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6 Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 2926

13 CHRISTINA D. BURGOS
9938 Montgomery Ave.
North Hills, CA 91343

**DEFAULT DECISION
AND ORDER**

14 Pharmacy Technician Registration
No. TCH 36042

[Gov. Code, §11520]

15 Respondent.

16 FINDINGS OF FACT

17
18 1. On or about July 30, 2007, Complainant Virginia K. Herold, in her official
19 capacity as the Executive Officer of the Board of Pharmacy, filed Accusation No. 2926 against
20 Christina D. Burgos (Respondent) before the Board of Pharmacy.

21 2. On or about January 26, 2001, the Board of Pharmacy (Board) issued
22 Pharmacy Technician Registration No. TCH 36042 to 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 April 30, 2008, unless renewed.

25 3. On or about August 10, 2007, Teresa Sutton, an employee of the
26 Department of Justice, served by Certified and First Class Mail a copy of Accusation No. 2926,
27 Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code
28 sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which

1 was and is: 9938 Montgomery Avenue, North Hills, California 91343. A copy of the Accusation
2 and Declaration of Service are attached as "Exhibit A," and are incorporated herein by reference.

3 4. Service of the Accusation was effective as a matter of law under the
4 provisions of Government Code section 11505, subdivision (c).

5 5. On or about August 16, 2007, a Domestic Return Receipt (Postal Service
6 Form 3811) was returned by the U.S. Postal Service signed "Christina Burgos" and dated August
7 11, 2007. A copy of the Domestic Return Receipt is attached as "Exhibit B," and is incorporated
8 herein by reference.

9 6. Government Code section 11506 states, in pertinent part:

10 (c) The respondent shall be entitled to a hearing on the merits if the
11 respondent files a notice of defense, and the notice shall be deemed a specific
12 denial of all parts of the accusation not expressly admitted. Failure to file a notice
of defense shall constitute a waiver of respondent's right to a hearing, but the
agency in its discretion may nevertheless grant a hearing.

13 7. Respondent failed to file a Notice of Defense within 15 days after service
14 upon her of the Accusation, and therefore waived her right to a hearing on the merits of
15 Accusation No. 2926.

16 8. California Government Code section 11520 states, in pertinent part:

17 (a) If the respondent either fails to file a notice of defense or to appear at
18 the hearing, the agency may take action based upon the respondent's express
admissions or upon other evidence and affidavits may be used as evidence without
19 any notice to respondent.

20 9. Pursuant to its authority under Government Code section 11520, the Board
of Pharmacy finds Respondent is in default. The Board will take action without further hearing
21 and, based on the evidence on file herein, finds that the allegations in Accusation No. 2926 are
22 true.

23 10. The total cost for investigation and enforcement in connection with the
24 Accusation are \$13,068.75 as of February 29, 2008.

25 DETERMINATION OF ISSUES

26 1. Based on the foregoing findings of fact, Respondent Christina D. Burgos
27 has subjected her Pharmacy Technician Registration No. TCH 36042 to discipline.
28

- 1 2. A copy of the Accusation is attached.
- 2 3. The agency has jurisdiction to adjudicate this case by default.
- 3 4. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy
- 4 Technician Registration based upon the following violations alleged in the Accusation:
- 5 a. Business and Professions Code sections 4300 and 4301(j) and (o)
- 6 (unprofessional conduct for obtaining controlled substances by fraud, deceit or misrepresentation
- 7 and furnishing dangerous drugs without an authorized prescription); and sections 4300 and 4301
- 8 (f), (j), and (o) (unprofessional conduct for deviation from prescription);

9 ORDER

10 IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 36042,

11 heretofore issued to Respondent Christina D. Burgos, is revoked.

12 Pursuant to Government Code section 11520, subdivision (c), Respondent may

13 serve a written motion requesting that the Decision be vacated and stating the grounds relied on

14 within seven (7) days after service of the Decision on Respondent. The agency in its discretion

15 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the

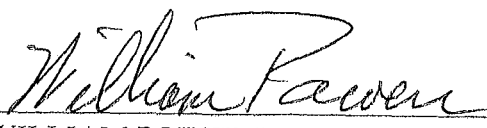
16 statute.

17 This Decision shall become effective on May 21, 2008.

18 It is so ORDERED April 21, 2008

19 BOARD OF PHARMACY
 20 DEPARTMENT OF CONSUMER AFFAIRS
 21 STATE OF CALIFORNIA

22

23 By 

24 WILLIAM POWERS
 Board President

24 60286085.wpd
 DOJ docket number:LA2005600893

- 25 Attachments:
- 26 Exhibit A: Accusation No.2926 and Declaration of Service
 - 27 Exhibit B: Domestic Return Receipt

Exhibit A
Accusation No. 2926

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 GLORIA A. BARRIOS
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Deputy Attorney General
4 California Department of Justice
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Telephone: (213) 897-6294
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7 Attorneys for Complainant

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. 2926

12 CHRISTINA D. BURGOS
9938 Montgomery Ave.
13 North Hills, CA 91343

ACCUSATION

14 Pharmacy Technician Registration
No. TCH 36042

15 Respondent.
16

17
18 Complainant alleges:

19 PARTIES

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

23 2. On or about January 26, 2001, the Board of Pharmacy issued Pharmacy
24 Technician Registration No. TCH 36042 to Christina D. Burgos (Respondent). The Pharmacy
25 Technician Registration was in full force and effect at all times relevant to the charges brought
26 herein and will expire on April 30, 2008, unless renewed.

27 JURISDICTION

28 3. This Accusation is brought before the Board of Pharmacy (Board),

1 Department of Consumer Affairs, under the authority of the following laws. All section
2 references are to the Business and Professions Code unless otherwise indicated.

3 4. Section 4300 of the Code permits the Board to take disciplinary action to
4 suspend or revoke a license issued by the Board.

5 5. Section 118, subdivision (b) states:

6 “The suspension, expiration, or forfeiture by operation of law of a license issued
7 by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or
8 by order of a court of law, or its surrender without the written consent of the board, shall not,
9 during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board
10 of its authority to institute or continue a disciplinary proceeding against the licensee upon any
11 ground provided by law or to enter an order suspending or revoking the license or otherwise
12 taking disciplinary action against the licensee on any such ground.”

13 6. Section 4301 of the Code states:

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

18

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

22

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

25

26 “(o) Violating or attempting to violate, directly or indirectly, or assisting in or
27 abetting the violation of or conspiring to violate any provision or term of this chapter or of the
28 applicable federal and state laws and regulations governing pharmacy, including regulations

1 established by the board.”

2 7. Section 4059 of the Code states, in pertinent part, that a person may not
3 furnish any dangerous drug except upon the prescription of a physician, dentist, podiatrist,
4 optometrist, or veterinarian. A person may not furnish any dangerous device, except upon the
5 prescription of a physician, dentist, podiatrist, optometrist, or veterinarian.

6 8. Section 4070 of the Code states, in pertinent part, that except as provided
7 in Section 4019, an oral or an electronic data transmission prescription as defined in subdivision
8 (c) of section 4040 shall as practicable be reduced to writing by the pharmacist and shall be filled
9 by, or under the direction of, the pharmacist.

10 9. California Code of Regulations, title 16, section 1717, states:

11

12 “(b) In addition to the requirements of Business and Professions Code section
13 4040, the following information shall be maintained for each prescription on file and shall be
14 readily retrievable:

15

16 “(4) A new prescription must be created if there is a change in the drug, strength,
17 prescriber or directions for use, unless a complete record of all such changes is otherwise
18 maintained.

19

20 “(c) Promptly upon receipt of an orally transmitted prescription, the pharmacist
21 shall reduce it to writing, and initial it, and identify it as an orally transmitted prescription. If the
22 prescription is then dispensed by another pharmacist, the dispensing pharmacist shall also initial
23 the prescription to identify him or herself. All orally transmitted prescriptions shall be received
24 and transcribed by a pharmacist prior to compounding, filling, dispensing, or furnishing. Chart
25 orders as defined in section 4019 of the Business and Professions Code are not subject to the
26 provisions of this subsection.”

27 10. Section 11173 of the Health and Safety Code states:

28 “(a) No person shall obtain or attempt to obtain controlled substances, or procure

1 or attempt to procure the administration of or prescription for controlled substances, (1) by fraud,
2 deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

3 “(b) No person shall make a false statement in any prescription, order, report, or
4 record, required by the division.”

5 11. Section 125.3 of the Code provides, in pertinent part, that the Board may
6 request the administrative law judge to direct a licensee found to have committed a violation or
7 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
8 and enforcement of the case.

9 12. CONTROLLED SUBSTANCES

10 a. “Librium”, brand name for chlordiazepoxide, is a Schedule IV controlled
11 substance as defined by Health and Safety Code section 11057(d)(5) and is categorized as a
12 dangerous drug pursuant to section 4022 of the Code.

13 b. “Norco”, brand name for hydrocodone with acetaminophen, is a Schedule
14 III controlled substance as defined in Health and Safety Code section 11056(e)(4) and is
15 categorized as a dangerous drug pursuant to section 4022 of the Code.

16 c. “Oxycontin”, brand name for Oxycodone is a schedule II controlled
17 substance pursuant to Health and Safety Code section 11055(b)(1)(N) and is categorized as a
18 dangerous drug pursuant to section 4022 of the Code.

19 d. “Tylenol with Codeine #3” brand name for Acetaminophen with Codeine,
20 30 mg. Acetaminophen with Codeine is a Schedule III controlled substance as designated by
21 Health and Safety Code section 11056(e)(2) and is categorized as a dangerous drug pursuant to
22 section 4022 of the Code.

23 e. “Valium”, a trade name for the chemical substance diazepam, a
24 benzodiazepam derivative, is a Schedule IV controlled substance as designated by Health and
25 Safety Code section 11057(d)(9) and is categorized as a dangerous drug pursuant to section 4022
26 of the Code.

27 f. “Vicodin”, “Vicodin ES” and “Vicodin HP” brand names for
28 Hydrocodone and Acetaminophen, is a Schedule III controlled substance as designated by Health

1 and Safety Code section 11056(e)(4) and is classified as a dangerous drugs pursuant to Business
2 and Professions Code section 4022 (c).

3 13. DANGEROUS DRUGS

4 a. "Lasix" brand name for furosemide, is classified as a dangerous drugs
5 pursuant to Business and Professions Code section 4022 (c).

6 b. "Lisinopril", generic for the brand name Zestril, is classified as a
7 dangerous drugs pursuant to Business and Professions Code section 4022 (c).

8 c. "Metformin", generic for the brand name Glucophage, is classified as a
9 dangerous drugs pursuant to Business and Professions Code section 4022 (c).

10 d. "Naproxen", generic for the brand name Naprosyn, is classified as a
11 dangerous drugs pursuant to Business and Professions Code section 4022 (c).

12
13 FIRST CAUSE FOR DISCIPLINE

14 **(Obtained Controlled Substances by Fraud, Deceit or Misrepresentation)**

15 14. Respondent is subject to disciplinary action under sections 4300 and 4301,
16 subdivisions (j) and (o) of the Code on the grounds of unprofessional conduct for violating
17 Health and Safety Code section 11173, subdivision (a), in that Respondent obtained controlled
18 substances by fraud, deceit, or misrepresentation. From on or about January 16, 2003 to on or
19 about December 29, 2004, while employed as a pharmacy technician at All Med Drugs in
20 Thousand Oaks, California, Respondent filled and dispensed her relatives' prescriptions at All
21 Med Drugs, as follows:

22 R. C. - Dr. Darakjian, Prescriber

23 a. On or about January 16, 2003, prescription 845198 was written as a
24 telephoned order for Vicodin ES, 60 tablets, for R. C., Respondent's stepfather. The prescription
25 was refilled on February 4, 2003. The prescription history listed "CB" or Christina Burgos as the
26 initials of the person processing the prescription. This prescription was a transferred prescription
27 from Holy Cross Pharmacy, No. 229475, with no refills.

28 b. On or about February 20, 2003, prescription 845198 was renewed as

1 prescription 847738, with one (1) refill for Vicodin ES, 360 tablets, an increase from 60 tablets
2 with a change in directions stating to take 2 tablets every 4 to 6 hours as needed for pain. The
3 initials on the patient profile listed "CB" (Respondent) as the person processing the prescription.
4 On March 7, 2003, the prescription was refilled for another 360 tablets. This prescription was not
5 written by the physician nor a telephone order reduced to writing.

6 c. On or about February 21, 2003, prescription 846718 was dispensed for 40
7 tablets of Vicodin HP 10mg/660mg. The prescription was refilled on or about March 12, 2003
8 and March 26, 2003, for 40 tablets each refill. The quantity on the prescription was changed
9 from 40 tablets to 100 tablets and refilled on June 26, 2003. The initials on the patient profile
10 indicating who processed the prescription when the quantity was increased to 100 tablets were
11 those of Respondent ("CB").

12 d. On or about July 22, 2003, prescription 846718 was "renewed" as
13 prescription 859159, with two (2) refills for Hydrocodone with Acetaminophen 10mg/660mg.,
14 100 tablets. Prescription 859159 was refilled on January 20, 2004; February 4, 2004; and April
15 8, 2004, for 100 tablets each. On or about April 28, 20094, the prescription was refilled for 150
16 tablets. The initials on the patient profile indicating whom processed the prescription were those
17 of Respondent.

18 e. On December 19, 2003, one additional refill was added to prescription
19 859159 and processed as prescription 868000. The initials on the patient profile indicating
20 whom processed the prescription were those of Respondent. On or about January 20, 2004;
21 February 4, 2004; and April 8, 2004, prescription 868000 was refilled for 100 tablets each. On
22 or about April 28, 2004, the prescription was refilled for 150 tablets. The initials of the
23 technician who processed the prescription, increasing the quantity to 150 tablets were those of
24 Respondent.

25 f. On April 28, 2004, prescription 868000 was "renewed" as prescription
26 879372. Prescription 879372 was filled on or about June 2, 2004 for 150 tablets. A notation on
27 the label adhered to the prescription had "#150" crossed out by hand and changed to "100 "
28 tablets with "owe 50" written in. The initials of the person who processed the prescription were

1 those of Respondent. On or about July 27, 2004; August 25, 2004; October 19, 2004; and
2 December 29, 2004, the prescription was refilled for 100 tablets each. The initials of the person
3 who processed the prescription were those of Respondent.

4 g. On or about January 16, 2003, prescription 845199 was written as an
5 additional refill for prescription 229477, for Soma 350mg., 60 tablets. On or about January 16,
6 2003; March 26, 2003; April 15, 2003; May 8, 2003; and May 29, 2003, prescription 845199
7 was refilled for Soma 350mg., 60 tablets each. The initials of the person processing the
8 additional refills were those of Respondent.

9 h. On or about May 7, 2003, a prescription for Soma, 350mg., 60 tablets, was
10 written with no indication that refills were authorized. On or about June 24, 2003, the
11 prescription was processed as prescription 853283. On or about July 22, 2003; August 15,
12 2003; September 25, 2003; October 20, 2003; October 31, 2003; December 2, 2003;
13 December 19, 2003; January 7, 2004; and April 5, 2004, the prescription was refilled for 60
14 tablets each date. With the exception of the July 22 and September 25 prescriptions, all the
15 refills had Respondent's initials. On April 28, 2004 and on June 2, 2004, more than a year after
16 the prescription was originally written, the quantity of prescription 853223 was increased to 100
17 tablets each and processed with Respondent's initials.. On or about June 17, 2004, July 27,
18 2004 and August 25, 2004, the prescription was refilled for 90 tablets each with the initials of
19 Respondent. Prescription 853283 was dispensed a total of 16 times for approximately 1,130
20 tablets over a fifteen-month period.

21 **R. C. - Dr. Lo, Prescriber**

22 i. On or about May 12, 2003, a prescription for Diovan 160mg., 30 tablets,
23 with five (5) refills written by Dr. Lo for patient R. C. was processed as prescription 853286. On
24 or about July 22, 2003; August 29, 2003; September 25, 2003; October 29, 2003; December 2,
25 2003; January 5, 2004; February 4, 2004; and March 25, 2004 prescription 853286 was refilled
26 for 30 tablets each. On or about April 28, 2004, it was refilled for 60 tablets, and on or about
27 June 22, 2004, July 28, 2004 and October 19, 2004, prescription 853286 was refilled for 30
28 tablets each. The initials of the person processing the original prescription and each of the twelve

1 refills were those of Respondent. Prescription 853286 was used to dispense Diovan over a
2 seventeen-month period. On or about November 18, 2004, prescription 853286 was "refilled"
3 as prescription 889272 with Respondent's initials, "CB".

4 j. On or about January 22, 2003, prescription 845621 was dispensed for
5 hydrocodone with acetaminophen 10mg/325mg., (Norco), 50 tablets, with two (2) refills
6 authorized. Prescription 845621 was refilled on February 27, 2003; April 16, 2003; and June 16,
7 2003 for 50 tablets with Respondent's initials, for each date.

8 k. On or about June 16, 2003 "Renew 845621, 2x" was written on a
9 telephone prescription form as prescription 857440 for hydrocodone BIT/APAP, for 100 tablets.
10 On or about July 17, 2003, prescription 857440 was dispensed for hydrocodone BIT/APAP
11 10mg./325mg., 100 tablets and refilled on or about August 15, 2003 and September 9, 2003 for
12 100 tablets, each time with Respondent's initials, "CB".

13 l. On or about September 9, 2003, a telephone prescription was written
14 "Renew 857440, 2x." On or about October 20, 2003, the prescription was filled as prescription
15 863317 for hydrocodone BIT/APAP 10mg./325 mg., 100 tablets. Prescription 863317 was
16 renewed on November 6, 2003; December 2, 2003; and December 19, 2003 for 100 tablets,
17 each time with Respondent's initials, "CB".

18 SECOND CAUSE FOR DISCIPLINE

19 (Furnish Dangerous Drugs Without an Authorized Prescription)

20 15. Respondent is subject to disciplinary action under sections 4300 and 4301,
21 subdivisions (j) and (o) of the Code on the grounds of unprofessional conduct for violating
22 section 4059, in that Respondent furnished dangerous drugs without authorized prescriptions.
23 From on or about January 2, 2003 to on or about September 8, 2004, while employed as a
24 pharmacist technician at All Med Drugs in Thousand Oaks, California, Respondent filled and
25 dispensed her relatives' prescriptions at All Med Drugs without authorized prescriptions, as
26 follows:
27

28 ///

1 **M. M., Dr. Scarborough, Prescriber**

2 a. On or about January 2, 2003, Prescription 844083 for Naproxen 250mg.,
3 60 tablets was filled for M. M., Respondent's grandmother, listing Dr. Scarborough as the
4 prescriber. On or about April 8, 2003, prescriber 844083 was refilled and increased to 100
5 tablets of Naproxen 250mg. "CB" was listed as the person who processed the prescription. Dr.
6 Scarborough stated that she has been practicing out of state since June 2000, her California
7 licensed expired on March 31, 2002, and she did not authorize the prescription, the refill, or the
8 quantities dispensed.

9 **M. M., Dr. Baghoumian, Prescriber**

10 b. On or about January 6, 2003, prescription 844333 for Lisinopril 10mg., 30
11 tablets, was dispensed for M. M. Prescription 844333 was refilled on February 3, 2003 and
12 March 7, 2003 for 30 tablets, and on or about April 3, 2003, it was refilled and increased to 100
13 tablets. "CB" was listed as the person who processed the original dispensing and each of the
14 refills.

15 c. On or about April 29, 2003, prescription 852471 was dispensed for
16 Metformin 500mg., 100 tablets, and refilled on June 21, 2003. Each time "CB" was listed as the
17 person who processed the dispensing. In response to a letter to Dr. Baghoumian, he stated that he
18 did not authorize the prescriptions for these medications. He further stated that during this time
19 period he was obtaining his training in surgery at County USC Medical Center and that these
20 medications would have been prescribed by Internal Medicine and not by a surgeon.

21 **M. M., Dr. Wong, Prescriber**

22 d. Prescription 844506 was prescribed for Lasix 20mg., 30 tablets, with four
23 (4) refills. On or about January 8, 2003, prescription 844506 was filled for 60 tablets, processed
24 by "CB". The prescription was refilled on April 3, 2003; July 23, 2003; and October 17, 2003
25 and increased to 100 tablets each, for a total of 360 tablets. Dr. Wong did not authorize the
26 dispensing of 210 tablets of the medication.

27 e. Prescription 850914 was prescribed for Lisinopril 10mg., 30 tablets, with
28 five (5) refills. On or about July 14, 2003, prescription 850914 was dispensed and increased to

1 100 tablets, processed by "CB". It was refilled on September 24, 2003 and January 12, 2004 for
2 100 tablets each. The medication was dispensed for an extra 120 tablets not authorized by Dr.
3 Wong.

4 f. Prescription 855939 was a faxed prescription for Metformin 500mg., 60
5 tablets, with four (4) refills. On or about July 23, 2003 the prescription was dispensed and
6 increased to 100 tablets and refilled on September 24, 2003; November 11, 2003; and January
7 12, 2004 for 100 tablets each. The medication was dispensed for an extra 100 tablets not
8 authorized by Dr. Wong. "CB" was listed as the person who processed each of the dispensings.

9 g. Prescription 872252 was a faxed prescription for Metformin 500mg., 60
10 tablets, with five (5) refills. On February 16, 2004 prescription 872252 was dispensed and
11 increased to 120 tablets, and refilled on May 5, 2004; July 8, 2004; and September 8, 2004 for
12 120 tablets each. The medication was dispensed for an extra 120 tablets not authorized by Dr.
13 Wong. "CB" was listed as the person who processed each of the dispensings.

14 THIRD CAUSE FOR DISCIPLINE

15 (Deviation From Prescription)

16
17 16. Respondent is subject to disciplinary action under sections 4300 and 4301,
18 subdivisions (f), (j) and (o) of the Code on the grounds of unprofessional conduct for violating
19 California Code of Regulations, title 16, section 1717, in that while employed as a pharmacist
20 technician, Respondent altered, changed the quantities of the medications from the original
21 prescriptions, as follows:

22 a. Prescription 845198 was written for Vicodin ES, 60 tablets, to be taken
23 twice daily as needed for pain. It was "renewed" as prescription 847738. On or about February
24 20, 2003 prescription 847738 was dispensed and increased to 360 tablets without permission,
25 with directions to take 2 tablets every 4 to 6 hours.

26 b. Prescription 846718 prescribed Vicodin HP 10mg/660mg, 40 tablets. On
27 or about July 22, 2003, prescription 846718 was renewed as prescription 859159 for
28 hydrocodone with acetaminophen 10mg./660mg., 100 tablets, with two (2) additional refills

1 authorized. On or about April 28, 2004 the prescription was refilled for a third time without
2 permission and increased to 150 tablets. "CB" was listed as the person who processed the refill.

3 c. On or about December 19, 2003 an additional refill was added to
4 prescription 859159, but was processed as prescription 868000. On or about April 28, 2004,
5 prescription 868000 was refilled without permission and increased from 100 to 150 tablets. The
6 initials of the person who processed each of the dispensings was "C.B".

7 d. On or about May 7, 2003, prescription 853283 was written for Soma, 350
8 mg., 60 tablets, with no refills. On or about August 15, 2003; October 20, 2003; October 31,
9 2003; December 2, 2003; December 19, 2003; January 7, 2004; and April 5, 2004 the
10 prescription was refilled by "CB". On or about April 28, 2004 and June 2, 2004, prescription
11 863283 was refilled and increased to 100 tablets for each refill by "CB". On June 17, 2004; July
12 27, 2004; and August 24, 2004 prescription 863283 was refilled with 90 tables each refill by
13 "CB".

14 e. On or about April 28, 2004, prescription 853286 was refilled for Diovan
15 160mg., 60 tablets, by "CB" without permission. The original prescription was written for 30
16 tablets of the medication.

17 f. On or about April 3, 2003, prescription 844333 was filled Lisinopril
18 10mg., 100 tablets, by "CB". The original prescription was written for Lisinopril 30 tablets.

19
20 PRAYER

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

23 1. Revoking or suspending Pharmacy Technician Registration No. TCH
24 36042, issued to Christina D. Burgos;

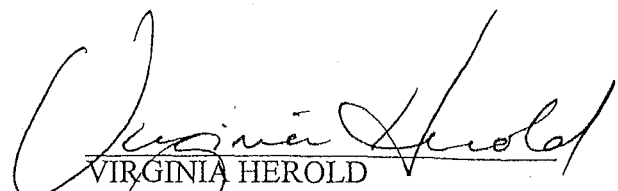
25 2. Ordering Christina D. Burgos to pay the Board of Pharmacy the reasonable
26 costs of the investigation and enforcement of this case, pursuant to Business and Professions
27 Code section 125.3;

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

DATED: 7/30/07



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

LA2005600893
Burgos.wpd
CML (tmRev5/15/07)

DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL
(Separate Mailings)

Case Name: **CHRISTINA D. BURGOS**

No.: **2926**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 10, 2007, I served the attached **STATEMENT TO RESPONDENT, ACCUSATION, GOVERNMENT CODE SECTIONS 11507.5, 11507.6, 11507.7, NOTICE OF DEFENSE in duplicate, and REQUEST FOR DISCOVERY** by placing a true copy thereof enclosed in a sealed envelope as certified mail with postage thereon fully prepaid and return receipt requested, and another true copy of the **STATEMENT TO RESPONDENT, ACCUSATION, GOVERNMENT CODE SECTIONS 11507.5, 11507.6, 11507.7, NOTICE OF DEFENSE in duplicate, and REQUEST FOR DISCOVERY** was enclosed in a second sealed envelope as first class mail with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

Christina D. Burgos
9938 Montgomery Avenue
North Hills, CA 91343

Certified Number
7001 0360 0003 6743 0011

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 10, 2007, at Los Angeles, California.

Teresa Sutton
Declarant

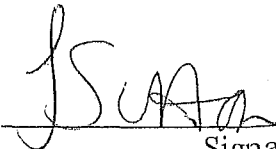

Signature

Exhibit B
Domestic Return Receipt

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

7001 0360 0003 6743 0011

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
Christina D. Burgos
 Street, Apt. No., or PO Box No. **9938 Montgomery Avenue**
 City, State, ZIP+ 4 **North Hills, CA 91343**

PS Form 3811, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Christina D. Burgos
9938 Montgomery Avenue
North Hills, CA 91343

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) **CHRISTINA BURGOS** B. Date of Delivery **8-11**
 C. Signature **[Signature]** Agent Addressee
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label) **7001 0360 0003 6743 0011**