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of the State of California
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7 Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 2945

12 WILLIAM F. MOREA
6039 Cypress Garden Blvd #143
13 Winter Haven, FL 33884

OAH No. N-2006040225

14 Original Pharmacist License No. RPH 44753

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Respondent.
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17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18 proceeding that the following matters are true:

19 PARTIES

20 1. Patricia F. Harris (Complainant) is the Executive Officer of the Board of
21 Pharmacy. She brought this action solely in her official capacity and is represented in this matter
22 by Bill Lockyer, Attorney General of the State of California, by Lorrie M. Yost, Deputy Attorney
23 General.

24 2. William F. Morea (Respondent) is representing himself in this proceeding
25 and has chosen not to exercise his right to be represented by counsel.

26 3. On or about September 4, 1991, the Board of Pharmacy issued Original
27 Pharmacist License No. RPH 44753 to William F. Morea (Respondent). The original pharmacist

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1 license was in full force and effect at all times relevant to the charges brought in Accusation No.
2 2945 and will expire on April 30, 2007, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2945 was filed before the Board of Pharmacy (Board),
5 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
6 and all other statutorily required documents were properly served on Respondent on January 27,
7 2006. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of
8 Accusation No. 2945 is attached as Exhibit A and incorporated herein by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations
11 in Accusation No. 2945. Respondent also has carefully read, and understands the effects of this
12 Stipulated Surrender of License and Order.

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

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

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in
24 Accusation No. 2945, agrees that cause exists for discipline and hereby surrenders his Original
25 Pharmacist License No. RPH 44753 for the Board's formal acceptance.

26 9. Respondent understands that by signing this stipulation he enables the
27 Board to issue an order accepting the surrender of his original pharmacist license without further
28 process.

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16. Respondent understands and agrees that if he ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 2945 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition. Respondent may not reapply for licensure for at least three years from the effective date of this decision.

17. Respondent shall pay the Board its costs of investigation and enforcement in the amount of \$8,800.00 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my original pharmacist license. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 8/14/06



William F. Morea (Respondent)
Respondent

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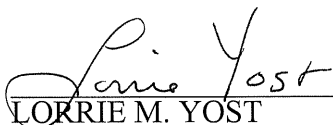
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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: August 8, 2006

BILL LOCKYER, Attorney General
of the State of California



LORRIE M. YOST
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: SA2005104971
Morea.S&W.10257028.wpd

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

In the Matter of the Accusation Against:

WILLIAM F. MOREA
6039 Cypress Garden Blvd #143
Winter Haven, FL 33884

Original Pharmacist License No. RPH 44753

Respondent.

Case No. 2945

OAH No. N-2006040225

DECISION AND ORDER

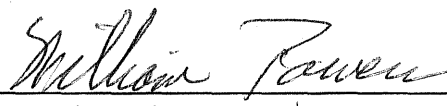
The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on December 8, 2006.

It is so ORDERED November 8, 2006.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



WILLIAM POWERS
Board President

Exhibit A

Accusation No. 2945

1 BILL LOCKYER, Attorney General
of the State of California
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Deputy Attorney General
3 California Department of Justice
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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:

Case No. 2945

12 WILLIAM F. MOREA
6039 Cypress Garden Blvd. 143
13 Winter Haven Florida 33884

A C C U S A T I O N

14 Original Pharmacist License No. RPH 44753

15 Respondent.

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17 Complainant alleges:

18 PARTIES

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

22 2. On or about September 4, 1991, the Board of Pharmacy issued Original
23 Pharmacist License Number RPH 44753 to William F. Morea (Respondent). Respondent's
24 original pharmacist license was in full force and effect at all times relevant to the charges brought
25 herein and will expire on April, 30, 2007, unless renewed.

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1 6. Section 4060 of the Code states in pertinent part:

2 No person shall possess any controlled substance, except that furnished to a
3 person upon the prescription of a physician, dentist, podiatrist, or veterinarian, or furnished
4 pursuant to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a nurse
5 practitioner pursuant to Section 2836.1, or a physician assistant pursuant to Section 3502.1. This
6 section shall not apply to the possession of any controlled substance by a manufacturer,
7 wholesaler, pharmacy, physician, podiatrist, dentist, veterinarian, certified nurse-midwife, nurse
8 practitioner, or physician assistant, when in stock in containers correctly labeled with the name
9 and address of the supplier or producer.

10 7. Section 4327 states that any person who, while on duty, sells, dispenses or
11 compounds any drug while under the influence of any dangerous drug or alcoholic beverages
12 shall be guilty of a misdemeanor.

13 8. Health and Safety Code section 11170 states in pertinent part that no
14 person shall prescribe, administer, or furnish a controlled substance for himself.

15 9. Health and Safety Code section 11350(a) states in pertinent part that,
16 except as otherwise provided in this division, every person who possesses any controlled
17 substance classified in Schedule III, IV, or V which is a narcotic drug, unless upon the written
18 prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state,
19 shall be punished by imprisonment in the state prison.

20 10. Section 118, subdivision (b), of the Code provides that the expiration of a
21 license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the
22 period within which the license may be renewed, restored, reissued or reinstated.

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

27 12. Title 16 California Code of Regulations section 1714(c) states that
28 pharmacy and fixtures and equipment shall be maintained in a clean and orderly condition. The

1 pharmacy shall be dry, well-ventilated, free from rodents and insects, and properly lighted. The
2 pharmacy shall be equipped with a sink with hot and cold running water for pharmaceutical
3 purposes.

4 DRUGS

5 13. "Hydrocodone" is a Schedule III narcotic and controlled substance
6 pursuant to Health and Safety Code section 11056(e)(4), and a dangerous drug under Business
7 and Professions Code section 4022.

8 14. "OxyContin" is the brand name of a time-release formula of the chemical
9 oxycodone, a narcotic analgesic, a Schedule II controlled substance under Health and Safety
10 Code section 11055(b)(1)(N), and a dangerous drug under Business and Professions Code section
11 4022.

12 FIRST CAUSE FOR DISCIPLINE

13 (Moral Turpitude, Dishonesty, Corrupt Acts)

14 15. Respondent is subject to disciplinary action under section 4301(f) in that
15 on or about April 4, 2005, Respondent committed acts of moral turpitude, deceit and corruption.
16 The facts and circumstances are that Respondent was videotaped stealing drugs from his
17 employer, Longs Drug Store #209 by pouring the contents of a pharmacy bottle of
18 hydrocodone/acetaminophen 10/325 tablets into his hand, and then placing the contents of his
19 hand into his mouth.

20 SECOND CAUSE FOR DISCIPLINE

21 (Unlawful Possession)

22 16. Respondent is subject to disciplinary action under section 4301(j) in that
23 on or about April 4, 2005, he violated a state law regulating controlled substances and dangerous
24 drugs, specifically Health and Safety Code section 11350. The facts and circumstances are that
25 he possessed hydrocodone/acetaminophen 10/325, a Schedule III controlled substance and a
26 narcotic drug, without the written prescription of a physician, dentist, podiatrist, or veterinarian.

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1 fixtures and equipment in a clean and orderly condition. The facts and circumstances are that,
2 while on duty at Longs Drugs # 209, Respondent obtained a 60-dram size amber prescription
3 vial, removed his pants and urinated into the vial. After filling the vial, Respondent placed it on
4 the pharmacy counter in the area where patient medications are regularly prepared.

5 PRAYER

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

8 A. Revoking or suspending Original Pharmacist License Number RPH
9 44753, issued to William F. Morea.

10 B. Ordering William F. Morea to pay the Board of Pharmacy the reasonable
11 costs of the investigation and enforcement of this case, pursuant to Business and Professions
12 Code section 125.3;

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

15 DATED: 1/23/06
16

17 P. J. Harris
18 PATRICIA F. HARRIS
19 Executive Officer
20 Board of Pharmacy
21 Department of Consumer Affairs
22 State of California
23 Complainant
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