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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. 5640

12 **BLAIRE KIMBERLEY RELF,**  
13 **aka BLAIRE KIMBERLY RELF, aka**  
14 **BLAIR KIMBERLEY RELF, aka MIA**  
15 **LAURIEZEN**  
480 Harrison Ave  
Claremont, CA 91711

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

16 Pharmacy Technician Registration Number  
17 TCH 142186

Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

- 21 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity  
22 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs (Board).
- 23 2. On or about August 26, 2014, the Board issued Pharmacy Technician Registration  
24 No. TCH 142186 to Blaire Kimberley Relf, aka Blaire Kimberly Relf, Blair Kimberley Relf, Mia  
25 Lauriezen (Respondent). The Pharmacy Technician license, which was in full force and effect at  
26 all times relevant to the charges brought herein, expired on March 31, 2016, and has since been  
27 cancelled.

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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 unless otherwise indicated.

4 **STATUTORY PROVISIONS**

5 4. Section 493 states:

6 "Notwithstanding any other provision of law, in a proceeding conducted by a board within  
7 the department pursuant to law to deny an application for a license or to suspend or revoke a  
8 license or otherwise take disciplinary action against a person who holds a license, upon the  
9 ground that the applicant or the licensee has been convicted of a crime substantially related to the  
10 qualifications, functions, and duties of the licensee in question, the record of conviction of the  
11 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,  
12 and the board may inquire into the circumstances surrounding the commission of the crime in  
13 order to fix the degree of discipline or to determine if the conviction is substantially related to the  
14 qualifications, functions, and duties of the licensee in question.

15 As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,' and 'registration.'"

16 5. Section 4300, subdivision (a), of the Code provides that every license issued by the  
17 Board may be suspended or revoked.

18 6. Section 4300.1 provides that the expiration, cancellation, forfeiture, or suspension of  
19 a board-issued license by operation of law or by order or decision of the board or a court of law,  
20 the placement of a license on a retired status, or the voluntary surrender of a license by a licensee  
21 shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or  
22 action or disciplinary proceeding against, the licensee or to render a decision suspending or  
23 revoking the license.

24 7. Section 4301 states, in pertinent part:

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

28 ...

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

4           ...

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

10           ...

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

13           ...

14           (l) The conviction of a crime substantially related to the qualifications, functions, and duties  
15 of a licensee under this chapter. The record of conviction of a violation of Chapter 13  
16 (commencing with Section 801) of Title 21 of the United States Code regulating controlled  
17 substances or of a violation of the statutes of this state regulating controlled substances or  
18 dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the  
19 record of conviction shall be conclusive evidence only of the fact that the conviction occurred.  
20 The board may inquire into the circumstances surrounding the commission of the crime, in order  
21 to fix the degree of discipline or, in the case of a conviction not involving controlled substances  
22 or dangerous drugs, to determine if the conviction is of an offense substantially related to the  
23 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or  
24 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning  
25 of this provision. The board may take action when the time for appeal has elapsed, or the  
26 judgment of conviction has been affirmed on appeal or when an order granting probation is made  
27 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of  
28 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not

1 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
2 indictment.

3 . . .

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

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

9 8. Section 4060 states, in pertinent part:

10 "No person shall possess any controlled substance, except that furnished to a person upon  
11 the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor  
12 pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified  
13 nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a  
14 physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,  
15 or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of  
16 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not  
17 apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,  
18 pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified  
19 nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly  
20 labeled with the name and address of the supplier or producer."

21 **REGULATORY PROVISION**

22 9. California Code of Regulations, title 16, section 1770, states:

23 "For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5  
24 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be  
25 considered to be substantially related to the qualifications, functions or duties of a licensed  
26 psychiatric technician if to a substantial degree it evidences present or potential unfitness of a  
27 licensed psychiatric technician to perform the functions authorized by his license in a manner  
28 consistent with the public health, safety, or welfare. . . ."

**CONTROLLED SUBSTANCES / DANGEROUS DRUGS**

10. “Methamphetamine” is a Schedule II controlled substance as designated by Health and Safety Code section 11055, subdivision (d)(2), and is categorized as a dangerous drug pursuant to section 4022.

11. “Heroin”, a semisynthetic drug derived from morphine, is a Schedule I controlled substance as designated by Health and Safety Code section 11054(c)(11).

**COST RECOVERY**

12. Section 125.3 provides that a 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.

**FIRST CAUSE FOR DISCIPLINE**

**(Convictions of Substantially Related Crimes)**

13. Respondent is subject to disciplinary action under sections 4301, subdivision (I) and 490, in conjunction with California Code of Regulations, title 16, section 1770, in that Respondent has been convicted of crimes substantially related to the qualifications, functions or duties of a pharmacy technician, as follows:

a. On or about May 27, 2016, after pleading guilty, Respondent was convicted of one misdemeanor count of violating Health and Safety Code section 11350(a) [possession of a controlled substance], one misdemeanor count of violating Penal Code section 148.9(a)(1) [resisting public or peace officer], and one misdemeanor count of violating Penal Code section 135 [destroying or concealing evidence] in the criminal proceeding entitled *The People of the State of California v. Blaire Kimberly Relf* (Super. Ct. Orange County, 2016, No. 16WM05610 M A). The Court sentenced Respondent to 30 days in jail, and payment of fines and fees in the amount of \$535.00.

b. The circumstances surrounding the conviction are that on or about March 16, 2016, Respondent was arrested and found to be in unlawful possession of a controlled substance, to wit: Heroin, at which time she also destroyed or concealed evidence and unlawfully resisted her arrest.

1 c. On or about May 27, 2016, after pleading guilty, Respondent was convicted of  
2 one misdemeanor count of violating Health and Safety Code section 11550(a) [use and under the  
3 influence of a controlled substance] in the criminal proceeding entitled *The People of the State of*  
4 *California v. Blaire Kimberly Relf* (Super. Ct. Orange County, 2015, No. 16WM02041 M A).  
5 The Court sentenced Respondent to 30 days in jail (to be served concurrently with sentence  
6 imposed for conviction in paragraph 12(a) above), and payment of fines and fees in the amount of  
7 \$535.00.

8 d. The circumstances surrounding the conviction are that on or about September  
9 21, 2015, Respondent was arrested for possessing and being under the influence of a controlled  
10 substance, to wit: Methamphetamine.

11 e. On or about November 13, 2015, after pleading guilty, Respondent was  
12 convicted of one misdemeanor count of violating Health and Safety Code section 11550(a) [under  
13 the influence of a controlled substance] possession of a controlled substance] and one  
14 misdemeanor count of violating Penal Code section 148.(a)(1) [resisting public or peace officer]  
15 in the criminal proceeding entitled *The People of the State of California v. Blaire Kimberly Relf*  
16 (Super. Ct. Orange County, 2015, No. 15WM15166). The Court sentenced Respondent to 30  
17 days in jail.

18 f. The circumstances surrounding the conviction are that on or about November  
19 11, 2015, officers were dispatched to do a welfare check in the City of Costa Mesa. Respondent  
20 was observed behaving in a manner consistent with being under the influence of a controlled  
21 substance. Respondent, while repeatedly refusing to comply with an officer's instructions,  
22 kicked and struggled with them before being handcuffed and placed in a Hobble restraint. The  
23 officers transported Respondent to Hoag Hospital, where a blood sample was taken from  
24 Respondent which resulted in a determination that Respondent was under the influence of a  
25 controlled substance.

26 g. On or about November 13, 2015, after pleading guilty, Respondent was  
27 convicted of one misdemeanor count of violating Health and Safety Code section 11377(a)  
28 [unlawful possession of a controlled substance] possession of a controlled substance] and one

1 misdemeanor count of violating Penal Code section 148.9(a) [falsely representing self to peace  
2 officer] in the criminal proceeding entitled *The People of the State of California v. Blaire*  
3 *Kimberly Relf* (Super. Ct. Orange County, 2015, No. 15NM13104). The Court sentenced  
4 Respondent to 30 days in jail.

5 h. The circumstances surrounding the conviction are that on or about September 3,  
6 2015, Respondent was arrested for unlawful possession of a controlled substance, at which time  
7 she also falsely represented herself to the arresting officer.

8 i. On or about April 23, 2015, after pleading nolo contendere, Respondent was  
9 convicted of one misdemeanor count of violating Penal Code sections 470(a) [forgery], and one  
10 misdemeanor count of violating Penal Code section 473(b) [forgery of an instrument that does not  
11 exceed nine hundred fifty dollars (\$950)], in the criminal proceeding entitled *The People of the*  
12 *State of California v. Blaire Kimberly Relf* (Super. Ct. Los Angeles County, 2015,  
13 No. 5PK01030). The Court placed Respondent on summary probation for 3 years with terms and  
14 conditions, including one (1) day in the Los Angeles County jail, payment of fines and fees, and  
15 10 days of community service. Respondent was also ordered to stay away from the victim.

16 j. The circumstances surrounding the conviction are that on or about on or about  
17 January 31, 2015 she removed two checks from the victim's check book without permission.  
18 Respondent, with the intent to defraud, forged the victim's signature on two checks made payable  
19 to Respondent. One of these checks was in the amount of \$150.00; the other was for \$200.00.  
20 Both checks were then cashed by Respondent.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Use/Under the Influence of a Controlled Substance)**

23 14. Respondent is subject to disciplinary action under section 4301, subdivision (h), in  
24 that Respondent used and/or was under the influence of a controlled substance. Complainant  
25 refers to, and by this reference incorporates, the allegations set forth above in paragraph 13(c)  
26 through (f), as though set forth fully.

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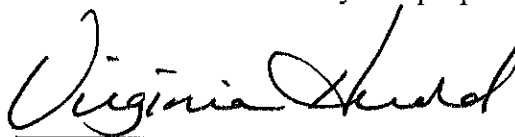


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3. Taking such other and further action as deemed necessary and proper.

DATED: \_\_\_\_\_

1/11/17



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