

1 BILL LOCKYER, Attorney General
of the State of California
2 LISA S. WIGGINS, State Bar No. 168399
Deputy Attorney General
3 California Department of Justice
455 Golden Gate Avenue, Suite 11000
4 San Francisco, CA 94102-7004
Telephone: (415) 703-5652
5 Facsimile: (415) 703-5480

6 Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 2736

12 **VICKI LYN CIRIMELE**
a.k.a. JOANNE NEWMAN,
13 a.k.a. LYDIA OLSON,
a.k.a. LORI PRICE,
14 a.k.a. VICKI LYN ZANARDI
31 Desvio Court
15 Pacifica, California 94044

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 Pharmacy Technician Registration No. 11851

17 Respondent.

18
19 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties in
20 this proceeding that the following matters are true:

21 **PARTIES**

22 1. Patricia F. Harris ("Complainant") is the Executive Officer of the Board of
23 Pharmacy ("Board"). She brought this action solely in her official capacity and is represented in this
24 matter by Bill Lockyer, Attorney General of the State of California, by Lisa S. Wiggins, Deputy
25 Attorney General.

26 2. Vicki Lyn Cirimele ("Respondent") is representing herself in this proceeding
27 and has chosen not to exercise her right to be represented by counsel.

28 3. On or about February 25, 1994, the Board issued Pharmacy Technician

1 Registration No. 11851 to Vicki Lyn Cirimele, a.k.a. Joanne Newman, a.k.a. Lydia Olson, a.k.a. Lori
2 Price, a.k.a. Vicki Lyn Zanardi. The Registration was in full force and effect at all times relevant
3 to the charges brought in Accusation No. 2736 and will expire on January 31, 2006, unless renewed.

4 **JURISDICTION**

5 4. Accusation No. 2736 was filed before the Board, and is currently pending
6 against Respondent. The Accusation and all other statutorily required documents were properly
7 served on Respondent on July 21, 2004. Respondent timely filed her Notice of Defense contesting
8 the Accusation. A copy of Accusation No. 2736 is attached as **Exhibit A** and incorporated herein
9 by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, and understands the charges and allegations
12 in Accusation No. 2736. Respondent also has carefully read, and understands the effects of this
13 Stipulated Surrender of License and Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the right
15 to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel,
16 at her own expense; the right to confront and cross-examine the witnesses against her; the right to
17 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel
18 the attendance of witnesses and the production of documents; the right to reconsideration and court
19 review of an adverse decision; and all other rights accorded by the California Administrative
20 Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each
22 and every right set forth above.

23 **CULPABILITY**

24 8. Respondent admits the truth of each and every charge and allegation in
25 Accusation No. 2736, agrees that cause exists for discipline and hereby surrenders her Pharmacy
26 Technician Registration No. 11851 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation she enables the Board
28 to issue an order accepting the surrender of her Pharmacy Technician Registration without further

1 process.

2 **CONTINGENCY**

3 **10.** This stipulation shall be subject to approval by the Board. Respondent
4 understands and agrees that counsel for Complainant and the staff of the Board may communicate
5 directly with the Board regarding this stipulation and settlement, without notice to or participation
6 by Respondent. By signing the stipulation, Respondent understands and agrees that she may not
7 withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and
8 acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated
9 Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be
10 inadmissible in any legal action between the parties, and the Board shall not be disqualified from
11 further action by having considered this matter.

12 **11.** The parties understand and agree that facsimile copies of this Stipulated
13 Surrender of License and Order, including facsimile signatures thereto, shall have the same force and
14 effect as the originals.

15 **12.** In consideration of the foregoing admissions and stipulations, the parties agree
16 that the Board may, without further notice or formal proceeding, issue and enter the following Order:

17 **ORDER**

18 **IT IS HEREBY ORDERED** that Pharmacy Technician Registration No. 11851,
19 issued to Respondent Vicki Lyn Cirimele, a.k.a. Joanne Newman, a.k.a. Lydia Olson, a.k.a. Lori
20 Price, a.k.a. Vicki Lyn Zanardi, is surrendered and accepted by the Board.

21 **13.** The surrender of Respondent's Pharmacy Technician Registration and the
22 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
23 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
24 of Respondent's license history with the Board.

25 **14.** Respondent shall lose all rights and privileges as a Pharmacy Technician in
26 California as of the effective date of the Board's Decision and Order.

27 **15.** Respondent shall cause to be delivered to the Board both her Registration
28 wall and pocket license certificate on or before the effective date of the Decision and Order.

1 **16.** Respondent agrees not to apply an application for licensure or a petition for
2 reinstatement in the State of California for a minimum of three years after the effective date of this
3 Decision and Order.

4 **17.** Respondent fully understands and agrees that if she ever files an application
5 for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a
6 petition for reinstatement. Respondent must comply with all the laws, regulations, and procedures
7 for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges
8 and allegations contained in Accusation No. 2736 shall be deemed to be true, correct, and admitted
9 by Respondent when the Board determines whether to grant or deny the petition.

10 **18.** Should Respondent ever apply or reapply for a new license or certification,
11 or petition for reinstatement of a license, by any other health care licensing agency in the State of
12 California, all of the charges and allegations contained in Accusation, No. 2736 shall be deemed to
13 be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other
14 proceeding seeking to deny or restrict licensure.

15 **19.** Respondent shall pay the Board its costs of investigation and enforcement in
16 the amount of \$3186.50 prior to issuance of a new or reinstated license.

17
18
19
20
21
22
23
24
25
26
27
28

**BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2736

**VICKI LYN CIRIMELE
a.k.a. JOANNE NEWMAN,
a.k.a. LYDIA OLSON,
a.k.a. LORI PRICE,
a.k.a. VICKI LYN ZANARDI**

31 Desvio Court
Pacifica, California 94044

Pharmacy Technician Registration No. 11851

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on December 9, 2004.

It is so ORDERED November 9, 2004.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



STANLEY W. GOLDENBERG
Board President

Exhibit A

Accusation No. 2/30

1 BILL LOCKYER, Attorney General
of the State of California
2 LISA S. WIGGINS, State Bar No. 168399
Deputy Attorney General
3 California Department of Justice
455 Golden Gate Avenue, Suite 11000
4 San Francisco, CA 94102-7004
Telephone: (415) 703-5652
5 Facsimile: (415) 703-5480
6 Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 2736

12 **VICKI LYN CIRIMELE**
a.k.a. JOANNE NEWMAN
13 a.k.a. LYDIA OLSON
a.k.a. LORI PRICE
14 a.k.a. VICKI LYN ZANARDI
31 Desvio Court
15 Pacifica, California 94044

A C C U S A T I O N

16 Pharmacy Technician Registration No. 11851

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Patricia F. Harris ("Complainant") brings this Accusation solely in her official
22 capacity as the Executive Officer of the Board of Pharmacy ("Board"), Department of Consumer
23 Affairs.

24 2. On or about February 25, 1994, the Board of Pharmacy issued Pharmacy
25 Technician Registration Number 11851 to Vicki Lyn Cirimele, a.k.a. Joanne Newman, a.k.a. Lydia
26 Olson, a.k.a. Lori Price, a.k.a. Vicki Lyn Zanardi ("Respondent"). The Pharmacy Technician
27 Registration was in full force and effect at all times relevant to the charges brought herein and will
28 expire on January 31, 2006, unless renewed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws.

4. Business and Professions Code section 118(b) provides that the suspension, expiration, surrender, and/or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Business and Professions Code section 4300(a) provides that every license may be suspended or revoked.

6. Business and Professions Code section 4301 states:
"The board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been procured by fraud or misrepresentation or issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

...

"(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.

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

"(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.

...

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

...

1 **THIRD CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct)
3 (Self-Administered Controlled Substance/Dangerous Drug in Dangerous/Injurious Manner)

4 24. Respondent's pharmacy technician registration is subject to discipline under
5 Business and Professions Code section 4301(h) in that between 1999 and February 2003, Respondent
6 self-administered **hydrocodone with acetaminophen**, a controlled substance and dangerous drug,
7 to an extent and/or in a manner as to be dangerous and/or injurious to herself in that she did not have
8 a legitimate physician's order for the medication. The circumstances are as described in Paragraphs
9 16 through 21.

10 **FOURTH CAUSE FOR DISCIPLINE**

11 (Unprofessional Conduct - Falsely Represented Herself Telephonically as Acting on Behalf of a
12 Doctor Who Could Lawfully Prescribe Drugs)

13 25. Respondent's pharmacy technician registration is subject to discipline under
14 Business and Professions Code section 4301(j) and Business and Professions Code section 4323 in
15 that between 1999 and February 2003, Respondent telephoned pharmacies and represented that she
16 was acting on behalf of Dr. Parmer when she ordered **hydrocodone with acetaminophen** for
17 herself. The circumstances are as described in Paragraphs 16 through 21.

18 **FIFTH CAUSE FOR DISCIPLINE**

19 (Unprofessional Conduct)
20 (Forgery of Prescriptions)

21 26. Respondent's pharmacy technician registration is subject to discipline under
22 Business and Professions Code section 4301(j) and Business and Professions Code section 4324(a)
23 in that between 1999 and February 2003, Respondent telephoned pharmacies and represented that
24 she was acting on behalf of Dr. Parmer when she ordered **hydrocodone with acetaminophen** for
25 herself. The circumstances are as described in Paragraphs 16 through 21.

26 ///

27 ///

28 ///

1 SIXTH CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct - Possession of Drugs Secured by a Forged Prescription)

3 27. Respondent's pharmacy technician registration is subject to discipline under
4 Business and Professions Code section 4301(j) and Business and Professions Code section 4324(b)
5 in that between 1999 and February 2003, Respondent telephoned pharmacies and represented that
6 she was acting on behalf of Dr. Parmer when she ordered **hydrocodone with acetaminophen**, and
7 thereafter went to the pharmacies and paid for and received the **hydrocodone with acetaminophen**
8 secured by that forged order. The circumstances are as described in Paragraphs 16 through 21.

9 SEVENTH CAUSE FOR DISCIPLINE

10 (Unprofessional Conduct - Prescribed and/or Administered Controlled Substances for Herself)

11 28. Respondent's pharmacy technician registration is subject to discipline under
12 Business and Professions Code section 4301(j) and Health and Safety Code section 11170 in that
13 between 1999 and February 2003, Respondent prescribed and/or administered to herself
14 **hydrocodone with acetaminophen**, a controlled substance. The circumstances are as described in
15 Paragraphs 16 through 21.

16 EIGHTH CAUSE FOR DISCIPLINE

17 (Unprofessional Conduct - Obtain/Procure Administration/Prescription of Controlled Substances
18 by Fraud, Deceit, Misrepresentation, Subterfuge, and/or Concealment of Material Fact)

19 29. Respondent's pharmacy technician registration is subject to discipline under
20 Business and Professions Code section 4301(j) and Health and Safety Code section 11173(a) in that
21 between 1999 and February 2003, Respondent obtained and/or attempted to obtain **hydrocodone**
22 **with acetaminophen**, a controlled substance, and/or procured and/or attempted to procure the
23 administration of and/or prescription for **hydrocodone with acetaminophen** by fraud, deceit,
24 misrepresentation, subterfuge, and/or concealment of a material fact, when she used Dr. Parmer's
25 D.E.A. Number to obtain **hydrocodone with acetaminophen**. The circumstances are as described
26 in Paragraphs 16 through 21.

27 ///

28 ///

1 NINTH CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)
3 (Made a False Statement in a Prescription, Order, and/or Record Required by Law)

4 30. Respondent's pharmacy technician registration is subject to discipline under
5 Business and Professions Code section 4301(j) and Health and Safety Code section 11173(b) in that
6 between 1999 and February 2003, Respondent made a false statement in a prescription, order, and/or
7 record required by the Health and Safety Code, when she falsely used Dr. Parmer's D.E.A. Number
8 to obtain **hydrocodone with acetaminophen**. The circumstances are as described in Paragraphs 16
9 through 21.

10 TENTH CAUSE FOR DISCIPLINE

11 (Unprofessional Conduct)
12 (False Representation as an Authorized Person to Obtain a Controlled Substance)

13 31. Respondent's pharmacy technician registration is subject to discipline under
14 Business and Professions Code section 4301(j) and Health and Safety Code section 11173(c) in that
15 between 1999 and February 2003, Respondent falsely represented herself as an authorized person
16 so as to obtain a controlled substance, **hydrocodone with acetaminophen**. The circumstances are
17 as described in Paragraphs 16 through 21.

18 ELEVENTH CAUSE FOR DISCIPLINE

19 (Unprofessional Conduct)
20 (Forged Prescriptions for Narcotic Drugs and/or Obtained Narcotic Drugs with Forged and/or
21 Fictitious Prescriptions)

22 32. Respondent's pharmacy technician registration is subject to discipline under
23 Business and Professions Code section 4301(j) and Health and Safety Code section 11368 in that
24 between 1999 and February 2003, Respondent forged a prescription for a narcotic drug,
25 **hydrocodone with acetaminophen**, and/or obtained narcotic drugs by forged and/or fictitious
26 prescriptions. The circumstances are as described in Paragraphs 16 through 21.

27 ///

28 ///

1 **TWELFTH CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct - Violating Provisions/Terms of Chapter or Applicable State/Federal
3 Laws/Regulations Governing Pharmacy)

4 33. Respondent's pharmacy technician registration is subject to discipline under
5 Business and Professions Code section 4301(o) in that between 1999 and February 2003, Respondent
6 violated or attempted to violate, directly or indirectly, provisions/terms of the Business and
7 Professions Code Sections 4000 *et seq.* or applicable federal and state laws and regulations
8 governing pharmacy, including regulations established by the board, when she illegally obtained
9 **hydrocodone with acetaminophen**, as described in Paragraphs 22 through 32. The circumstances
10 are as described in Paragraphs 16 through 21.

11 **THIRTEENTH CAUSE FOR DISCIPLINE**

12 (Unprofessional Conduct - Committed Acts that would Warrant Denial of License)

13 34. Respondent's pharmacy technician registration is subject to discipline under
14 Business and Professions Code section 4301(p) in that between 1999 and February 2003,
15 Respondent's actions or conduct was such that would have warranted denial of a license. The
16 circumstances are as described in Paragraphs 16 through 21.

17 **DISCIPLINE CONSIDERATIONS**

18 35. To determine the degree of discipline, if any, to be imposed on Respondent,
19 Complainant alleges that on or about July 16, 2003, in a prior criminal proceeding entitled *People*
20 *v. Vicki Lyn Cirimele* in San Mateo Superior Court, Case Number NM328767, Respondent was
21 charged with eight (8) counts of willful and unlawful forgery, alteration, or issuance of a prescription
22 bearing a forged or fictitious signature for a narcotic drug (hydrocodone), in violation of Health and
23 Safety Code section 11368, misdemeanors. Respondent pleaded *nolo contendere* to one of the
24 counts of violating Health and Safety Code section 113868. The Court accepted Respondent's plea
25 and found her guilty of the count, and ordered her to diversion from prosecution for three (3) years.
26 The other seven counts were dismissed. Criminal proceedings were suspended. Respondent was
27 ordered to commence and continue her rehabilitative program, pay a \$100 administrative fee, pay
28 a \$110 diversion restitution fee, abstain from use or possession of alcoholic beverages, narcotics, and

1 illegal drugs, and submit to random alcohol and drug testing. At this time, the status of the diverted
2 charge is not final.

3 **PRAYER**

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

6 1. Revoking or suspending Pharmacy Technician Registration Number 11851,
7 issued to Vicki Lyn Cirimele, a.k.a. Joanne Newman, a.k.a. Lydia Olson, a.k.a. Lori Price, a.k.a.
8 Vicki Lyn Zanardi;

9 2. Ordering Vicki Lyn Cirimele to pay the Board of Pharmacy the reasonable
10 costs of the investigation and enforcement of this case, pursuant to Business and Professions Code
11 section 125.3;

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

13 DATED: 7/19/04

14
15 
16 PATRICIA F. HARRIS
17 Executive Officer
18 Board of Pharmacy
19 Department of Consumer Affairs
20 State of California
21 Complainant

22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000