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

In the Matter of the Accusation Against:

Case No. 3529

HEIDI JOY HANSON
3850 Poppysseed Lane, Apt. N
Calabasas, CA 91302
Pharmacy Technician Registration No. TCH
86214

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

Respondent.

FINDINGS OF FACT

1. On or about August 12, 2010, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, ("Board") filed Accusation No. 3529 against Heidi Joy Hanson ("Respondent") before the Board.

2. On or about September 10, 2008, the Board issued Pharmacy Technician Registration No. TCH 86214 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2011, unless renewed.

3. On or about August 12, 2010, Respondent was served by Certified Mail copies of the Accusation No. 3529, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code section 136 and/or agency

1 specific statute or regulation, is required to be reported and maintained with the Board, which was
2 and is:

3
4 **3850 Poppyseed Lane, Apt. N**
5 **Calabasas, CA 91302.**

6 4. Service of the Accusation was effective as a matter of law under the provisions of
7 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
8 124.

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

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

15 6. Respondent failed to file a Notice of Defense within 15 days after service upon her of
16 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 3529.

17 7. California Government Code section 11520 states, in pertinent part:

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

22 8. Pursuant to its authority under Government Code section 11520, the Board finds
23 Respondent is in default. The Board will take action without further hearing and, based on the
24 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
25 taking official notice of all the investigatory reports, exhibits and statements contained therein on
26 file at the Board's offices regarding the allegations contained in Accusation No. 3529, finds that
27 the charges and allegations in Accusation No. 3529, are separately and severally, found to be true
28 and correct by clear and convincing evidence.

9. Taking official notice of its own internal records, pursuant to Business and
Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
and Enforcement is \$2,910.00 as of September 28, 2010.

1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Heidi Joy Hanson has subjected
3 her Pharmacy Technician Registration No. TCH 86214 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. The Board is authorized to revoke Respondent's Pharmacy Technician Registration
6 based upon the following violations alleged in the Accusation which are supported by the
7 evidence contained in the Default Decision Investigatory Evidence Packet in this case:

8 a. Respondent is subject to disciplinary action under Business and Professions Code
9 section 4301, subdivision (h), in that Respondent administered to herself alcoholic beverages to
10 the extent or in a manner to be dangerous or injurious to herself or to any other person or to the
11 public.

12 b. Respondent is subject to disciplinary action under Business and Professions Code
13 section 4301, subdivision (o), in that Respondent violated provisions and/or terms of the
14 applicable Business and Professions Code and in doing so, committed acts which constitute
15 unprofessional conduct.

16 c. Respondent is subject to disciplinary action under Business and Professions Code
17 section 4301, subdivision (p), in that Respondent committed acts which were unprofessional and
18 thus would have warranted denial of a license.

19
20 ORDER

21 IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 86214, heretofore
22 issued to Respondent Heidi Joy Hanson, is revoked.

23 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
24 written motion requesting that the Decision be vacated and stating the grounds relied on within
25 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
26 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

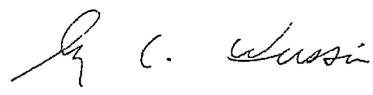
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This Decision shall become effective on January 19, 2011.

It is so ORDERED December 20, 2010.



STANLEY C. WEISSER, BOARD PRESIDENT
FOR THE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS

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DOJ Matter ID:LA2009604703

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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. 3529

12 **HEIDI JOY HANSON**
3850 Poppyseed Lane, Apt. N
13 Calabasas, CA 91302

ACCUSATION

14 Pharmacy Technician Registration
15 No. TCH 86214

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about September 10, 2008, the Board of Pharmacy (Board) issued Pharmacy
22 Technician Registration No. TCH 86214 to Heidi Joy Hanson (Respondent). The Pharmacy
23 Technician Registration was in full force and effect at all times relevant to the charges brought
24 herein and will expire on December 31, 2011, unless renewed.

25
26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

1 FIRST CAUSE FOR DISCIPLINE

2 (Dangerous Use of Alcohol)

3 7. Respondent is subject to disciplinary action under section 4301, subdivisions (h), in
4 that Respondent consumed alcohol in a manner as to be dangerous to herself and to the public as
5 follows:

6 a. On or around March 24, 2009, Respondent pled guilty to one count of violating 36 Code
7 of Federal Regulations, part 2.35(c)(1987) [presence in a park when under the influence of
8 alcohol to a degree that may endanger oneself or another person] in a criminal proceeding entitled
9 *United States of America v. Heidi J. Hanson* (E.D. Cal. March 24, 2009, No.6:09-MJ-0002-
10 WMW). The court recommended a deferred entry of judgment for six months, during which
11 time, the Respondent was placed on unsupervised probation. In addition, the Respondent was
12 ordered to serve two days of custody and pay a total of \$200.00 in fines and penalty assessments.

13 b. The underlying factual circumstances occurred on or around December 28, 2008 when
14 during a traffic stop at Yosemite National Park, law enforcement identified Respondent as a
15 passenger in a vehicle. The Respondent "smelled of alcohol, had slow, slurred speech, and her
16 eyes were bloodshot, watery, and glassy." Respondent almost fell as she exited the vehicle when
17 requested, staggered as she walked, and swayed side to side, as she stood. Respondent showed
18 "significant" signs of impairment. She admitted that she had consumed "several" drinks of
19 alcohol, the same amount of drinks as the driver. When further questioned, respondent turned
20 away from the officer and walked out into the middle of the road and into oncoming traffic. She
21 was subsequently arrested for being under the influence of alcohol to a degree that she was an
22 endangerment to herself and others.

23
24 SECOND CAUSE FOR DISCIPLINE

25 (Unprofessional Conduct)

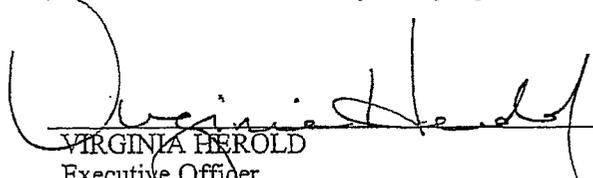
26 8. Respondent is subject to disciplinary action under section 4301, subdivisions (o) and
27 (p), in that on or about December 26, 2008, Respondent committed acts which constitute
28

1 unprofessional conduct. Complainant refers to, and by this reference incorporates, the allegations
2 in paragraph 7 and its subparagraphs, in their entirety, as though fully set forth herein.

3
4 PRAYER

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

- 7 1. Revoking or suspending Pharmacy Technician Registration No. TCH 86214, issued
8 to Respondent.
9 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
10 enforcement of this case, pursuant to section 125.3; and
11 3. Taking such other and further action as deemed necessary and proper.

12
13 DATED: 8/4/10 
14 VIRGINIA HEROLD
15 Executive Officer
16 Board of Pharmacy
17 Department of Consumer Affairs
18 State of California
19 Complainant
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