGS**

4 8. Cocaine is a Schedule II controlled substance as designated in Health and Safety  
5 Code section 11055, subdivision (b)(6), and a dangerous drug within the meaning of Code section  
6 4022.

7 **BACKGROUND**

8 9. On or about March 23, 2014, Respondent was a passenger in a vehicle that had  
9 been pulled over by a peace officer. The officer searched the vehicle and found Cocaine wrapped  
10 up inside of a ten dollar bill. Respondent admitted that the Cocaine belonged to her, and that she  
11 had snorted some of it the previous night at a party. Respondent also admitted that she uses  
12 Cocaine on occasion.

13 **FIRST CAUSE FOR DISCIPLINE**

14 **(Unprofessional Conduct - Violation of State Laws Regulating Controlled Substances)**

15 10. Respondent is subject to discipline under Code section 4301(j), on the grounds of  
16 unprofessional conduct, in that on or about March 23, 2014, while a licensed pharmacy  
17 technician, Respondent violated Health & Safety Code section 11350(a) (possession of a  
18 controlled substance, to wit: Cocaine, a felony) and Health and Safety Code section 11170 (self-  
19 administered a controlled substance, to wit: Cocaine), as more particularly set forth above in  
20 paragraph 9.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Self-Administered a Controlled Substance)**

23 11. Respondent is subject to discipline under Code section 4301(h), on the grounds of  
24 unprofessional conduct, in that on or about March 22, 2014, while a licensed pharmacy  
25 technician, Respondent self-administered Cocaine, a controlled substance, to the extent or in a  
26 manner dangerous or injurious to oneself, as more particularly set forth above in paragraph 9.

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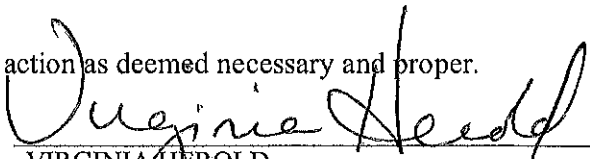
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**PRAYER**

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

1. Revoking or suspending Pharmacy Technician Registration Number TCH 134139, issued to Destiny Hazewood Dorsey;
2. Ordering Destiny Hazewood Dorsey to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 3/13/15



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

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