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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:  
11 **MONIQUE CHRISTINE FORD**  
12 **525 Meadows Court, Apt. C**  
13 **Vacaville, CA 95688**  
14 **Pharmacy Technician Registration No. TCH**  
**105028**  
15 Respondent.

Case No. 5797

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

16  
17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about July 9, 2010, the Board of Pharmacy issued Pharmacy Technician  
22 Registration Number TCH 105028 to Monique Christine Ford (Respondent). The Pharmacy  
23 Technician Registration was in full force and effect at all times relevant to the charges brought  
24 herein. However, the registration expired on May 31, 2016, and has not been 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           4.     Section 4300 of the Code states:

2           "(a) Every license issued may be suspended or revoked.

3           "(b) The board shall discipline the holder of any license issued by the board, whose default  
4 has been entered or whose case has been heard by the board and found guilty, by any of the  
5 following methods:

6           "(1) Suspending judgment.

7           "(2) Placing him or her upon probation.

8           "(3) Suspending his or her right to practice for a period not exceeding one year.

9           "(4) Revoking his or her license.

10          "(5) Taking any other action in relation to disciplining him or her as the board in its  
11 discretion may deem proper.

12   ...   ...

13          "(e) The proceedings under this article shall be conducted in accordance with Chapter 5  
14 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board  
15 shall have all the powers granted therein. The action shall be final, except that the propriety of  
16 the action is subject to review by the superior court pursuant to Section 1094.5 of the Code of  
17 Civil Procedure."

18          5.     Section 4300.1 of the Code states:

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

**STATUTORY PROVISIONS**

25          6.     Section 4301 of the Code states:

26          "The board shall take action against any holder of a license who is guilty of unprofessional  
27 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

28          Unprofessional conduct shall include, but is not limited to, any of the following:

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

...

"(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 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.

...

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

..."

7. Section 4327 of the Code states:

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

**COSTS**

8. Section 125.3 of the Code states, in pertinent part, that the 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**

(Dangerous Use of Alcohol)

9. Respondent is subject to disciplinary action under section 4301, subsection (h), in that Respondent consumed alcohol in a manner that was dangerous to herself, or to any other

1 person, or to the extent that it impaired Respondent's ability to conduct with safety to the public  
2 the practice of a pharmacy technician. Respondent consumed alcohol while working as a  
3 pharmacy technician at Vacavalley Hospital pharmacy. On of about July 29, 2015, Respondent  
4 was requested by her employer to take an alcohol test. The results of the test revealed  
5 Respondent had a blood alcohol level of .33%. Respondent was on duty as a Pharmacy  
6 technician when she submitted to the test.

7 **SECOND CAUSE FOR DISCIPLINE**

8 (Dispensing or Compounding While Under the Influence of Alcohol)

9 10. Respondent is subject to disciplinary action under code section 4301, subsection(o),  
10 in conjunction with 4327 in that Respondent sold, dispensed or compounds a drug while under  
11 the influence of alcoholic beverages. On or about July 29, 2015 and on occasions prior to this  
12 date Respondent consumed alcohol while employed as a Pharmacy technician. Respondent's  
13 duties included dispensing medication and sterile compounding.

14 **THIRD CAUSE FOR DISCIPLINE**

15 (Dishonesty)

16 11. Respondent is subject to disciplinary action under section 4301, subsection (f), in that  
17 Respondent was dishonest. On or about July 29, 2015, Respondent was asked if she consumed  
18 alcohol while at work. Respondent denied that she consumed alcohol. This was untrue and  
19 Respondent knew it was untrue.

20 **FOURTH CAUSE FOR DISCIPLINE**

21 (Unprofessional Conduct)

22 12. Respondent is subject to disciplinary action under section 4300 of the code in that  
23 Respondent was involved in unprofessional conduct. Respondent consumed alcohol at work as  
24 described in paragraphs 9 and 10.

25 **PRAYER**

26 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
27 and that following the hearing, the Board of Pharmacy issue a decision:  
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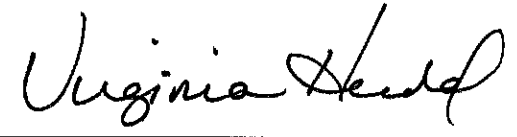
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1. Revoking or suspending Pharmacy Technician Registration Number TCH 105028,  
issued to Monique Christine Ford;

2. Ordering Monique Christine Ford 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;

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

DATED: 6/8/16



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

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