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

10 In the Matter of the Accusation Against:

Case No. 5718

11 **JEANNIE MARIE ESQUIVEL**
12 **aka JEANNIE MARIE KNAPP**
13 **8859 Valley View Drive**
14 **Ukiah, CA 95482**

A C C U S A T I O N

14 **Pharmacy Technician License No. TCH 66183**

15 Respondent.

16 Complainant alleges:

17 PARTIES

- 18 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
19 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
- 20 2. On or about November 17, 2005, the Board of Pharmacy issued Pharmacy Technician
21 License No. TCH 66183 to Jeannie Marie Esquivel aka Jeannie Marie Knapp (Respondent). The
22 License was in effect at all times relevant and will expire on January 31, 2017, unless renewed.

23 JURISDICTION

- 24 3. This Accusation is brought before the Board of Pharmacy (Board), Department of
25 Consumer Affairs, under the authority of the following laws. All section references are to the
26 Business and Professions Code (Code) unless otherwise indicated.
- 27 4. Section 4300(a) of the Code provides that every license issued by the Board may be
28 suspended or revoked.

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

2 “For the purpose of denial, suspension, or revocation of a personal or facility license
3 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
4 crime or act shall be considered substantially related to the qualifications, functions or duties of a
5 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
6 licensee or registrant to perform the functions authorized by her license or registration in a manner
7 consistent with the public health, safety, or welfare.”

8
9 FIRST CAUSE FOR DISCIPLINE

10 (Conviction of Substantially Related Crime(s))

11 11. Respondent is subject to discipline under section 4301(l) and/or section 490 of the
12 Code, by reference to California Code of Regulations, title 16, section 1770, for the conviction of
13 substantially related crime(s), in that on or about August 4, 2014, in the criminal case *People v.*
14 *Jeannie Marie Knapp*, Case No. 12M06663 in Sacramento County Superior Court, Respondent
15 was convicted of violating Vehicle Code section 23152, subdivision (a) (Driving While Under the
16 Influence of Alcohol/Drugs), a misdemeanor, as follows:

17 a. On or about August 4, 2012, at approximately 7:00 p.m., California Highway
18 Patrol (CHP) received a call regarding a possibly impaired driver traveling eastbound on I-80 at
19 Longview Drive; the report described the vehicle, said it was swerving erratically, had several
20 near-collisions, and was traveling on the shoulder of the freeway. The responding officer(s) saw a
21 car matching the description being driven by Respondent, observed it traveling at high speed,
22 driving erratically, and just narrowly avoiding collisions with other vehicles. The officer(s)
23 initiated an enforcement stop, but when Respondent pulled the car onto the shoulder she failed to
24 adequately follow instructions regarding how far to pull off the highway. When the officer(s)
25 contacted Respondent, she exhibited signs of being under the influence of alcohol or drugs, and
26 an empty prescription bottle was discovered in her purse. Respondent admitted to taking several
27 medications, including Norco. She was unable to perform Field Sobriety Tests (FSTs). She was
28 placed under arrest on suspicion of violating Vehicle Code section 23152, subdivision (a):

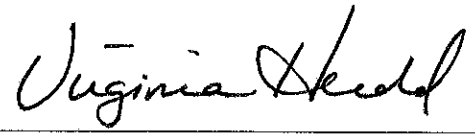
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PRAYER

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 License Number TCH 66183, issued to Jeannie Marie Esquivel aka Jeannie Marie Knapp (Respondent);
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as is deemed necessary and proper.

DATED: 7/19/16



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

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