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

11 In the Matter of the Accusation Against:

Case No. 5608

12 **LISA ANN HASENBERG**  
13 **3110 Jefferson Street C**  
14 **Carlsbad, CA 92008**

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

15 **Pharmacy Technician Registration No. TCH 77620**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

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

21 2. On August 10, 2007, the Board of Pharmacy issued Pharmacy Technician  
22 Registration Number TCH 77620 to Lisa Ann Hasenberg (Respondent). The Pharmacy  
23 Technician Registration was in full force and effect at all times relevant to the charges brought  
24 herein and will expire on November 30, 2016, unless renewed.

25 **JURISDICTION**

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.



1 (h) The administering to oneself, of any controlled substance, or the use of  
2 any dangerous drug or of alcoholic beverages to the extent or in a manner as to be  
3 dangerous or injurious to oneself, to a person holding a license under this chapter,  
4 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.

5 . . . .

6 (o) Violating or attempting to violate, directly or indirectly, or assisting in  
7 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  
8 pharmacy, including regulations established by the board or by any other state or  
federal regulatory agency.

9 (p) Actions or conduct that would have warranted denial of a license.

10 . . . .

11 9. Section 4327 of the Code states:

12 Any person who, while on duty, sells, dispenses or compounds any drug  
13 while under the influence of any dangerous drug or alcoholic beverages shall be  
guilty of a misdemeanor.

#### 14 REGULATORY PROVISIONS

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

16 For the purpose of denial, suspension, or revocation of a personal or  
17 facility license pursuant to Division 1.5 (commencing with Section 475) of the  
18 Business and Professions Code, a crime or act shall be considered substantially  
19 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  
20 registrant to perform the functions authorized by his license or registration in a  
manner consistent with the public health, safety, or welfare.

#### 21 COST RECOVERY

22 11. Section 125.3 of the Code provides, in pertinent part, that the Board may request  
23 the administrative law judge to direct a licentiate found to have committed a violation or  
24 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
25 and enforcement of the case, with failure of the licentiate to comply subjecting the license to not  
26 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs  
27 may be included in a stipulated settlement.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct - Dangerous Use of Alcohol)**

3 12. Respondent has subjected her Pharmacy Technician Registration to discipline  
4 under Code section 4301, subdivision (h) in that Respondent used alcohol to the extent and in a  
5 manner that impaired her ability to conduct with safety to the public the practice authorized by  
6 her pharmacy technician registration. The circumstances are that on March 26, 2015, while under  
7 the influence of alcohol, Respondent reported for work as a registered pharmacy technician at a  
8 Costco pharmacy in Carlsbad, California. After observing Respondent to be under the influence  
9 of alcohol, her employer sent a laboratory technician to conduct a chemical test. Respondent's  
10 two breath samples, taken 17 minutes apart, both indicated a blood alcohol concentration (BAC)  
11 of .234 percent.

12 **SECOND CAUSE FOR DISCIPLINE**

13 **(Unprofessional Conduct – Violation of Pharmacy Laws)**

14 13. Respondent has subjected her Pharmacy Technician Registration to discipline  
15 under Code section 4301, subdivision (o), in that Respondent was under the influence of  
16 alcoholic beverages while on duty and selling or dispensing drugs on March 26, 2015, at a retail  
17 pharmacy, in violation of Code section 4327, a state law of California governing pharmacy.

18 **THIRD CAUSE FOR DISCIPLINE**

19 **(Conduct That Would Have Warranted Denial of a License)**

20 14. Respondent has subjected her Pharmacy Technician Registration to discipline  
21 under Code section 4301, subdivision (p), in that on March 26, 2015, Respondent used alcohol to  
22 the extent and in a manner that impaired her ability to conduct with safety to the public, a  
23 violation of pharmacy law and conduct that would have warranted the denial of a pharmacy  
24 technician registration under Code section 480, subdivision (a)(1).

25 **PRAYER**

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

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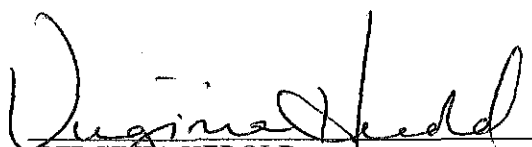
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1. Revoking or suspending Pharmacy Technician Registration Number TCH 77620,  
issued to Lisa Ann Hasenberg;

2. Ordering Lisa Ann Hasenberg 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: 12/21/15



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

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