

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

In the Matter of the Accusation Against:

Case No. 3473

**PRECIOUS FAME, A.K.A.  
PRECIOUS CLAMUCHA FAME**  
1463 Treat Blvd., #1216  
Walnut Creek, CA 94597

Pharmacy Technician License No. TCH 38982

Respondent.

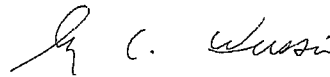
**DECISION AND ORDER**

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 25, 2010.

It is so ORDERED on July 26, 2010.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

\_\_\_\_\_  
STANLEY C. WEISSER  
Board President

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 LESLIE A. BURGERMYER  
Deputy Attorney General  
4 State Bar No. 117576  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
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Facsimile: (916) 327-8643  
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. AC 2009 3473

12 **PRECIOUS FAME, A.K.A.**  
13 **PRECIOUS CLAMUCHA FAME**  
14 1463 TREAT BLVD., #1216  
WALNUT CREEK, CA 94597

OAH No. 2010030491

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 PHARMACY TECHNICIAN LICENSE  
16 No. TCH 38982

17 Respondent.

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

21 **PARTIES**

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

26 2. Precious Fame, a.k.a. Precious Clamucha Fame, (Respondent) is representing herself  
27 in this proceeding and has chosen not to exercise her right to be represented by counsel.  
28









Exhibit A

Accusation No. AC 2009 3473

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 LESLIE A. BURGERMYER  
Deputy Attorney General  
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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. AC 2009 3473

12 **PRECIOUS FAME, a.k.a.**  
13 **PRECIOUS CLAMUCHA FAME**  
14 178 San Tomas Drive  
Pittsburg, CA 94565

**A C C U S A T I O N**

15 Pharmacy Technician  
16 License No. TCH 38982

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

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

23 2. On or about September 13, 2001, the Board of Pharmacy issued Pharmacy Technician  
24 License Number TCH 38982 to Precious Fame a.k.a. Precious Clamucha Fame (Respondent).

25 The Pharmacy Technician License was in full force and effect at all times relevant to the charges  
26 brought herein and will expire on December 31, 2010, unless renewed.

27 ///

28 ///



1 JURISDICTION

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

5 4. Section 4300 of the Code states authorizes the Board to discipline a licensee  
6 including license suspension, revocation, probation, or any other action in relation to discipline of  
7 a licensee which the Board, in its discretion, may deem proper.

8 5. Section 118, subdivision (b), of the Code provides that the suspension, expiration,  
9 surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
10 disciplinary action during the period within which the license may be renewed, restored, reissued  
11 or reinstated.

12 STATUTORY PROVISIONS

13 6. Section 4301 of the Code states, in pertinent part:

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  
16 misrepresentation or issued by mistake. Unprofessional conduct shall include, but  
is not limited to, any of the following:

17 (f) The commission of any act involving moral turpitude, dishonesty, fraud,  
18 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.

19 (l) . The conviction of a crime substantially related to the qualifications,  
20 functions, and duties of a licensee under this chapter. . . . [T]he record of  
21 conviction shall be conclusive evidence only of the fact that the conviction  
22 occurred. The board may inquire into the circumstances surrounding the  
23 commission of the crime, in order to fix the degree of discipline or, in the case of  
24 a conviction not involving controlled substances or dangerous drugs, to determine  
25 if the conviction is of an offense substantially related to the qualifications,  
26 functions, and duties of a licensee under this chapter. A plea or verdict of guilty  
or a conviction following a plea of nolo contendere is deemed to be a conviction  
within the meaning of this provision. The board may take action when the time  
for appeal has elapsed, or the judgment of conviction has been affirmed on appeal  
or when an order granting probation is made suspending the imposition of  
sentence, irrespective of a subsequent order under Section 1203.4 of the Penal  
Code allowing the person to withdraw his or her plea of guilty and to enter a plea  
of not guilty, or setting aside the verdict of guilty, or dismissing the accusation,  
information, or indictment.

27 (p) Actions or conduct that would have warranted denial of a license.

28 ///

1 7. Code section 480 provides, in pertinent part:

2 (a) A board may deny a license regulated by this code on the grounds that  
3 the applicant has one of the following:

4 (1) Been convicted of a crime. A conviction within the meaning of this  
5 section means a plea or verdict of guilty or a conviction following a plea of nolo  
6 contendere. Any action that a board is permitted to take following the  
7 establishment of a conviction may be taken when the time for appeal has elapsed,  
8 or the judgment of conviction has been affirmed on appeal, or when an order  
9 granting probation is made suspending the imposition of sentence, irrespective of  
10 a subsequent order under the provisions of Section 1203.4 of the Penal Code.

11 (2) Done any act involving dishonesty, fraud, or deceit with the intent to  
12 substantially benefit himself or herself or another, or substantially injure another.

13 (3) (A) Done any act that if done by a licentiate of the business or profession  
14 in question would be grounds for suspension or revocation of license.

15 (B) The board may deny a license pursuant to this subdivision only if the  
16 crime or act is substantially related to the qualifications, functions, or duties of the  
17 business or profession for which application is made.

### 18 COST RECOVERY

19 8. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
20 administrative law judge to direct a licentiate found to have committed a violation or violations of  
21 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
22 enforcement of the case.

### 23 FIRST CAUSE FOR DISCIPLINE

#### 24 (CRIMINAL CONVICTIONS)

25 9. Respondent is subject to disciplinary action under Code sections 4300 and 4301,  
26 subdivision (l), in that Respondent has been convicted of crimes which are substantially related to  
27 the qualifications, functions, and duties of a registered Pharmacy Technician, as follows:

28 a. On or about January 15, 2009, Respondent was convicted in Placer County Superior  
Court Case No. 62-84552B, *People v. Precious Clamucha Fame*, on her plea of nolo contendere  
to violating Penal Code section 496, subdivision (a) [receipt of stolen property], a misdemeanor.

The underlying circumstances are: on or about October 4, 2008, Respondent received  
stolen property, to wit, personal checks belonging to victim C.K., which had been stolen.  
Respondent knew the personal checks had been stolen.



1 b. Respondent committed acts involving dishonesty, fraud, or deceit with the intent to  
2 substantially benefit herself or another, or substantially injure another, as alleged in paragraph 11,  
3 above, which acts are grounds for license denial under Code section 480, subdivision (a)(2).

4 c. Respondent did acts within the meaning of Code section 480, subdivision (a)(3)(A),  
5 as alleged in paragraphs 9 and 10, above, that if done by a Pharmacy Technician would be  
6 grounds for license suspension or revocation under Code section 4301, subdivisions (f) and (l).

7 **FOURTH CAUSE FOR DISCIPLINE**

8 **(UNPROFESSIONAL CONDUCT)**

9 13. Respondent is subject to disciplinary action under Code section 4300 and 4301, on  
10 the grounds of unprofessional conduct, as alleged in paragraphs 9, 10, 11, and 12, above.

11 **PRAYER**

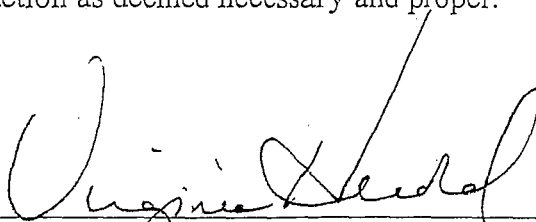
12 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
13 and that following the hearing, the Board of Pharmacy issue a decision:

14 1. Revoking or suspending Pharmacy Technician License Number TCH 38982, issued  
15 to Precious Fame, a.k.a. Precious Clamucha Fame;

16 2. Ordering Precious Fame, a.k.a. Precious Clamucha Fame to pay the Board of  
17 Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to  
18 Business and Professions Code section 125.3;

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

20  
21  
22 DATED: 12/30/09

  
23 VIRGINIA HEROLD  
24 Executive Officer  
25 Board of Pharmacy  
26 Department of Consumer Affairs  
27 State of California  
28 Complainant

SA2009102586

DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL

(Separate Mailings)

Case Name: In the Matter of the Accusation Against: **PRECIOUS FAME, a.k.a.  
PRECIOUS CLAMUCHA FAME**

Board of Pharmacy Case No.: AC 2009 3473

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 January 12, 2010, I served the attached **STATEMENT TO RESPONDENT; ACCUSATION; NOTICES OF DEFENSE (2); REQUEST FOR DISCOVERY; COPY OF GOVERNMENT CODE SECTIONS** 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; NOTICES OF DEFENSE (2); REQUEST FOR DISCOVERY; COPY OF GOVERNMENT CODE SECTIONS** 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 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

Precious Fame  
a.k.a. Precious Clamucha Fame  
178 San Tomas Drive  
Pittsburg, CA 94565  
*Respondent*

Certified Article Number

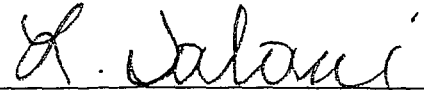
7160 3901 9848 5452 6644

SENDER'S RECORD

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 January 12, 2010, at Sacramento, California.

L. Talani

Declarant



Signature

7160 3901 9848 5452 6644

**TO:**  
Precious Fame  
a.k.a. Precious Clamucha Fame  
178 San Tomas Drive  
Pittsburg, CA 94565

**SENDER:** Leslie A. Burgermyer

**REFERENCE:** SA2009102586

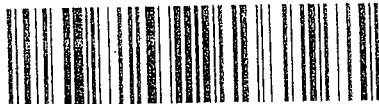
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	
	Certified Fee	
	Return Receipt Fee	
	Restricted Delivery	
	Total Postage & Fees	

US Postal Service  
**Receipt for  
Certified Mail**

POSTMARK OR DATE

2. Article Number



7160 3901 9848 5452 6644

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

Precious Fame  
a.k.a. Precious Clamucha Fame  
178 San Tomas Drive  
Pittsburg, CA 94565

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

- Agent
- Addressee
- Yes
- No

✓ SA2009102586 (Fame)  
Accusation & Packet  
Leslie A. Burgermyer