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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:  
12 **AMY MAY SAETEURN**  
550 Maple St., Apt. A  
13 West Sacramento, CA 95691  
14 **Pharmacy Technician Registration**  
15 **No. TCH 124319**  
16 Respondent.

Case No. 5971

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

17 Virginia Herold ("Complainant") alleges:

18 **PARTIES**

- 19 1. Complainant brings this Accusation solely in her official capacity as the Executive  
20 Officer of the Board of Pharmacy ("Board"), Department of Consumer Affairs.  
21 2. On or about October 8, 2012, the Board issued Pharmacy Technician Registration  
22 Number TCH 124319 to Amy May Saeteurn ("Respondent"). The Pharmacy Technician  
23 Registration was in full force and effect at all times relevant to the charges brought herein and  
24 will expire on October 31, 2018, unless renewed.

25 **JURISDICTION**

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



1 (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing  
without prescription," "Rx only," or words of similar import.

2 (b) Any device that bears the statement: "Caution: federal law restricts this  
3 device to sale by or on the order of a \_\_\_\_\_," "Rx only," or words of similar import,  
the blank to be filled in with the designation of the practitioner licensed to use or  
4 order use of the device.

5 (c) Any other drug or device that by federal or state law can be lawfully  
dispensed only on prescription or furnished pursuant to Section 4006.

6 9. Code section 4059(a) states, in pertinent part, that, "A person may not furnish any  
7 dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist,  
8 veterinarian, or naturopathic doctor pursuant to Section 3640.7."

9 **COST RECOVERY**

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

16 **DRUGS**

17 11. The following are dangerous drugs pursuant to Code section 4022:

18 - *Naproxen*

19 - *Metronidazole*

20 - *Penicillin VK*

21 **BACKGROUND**

22 12. At the time of the events set forth herein Respondent was employed as a pharmacy  
23 technician at CVS Pharmacy No. 3943 ("CVS"), in Sacramento, California.

24 13. On or about September 30, 2015, Respondent admitted in the course of an  
25 investigation by CVS that between in or around March 2015 and July 2015, she had stolen from  
26 CVS approximately ten pills each of naproxen 500 mg., metronidazole 500 mg. and penicillin VK

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1 500 mg., for her own, and her families use. Respondent also admitted that she had taken from  
2 CVS' storefront *Honest Tea* and M&M candies.

3 **FIRST CAUSE FOR DISCIPLINE**

4 (Acts Involving Dishonesty, Fraud, Deceit, or Corruption)

5 14. Respondent is subject to disciplinary action pursuant to Code section 4301(f), for  
6 unprofessional conduct, in that between in or around March 2015 and July 2015, while on duty as  
7 a pharmacy technician at CVS, she committed acts of dishonesty, fraud, or deceit, when:

8 a. Respondent stole from CVS 10 tabs each of Naproxen 500 mg., Metronidazole  
9 500 mg., and 10 tabs of Penicillin VK 500 mg.

10 b. Respondent stole from CVS' storefront M&Ms and a bottle of *Honest Abe* tea.

11 **SECOND CAUSE FOR DISCIPLINE**

12 (Violation of State Statutes Regulating Dangerous Drugs)

13 15. Respondent is subject to disciplinary action pursuant to Code section 4301(j), for  
14 unprofessional conduct, in that between in or around March 2015 and July 2015, Respondent  
15 violated state statutes regulating dangerous drugs, as follows:

16 a. Respondent possessed the following dangerous drugs without a valid prescription  
17 from a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor, a violation  
18 of Code section 4060:

19 a. 10 tabs of Naproxen 500 mg.,

20 b. 10 tabs of Metronidazole 500 mg., and

21 c. 10 tabs of Penicillin VK 500 mg.

22 b. Respondent furnished to herself and members of her family the following dangerous  
23 drugs without a valid prescription from a physician, dentist, podiatrist, optometrist, veterinarian,  
24 or naturopathic doctor, a violation of Code section 4059(a):

25 a. 10 tabs of Naproxen 500 mg.,

26 b. 10 tabs of Metronidazole 500 mg., and

27 c. 10 tabs of Penicillin VK 500 mg.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 (Violation of the Pharmacy Law)

3 16. Respondent is subject to disciplinary action pursuant to Code section 4301(o), for  
4 unprofessional conduct, in that she violated laws governing pharmacy, as set forth in  
5 paragraphs 12 through 15, above.

6 **PRAYER**

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

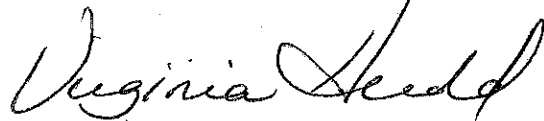
9 1. Revoking or suspending Pharmacy Technician Registration Number TCH 124319,  
10 issued to Amy May Saeteurn;

11 2. Ordering Amy May Saeteurn to pay the Board of Pharmacy the reasonable costs of  
12 the investigation and enforcement of this case, pursuant to Business and Professions Code section  
13 125.3; and,

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

15  
16 DATED: \_\_\_\_\_

4/24/17



17 VIRGINIA HEROLD  
18 Executive Officer  
19 Board of Pharmacy  
20 Department of Consumer Affairs  
21 State of California  
22 *Complainant*

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