

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

In the Matter of the Accusation Against:

Case No. 3228

RANDY ALLEN COSTERE
412 Hillcrest Drive
Aptos, CA 95003

Original Pharmacy Technician
Registration No. TCH 44904

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 January 28, 2010.

It is so ORDERED on December 29, 2009.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



KENNETH H. SCHELL
Board President

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JOSHUA A. ROOM
Deputy Attorney General
4 State Bar No. 214663
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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Attorneys for Complainant
7

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

10 In the Matter of the Accusation Against:

Case No. 3228

11 **RANDY ALLEN COSTERE**
12 **412 Hillcrest Drive**
13 **Aptos, California 95003**

STIPULATED SURRENDER OF
LICENSE AND ORDER

14 **Pharmacy Technician License**
15 **No. TCH 44904**

Respondent.

16
17 In the interest of a prompt and speedy resolution of this matter, consistent with the public
18 interest and the responsibility of the Board of Pharmacy of the Department of Consumer Affairs
19 the parties hereby agree to the following Stipulated Surrender of License and Order which will be
20 submitted to the Board for approval and adoption as the final disposition of the Accusation.
21

22 PARTIES

23 1. Virginia Herold (Complainant), Executive Officer of the Board of Pharmacy, brought
24 this action solely in her official capacity and is represented in this matter by Edmund G. Brown
25 Jr., Attorney General of the State of California, by Joshua A. Room, Deputy Attorney General.

26 2. Randy Allen Costere (Respondent) is representing himself in this proceeding and has
27 chosen not to exercise his right to be represented by counsel.
28

1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 3228, agrees that cause exists for discipline, and hereby surrenders his Pharmacy Technician
4 License No. TCH 44904 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation he enables the Board to issue
6 an order accepting the surrender of his Pharmacy Technician License without further process.
7

8 RESERVATION

9 10. The admissions made by Respondent herein are only for purposes of this proceeding,
10 or any other proceedings in which the Board of Pharmacy or other professional licensing agency
11 is involved, and shall not be admissible in any other criminal or civil proceeding.
12

13 CONTINGENCY

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

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

26 13. In consideration of the foregoing admissions and stipulations, the parties agree that
27 the Board) may, without further notice or formal proceeding, issue and enter the following Order:
28

ORDER

1
2 IT IS HEREBY ORDERED that Pharmacy Technician License No. TCH 44904, issued to
3 Respondent Randy Allen Costere, is surrendered and accepted by the Board of Pharmacy.

4 14. The surrender of Respondent's Pharmacy Technician License and the acceptance of
5 the surrendered license by the Board shall constitute the imposition of discipline against
6 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
7 Respondent's license history with the Board.

8 15. Respondent shall lose all rights and privileges as a Pharmacy Technician in California
9 as of the effective date of the Board's Decision and Order.

10 16. Respondent shall cause to be delivered to the Board both his wall license certificate
11 and, if one was issued, pocket license on or before the effective date of the Decision and Order.

12 17. Respondent may not apply, reapply, or petition for any licensure or registration of the
13 Board for three (3) years from the effective date of the Decision and Order.

14 18. Respondent understands and agrees that if he ever applies for licensure or petitions
15 for reinstatement in the State of California, the Board shall treat it as a new application for
16 licensure. Respondent must comply with all the laws, regulations and procedures for licensure in
17 effect at the time the application or petition is filed, and all of the charges and allegations
18 contained in Accusation No. 3228 shall be deemed to be true, correct and admitted by Respondent
19 when the Board determines whether to grant or deny the application or petition.

20 19. Should Respondent ever apply or reapply for a new license or certification, or petition
21 for reinstatement of a license, by any other health care licensing agency in the State of California,
22 all of the charges and allegations contained in Accusation No. 3228 shall be deemed to be true,
23 correct, and admitted by Respondent for the purpose of any Statement of Issues or any other
24 proceeding seeking to deny or restrict licensure.

25 20. Respondent shall pay the Board its costs of investigation and enforcement in the
26 amount of \$4,467.75 prior to issuance of a new or reinstated license.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Technician 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: 10/15/08



RANDY ALLEN COSTERE
Respondent

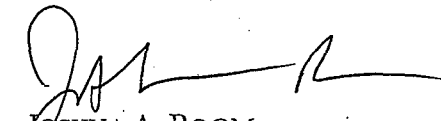
ENDORSEMENT

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: June 24, 2009

Respectfully Submitted,

EDMUND G. BROWN JR.
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General



JOSHUA A. ROOM
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 3228

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JOSHUA A. ROOM, State Bar No. 214663
Deputy Attorney General
4 455 Golden Gate Avenue, Suite 11000
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5 Telephone: (415) 703-1299
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6 Attorneys for Complainant

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

10 In the Matter of the Accusation Against:

Case No. 3228

11 RANDY ALLEN COSTERE
12 412 Hillcrest Drive
Aptos, California 95003

A C C U S A T I O N

13 Pharmacy Technician License No. TCH 44904

14 Respondent.
15

16 Complainant alleges:

17 PARTIES

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

20 2. On or about October 17, 2002, the Board of Pharmacy issued Pharmacy
21 Technician License Number TCH 44904 to Randy Allen Costere (Respondent). The Pharmacy
22 Technician License was in full force and effect at all times relevant to the charges brought herein
23 and will expire on August 31, 2010, unless renewed.

24
25 JURISDICTION

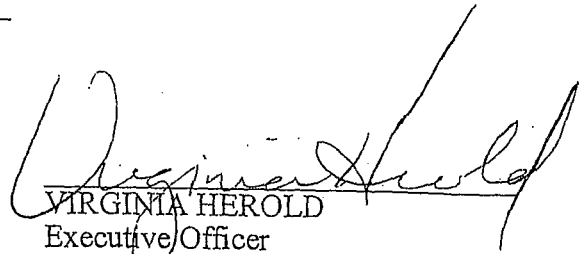
26 3. This Accusation is brought before the Board of Pharmacy (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code (Code) unless otherwise indicated.

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B. Ordering Respondent to pay the Board reasonable costs of investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: 4/10/09



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

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