	4		
1	BILL LOCKYER, Attorney General		
2	of the State of California MICHAEL B. FRANKLIN, State Bar No. 136524		
3	Deputy Attorney General California Department of Justice		
4	455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004		
5	Telephone: (415) 703-5622 Facsimile: (415) 703-5480		
6	Attorneys for Complainant		
7	BEFORE THE		
8	BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS		
9	STATE OF CAL	IFORNIA	
10	In the Matter of the Accusation Against:	Case No. 2951	
11	SARAH SUZANNE LANGLEY 436 Hall Rd.	OAH No. N2006020408	
12	Silver Lake, WA 98645	STIPULATED SURRENDER OF LICENSE AND ORDER	
13	Pharmacy Technician License No. TCH 49191		
14	Respondent.		
15			
16	In the interest of a prompt and speedy	resolution of this matter, consistent with the	
17	public interest and the responsibility of the Board of	Pharmacy of the Department of Consumer	
18	Affairs the parties hereby agree to the following Stipulated Surrender of License and Order which		
19	will be submitted to the Board for approval and adoption as the final disposition of the		
20	Accusation.		
21	PARTIE	<u>S</u>	
22	1. Patricia F. Harris (Complaina	nt) is the Executive Officer of the Board of	
23	Pharmacy. She brought this action solely in her offi	cial capacity and is represented in this matter	
24	by Bill Lockyer, Attorney General of the State of Ca	lifornia, by Michael B. Franklin, Deputy	
25	Attorney General.		
26	2. Sarah Suzanne Langley (Resp	ondent) is represented in this proceeding by	
27	attorney Robert F. Hahn, whose address is Law Offi	ces of Gould & Hahn, 5801 Christie Avenue,	
28	Suite 385, Emeryville, California 94608.		

3. On or about August 21, 2003, the Board of Pharmacy issued Pharmacy 1 2 Technician License No. TCH 49191 to Sarah Suzanne Langley (Respondent). The license was in 3 full force and effect at all times relevant to the charges brought in Accusation No. 2951 and will 4 expire on August 31, 2007, unless renewed. 5 JURISDICTION 4. Accusation No. 2951 was filed before the Board of Pharmacy (Board), 6 7 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 26, 8 9 2006. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2951 is attached as exhibit A and incorporated herein by reference. 10 11 ADVISEMENT AND WAIVERS 5. 12 Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2951. Respondent also has carefully 13 read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of 14 15 License and Order. 6. 16 Respondent is fully aware of her legal rights in this matter, including the 17 right to a hearing on the charges and allegations in the Accusation; the right to be represented by 18 counsel, at her own expense; the right to confront and cross-examine the witnesses against her; 19 the right to present evidence and to testify on her own behalf; the right to the issuance of 20 subpoenas to compel the attendance of witnesses and the production of documents; the right to 21 reconsideration and court review of an adverse decision; and all other rights accorded by the 22 California Administrative Procedure Act and other applicable laws. 23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up 24 each and every right set forth above. 25 CULPABILITY 8. 26 Respondent admits that the charges and allegations set forth in Accusation 27 No. 2951 constitute cause for imposing discipline upon her Pharmacy Technician License. She 28 hereby gives up her right to contest those charges and allegations.

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

RESERVATION

5 10. The admissions made by Respondent herein are only for the purposes of
6 this proceeding, or any other proceedings in which the Board of Pharmacy or other professional
7 licensing agency is involved, and shall not be admissible in any other criminal or civil
8 proceeding.

<u>CONTINGENCY</u>

10 11. This stipulation shall be subject to approval by the Board of Pharmacy. 11 Respondent understands and agrees that counsel for Complainant and the staff of the Board of 12 Pharmacy may communicate directly with the Board regarding this stipulation and surrender, 13 without notice to or participation by Respondent or her counsel. By signing the stipulation, 14 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind 15 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt 16 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall 17 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action 18 between the parties, and the Board shall not be disqualified from further action by having 19 considered this matter.

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

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

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1	ORDER
2	IT IS HEREBY ORDERED that Pharmacy Technician License No. TCH 49191,
3	issued to Respondent Sarah Suzanne Langley, is surrendered and accepted by the Board of
4	Pharmacy.
5	14. The surrender of Respondent's Pharmacy Technician License and the
6	acceptance of the surrendered license by the Board shall constitute the imposition of discipline
7	against Respondent. This stipulation constitutes a record of the discipline and shall become a
8	part of Respondent's license history with the Board.
9	15. Respondent shall lose all rights and privileges as a Pharmacy Technician
10	in California as of the effective date of the Board's Decision and Order.
11	16. Respondent shall cause to be delivered to the Board both her Pharmacy
12	Technician License wall and pocket license certificate on or before the effective date of the
12	Decision and Order.
13	17. Respondent may not apply or reapply for any licensure or registration of
14	
	the Board for three (3) years from the effective date of the Decision and Order.
16	18. Respondent understands and agrees that if she ever applies for licensure or
17	petitions for reinstatement in the State of California, the Board shall treat it as a new application
18	for licensure. Respondent must comply with all the laws, regulations and procedures for
19	licensure in effect at the time the application or petition is filed, and all of the charges and
20	allegations contained in Accusation No. 2951 shall be deemed to be true, correct and admitted
21	by Respondent when the Board determines whether to grant or deny the application or petition.
22	19. Respondent shall pay the Board its costs of investigation and enforcement
23	in the amount of \$1,271.00 prior to issuance of a new or reinstated license.
24	///
25	///
26	
27	///
28	///

1	ACCEPTANCE	
2	I have carefully read the above Stipulated Surrender of License and Order and	
3	have fully discussed it with my attorney, Robert F. Hahn. I understand the stipulation and the	
4	effect it will have on my Pharmacy Technician License. I enter into this Stipulated Surrender of	
5	License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the	
6	Decision and Order of the Board of Pharmacy.	
7	DATED:	
8	SARAH SUZANNE LANGLEY	
9	Respondent	
10	I have read and fully discussed with Respondent Sarah Suzanne Langley the terms	
11	and conditions and other matters contained in this Stipulated Surrender of License and Order. I	
12	approve its form and content.	
13	DATED:	
14	ROBERT F. HAHN	
15	Attorney for Respondent	
16		
17	ENDORSEMENT	
18	The foregoing Stipulated Surrender of License and Order is hereby respectfully	
19	submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.	
20	DATED:	
21	BILL LOCKYER, Attorney General of the State of California	
22	of the State of California	
23		
24	MICHAEL B. FRANKLIN Deputy Attorney General	
25	Attorneys for Complainant	
26	Attomeys for Complainant	
27	DOJ Matter ID: SF2005401602 40098207.wpd	
28	10090207.wpu	
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,	
1	ACCEPTANCE
2	I have carefully read the above Stipulated Surrender of License and Order and
3	have fully discussed it with my attorney, Robert F. Hahn. I understand the stipulation and the
4	effect it will have on my Pharmacy Technician License. I enter into this Stipulated Surrender of
5	License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6	Decision and Order of the Board of Pharmacy.
7	DATED: 07-05-2006
8	sanah hanne hangles
9	Respondent
10	I have read and fully discussed with Respondent Sarah Suzanne Langley the terms
11	and conditions and other matters contained in this Stipulated Surrender of License and Order. I
12	approve its form and content.
13	DATED: 7-5-06
14	ROBERT F. HAHN
15	Attorney for Respondent
16	
17	ENDORSEMENT
18,	The foregoing Stipulated Surrender of License and Order is hereby respectfully
. 19	submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.
20	DATED:
21	BILL LOCKYER, Attorney General of the State of California
22	
23	Mut time
24	MICHAEL B. FRANKLIN Deputy Attorney General
25	Attorneys for Complainant
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27	DOJ Maner ID; SF2005401602 40097366.wpd
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BEFORE THE BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SARAH SUZANNE LANGLEY 436 Hall Rd. Silver Lake, WA 98645 Case No. 2951

OAH No. N2006020408

Pharmacy Technician License No. TCH 49191

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 August 30, 2006

It is so ORDERED ______ July 31, 2006_____

BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

By

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WILLIAM POWERS Board President

Exhibit A Accusation No. 2951

		• •
1 2 3 4 5	 BILL LOCKYER, Attorney General of the State of California MICHAEL B. FRANKLIN, State Bar No. 136524 Deputy Attorney General California Department of Justice 455 Golden Gate Avenue, Suite 11000' San Francisco, CA 94102-7004 Telephone: (415) 703-5622 Facsimile: (415) 703-5480 	
 Attorneys for Complainant 7 BEFORE THE BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA 9 		ARMACY ISUMER AFFAIRS
10	In the Matter of the Accusation Against:	Case No. 2951
11	SARAH SUZANNE LANGLEY 436 Hall Rd.	OAH No.
12	Silver Lake, WA 98645	ACCUSATION
13	Pharmacy Technician License No. TCH 49191	
14	Respondent.	
15 16	Complainant alleges:	
17	PARTIE	S
18		nt) brings this Accusation solely in her
19	official capacity as the Executive Officer of the Boar	
20	Affairs.	
21	2. On or about August 21, 2003,	the Board of Pharmacy issued Pharmacy
22	Technician Number 49191 to Sarah Suzanne Langle	y (Respondent). The Pharmacy Technician
23	license was in full force and effect at all times releva	ant to the charges brought herein and will
24	expire on August 31, 2007, unless renewed.	
25		
26	JURISDICT	TION
27	3. This Accusation is brought be	efore the Board of Pharmacy (Board),
28	Department of Consumer Affairs, under the authorit	y of the following laws. All section
	1	

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1	references are to the Business and Professions Code unless otherwise indicated.
2	4. Section 4011 of the Code provides that the Board shall administer and
3	enforce both the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled
4	Substances Act [Health & Safety Code, § 11000 <u>et seq.</u>].
5	5. Section 4300(a) of the Code provides that every license issued by the
6	Board may be suspended or revoked.
7	6. Section 118(b) of the Code provides, in pertinent part, that the suspension,
8	expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to
9	proceed with a disciplinary action during the period within which the license may be renewed,
10	restored, reissued or reinstated. Section 4402(a) of the Code provides that any license that is not
11	renewed within three years following its expiration may not be renewed, restored, or reinstated
12	and shall be canceled by operation of law at the end of the three-year period.
13	
14	STATUTORY PROVISIONS
15	7. Section 4301 of the Code provides, in pertinent part, that the Board shall
16	take action against any holder of a license who is guilty of "unprofessional conduct," defined to
17	include, but not be limited to, any of the following:
18	•••
19	"(h) The administering to oneself, of any controlled substance, or the use of any
20	dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or
21	injurious to oneself, to a person holding a license under this chapter, or to any other person or to
22	the public, or to the extent that the use impairs the ability of the person to conduct with safety to
23	the public the practice authorized by the license.
24	•••
25	"(j) The violation of any of the statutes of this state or of the United States
26	regulating controlled substances and dangerous drugs."
27	
28	

Section 492 of the Code states, in relevant part, that, notwithstanding any 1 8. 2 other provision of law, successful completion of any diversion program under the Penal Code, or successful completion of an alcohol and drug problem assessment program under Article 5 3 4 (commencing with section 23249.50) of Chapter 12 of Division 11 of the Vehicle Code, shall not 5 prohibit any agency established under Division 2 ([Healing Arts] commencing with Section 500) 6 of this code, or any initiative act referred to in that division, from taking disciplinary action 7 against a licensee or from denying a license for professional misconduct, notwithstanding that 8 evidence of that misconduct may be recorded in a record pertaining to an arrest. 9 9. Section 125.3 of the Code states, in pertinent part, that the Board may 10 request the administrative law judge to direct a licentiate found to have committed a violation or 11 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation 12 and enforcement of the case. 13 14 CAUSE FOR DISCIPLINE 15 (Unprofessional Conduct) 10. 16 Respondent is subject to disciplinary action under section 4301 (h) and/or 17 (j) in that Respondent administered to herself a controlled substance, and/or used a dangerous 18 drug, to the extent or in a manner as to be dangerous or injurious to herself. The circumstances 19 are as follows: 20 11. In the early hours on or about January 19, 2005, Respondent, while driving 21 an automobile, was found to be under the influence of Methamphetamine. Respondent admitted 22 to snorting one line of Methamphetamine in the evening of January 18, 2005. Respondent was 23 arrested and charged with one count of violating Health and Safety Code section 11550 24 [Use/Under the Influence of Controlled Substance]. 25 26 PRAYER 27 WHEREFORE, Complainant requests that a hearing be held on the matters herein 28 alleged, and that following the hearing, the Board of Pharmacy issue a decision:

	1	A. Revoking or suspending Pharmacy Technician Number 49191, issued to
	2	Sarah Suzanne Langley Sarah Suzanne Langley.
و د	3	B. Ordering Sarah Suzanne Langley to pay the Board of Pharmacy the
	4	reasonable costs of the investigation and enforcement of this case, pursuant to Business and
	5	Professions Code section 125.3;
	6	C. Taking such other and further action as deemed necessary and proper.
	7	
	8	DATED: 1/23/06
	9	
	10	P 7 X/action
	11	PATRICIA F. HARRIS
	12	Executive Officer Board of Pharmacy
	13	Board of Pharmacy Department of Consumer Affairs State of California
	14	Complainant
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