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7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 5634

12 **CHEYANNE LEWIS**
13 **aka CHEYANNE IESHIA LEWIS**
14 PO Box 8344
Lancaster, CA 93539

A C C U S A T I O N

15 Pharmacy Technician Registration No. TCH
127274

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about November 14, 2012, the Board of Pharmacy ("Board") issued Pharmacy
23 Technician Registration No. TCH 127274 to Cheyanne Lewis, aka Cheyanne Ieshia Lewis
24 ("Respondent"). The Pharmacy Technician Registration was in full force and effect at all times
25 relevant to the charges brought herein and will expire on September 30, 2016, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board under the authority of the following
3 laws. All section references are to the Business and Professions Code ("Code") unless otherwise
4 indicated.

5 4. Section 4300.1 of the Code states:

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

11 5. Section 4011 of the Code provides that "[t]he board shall administer and enforce this
12 chapter [Pharmacy Law, (Business and Professions Code, Sec 4000 et seq.)] and the Uniform
13 Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and
14 Safety Code)."

15 6. Section 4300, subdivision (a), of the Code states, in pertinent part, that "[e]very
16 license issued may be suspended or revoked."

17 **STATUTORY PROVISIONS**

18 7. 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 or whose license has been procured by fraud or misrepresentation or issued by mistake.
21 Unprofessional conduct shall include, but is not limited to, any of the following:

22

23 "(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or
24 corruption, whether the act is committed in the course of relations as a licensee or otherwise, and
25 whether the act is a felony or misdemeanor or not.

26 "(g) Knowingly making or signing any certificate or other document that falsely
27 represents the existence or nonexistence of a state of facts.

28

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Conviction of a Substantially Related Crime)**

3 9. Respondent is subject to disciplinary action under Code section 4301, subdivision (l),
4 in conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was
5 convicted of a crime substantially related to qualifications, functions, or duties of a registered
6 pharmacy technician which to a substantial degree evidence his present or potential unfitness to
7 perform the functions authorized by his registration in a manner consistent with the public health,
8 safety, or welfare.

9 a. On or about November 4, 2014, Respondent was convicted of one felony count of
10 violating Penal Code section 487, subdivision (a) [grand theft of personal property], in the
11 criminal proceeding entitled *The People of the State of California v. Cheyanne Ieshia Lewis*
12 (Super. Ct. L.A. County, 2014, No. BA427153). The court placed Respondent on five years
13 formal probation. The court also ordered her to perform 300 hours of community service, and
14 make restitution to victim, Child Care Resource Center (Los Angeles County Department of
15 Social Services), in the amount of \$14,506.00, jointly and severally with a co-defendant.

16 b. The circumstances surrounding the conviction are that on or between May 2011 and
17 July 2011, Respondent submitted forged and falsified documents to Child Care Resources Center
18 ("CCRC"), a provider of publicly funded childcare assistance, to establish herself as a child care
19 provider. Respondent also falsely reported dates and times to CCRC that childcare was provided
20 for the period between August 2011 and July 2012. Respondent was paid \$14,506.55 by CCRC
21 for childcare that she did not provide.

22 **SECOND CAUSE FOR DISCIPLINE**

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

24 10. Respondent is subject to disciplinary action under Code section 4301, subdivision (f),
25 on the grounds of unprofessional conduct, in that on or between August 2011 and July 2012,
26 Respondent committed acts involving moral turpitude, dishonesty, fraud, deceit, or corruption
27 when she submitted false information to CCRC for services she did not provide, in order to
28 receive payments she was not entitled to receive. Complainant refers to and by this reference

1 incorporates the allegations set for above paragraph 9, as though set forth fully.

2 **THIRD CAUSE FOR DISCIPLINE**

3 **(Knowingly Made a False Statement)**

4 11. Respondent is subject to disciplinary action under Code section 4301, subdivision (g),
5 on the grounds of unprofessional conduct, in that on or between August 2011 and July 2012,
6 Respondent knowing made or signed any certificate or documents that falsely represents the
7 existence or nonexistence of a state of facts in that Respondent falsified attendance records in
8 order to obtain publicly funded child care payments. Complainant refers to and by this reference
9 incorporates the allegations set for above paragraphs 9 and 10, inclusive, as though set forth fully.

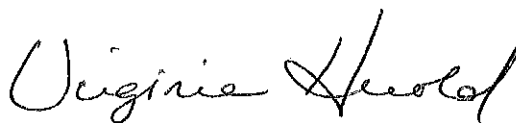
10 **PRAYER**

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

- 13 1. Revoking or suspending Pharmacy Technician Registration No. TCH 127274, issued
14 to Cheyanne Lewis, aka Cheyanne Ieshia Lewis;
- 15 2. Ordering Cheyanne Lewis, aka Cheyanne Ieshia Lewis to pay the Board the
16 reasonable costs of the investigation and enforcement of this case, pursuant to Code section
17 125.3; and,
- 18 3. Taking such other and further action as deemed necessary and proper.

19
20 DATED: _____

4/8/16



21 VIRGINIA HEROLD
22 Executive Officer
23 Board of Pharmacy
24 Department of Consumer Affairs
25 State of California
26 Complainant

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