

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

In the Matter of the Accusation Against:

Case No. 3640

KAREN AZIZYAN  
13728 Proctor Avenue #D  
La Puente, CA 91744

Pharmacy Technician License No. TCH 56494

Respondent.

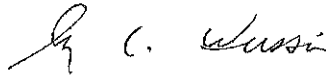
**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary 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 September 14, 2012.

It is so ORDERED on August 15, 2012.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

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

1 KAMALA D. HARRIS  
Attorney General of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
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7  
8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:  
11  
12 **KAREN AZIZYAN**  
13 **13728 Proctor Ave., #D**  
**La Puente, CA 91744**  
14 **Pharmacy Technician License No. TCH**  
**56494**  
15 Respondent.

Case No. 3640  
OAH No. L-2011081004  
**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

16  
17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.  
22 She brought this action solely in her official capacity and is represented in this matter by Kamala  
23 D. Harris, Attorney General of the State of California, by Kimberlee D. King, Deputy Attorney  
24 General.

25 2. Respondent Karen Azizyan (Respondent) is representing himself in this proceeding  
26 and has chosen not to exercise his right to be represented by counsel.

27 3. On or about May 19, 2004, the Board of Pharmacy issued Pharmacy Technician  
28 License No. TCH 56494 to Karen Azizyan (Respondent). The Pharmacy Technician License was

1 in full force and effect at all times relevant to the charges brought in Accusation No. 3640 and  
2 will expire on December 31, 2011, unless renewed.

3 JURISDICTION

4 4. Accusation No. 3640 was filed before the Board of Pharmacy (Board), Department  
5 of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other  
6 statutorily required documents were properly served on Respondent on April 5, 2011.  
7 Respondent timely filed his Notice of Defense contesting the Accusation.

8 5. A copy of Accusation No. 3640 is attached as exhibit A and incorporated herein by  
9 reference.

10 ADVISEMENT AND WAIVERS

11 6. Respondent has carefully read, and understands the charges and allegations in  
12 Accusation No. 3640. Respondent has also carefully read, and understands the effects of this  
13 Stipulated Settlement and Disciplinary Order.

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

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

23 CULPABILITY

24 9. Respondent admits the truth of each and every charge and allegation in Accusation  
25 No. 3640.

26 10. Respondent agrees that his Pharmacy Technician License is subject to discipline and  
27 he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order  
28 below.

CONTINGENCY

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

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. 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 Disciplinary Order:

**DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Pharmacy Technician License No. TCH 56494 issued to Respondent Karen Azizyan (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

**1. Certification Prior to Resuming Work**

Respondent shall be automatically suspended from working as a pharmacy technician until

1 he is certified as defined by Business and Professions Code section 4202(a)(4) and provides  
2 satisfactory proof of certification to the board. Respondent shall not resume working as a  
3 pharmacy technician until notified by the board. Failure to achieve certification within one (1)  
4 year shall be considered a violation of probation. Respondent shall not resume working as a  
5 pharmacy technician until notified by the board.

6 During suspension, respondent shall not enter any pharmacy area or any portion of any  
7 other board licensed premises (wholesaler, veterinary food-animal drug retailer or any other  
8 distributor of drugs) any drug manufacturer, or any other location where dangerous drugs and  
9 devices or controlled substances are maintained. Respondent shall not do any act involving drug  
10 selection, selection of stock, manufacturing, compounding or dispensing; nor shall respondent  
11 manage, administer, or assist any licensee of the board. Respondent shall not have access to or  
12 control the ordering, manufacturing or dispensing of dangerous drugs and devices or controlled  
13 substances. Respondent shall not resume work until notified by the board.

14 Subject to the above restrictions, respondent may continue to own or hold an interest in any  
15 licensed premises by the board in which he holds an interest at the time this decision becomes  
16 effective unless otherwise specified in this order.

17 Failure to comply with this suspension shall be considered a violation of probation.

18 **2. Obey All Laws**

19 Respondent shall obey all state and federal laws and regulations.

20 Respondent shall report any of the following occurrences to the board, in writing, within  
21 seventy-two (72) hours of such occurrence:

- 22  an arrest or issuance of a criminal complaint for violation of any provision of the  
23 Pharmacy Law, state and federal food and drug laws, or state and federal controlled  
24 substances laws
- 25  a plea of guilty or nolo contendere in any state or federal criminal proceeding to any  
26 criminal complaint, information or indictment
- 27  a conviction of any crime
- 28  discipline, citation, or other administrative action filed by any state or federal agency

1 which involves respondent's pharmacy technician license or which is related to the  
2 practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing,  
3 or charging for any drug, device or controlled substance.

4 Failure to timely report any such occurrence shall be considered a violation of probation.

5 **3. Report to the Board**

6 Respondent shall report to the board quarterly, on a schedule as directed by the board or its  
7 designee. The report shall be made either in person or in writing, as directed. Among other  
8 requirements, respondent shall state in each report under penalty of perjury whether there has  
9 been compliance with all the terms and conditions of probation. Failure to submit timely reports  
10 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency  
11 in submission of reports as directed may be added to the total period of probation. Moreover, if  
12 the final probation report is not made as directed, probation shall be automatically extended until  
13 such time as the final report is made and accepted by the board.

14 **4. Interview with the Board**

15 Upon receipt of reasonable prior notice, respondent shall appear in person for interviews  
16 with the board or its designee, at such intervals and locations as are determined by the board or its  
17 designee. Failure to appear for any scheduled interview without prior notification to board staff,  
18 or failure to appear at two (2) or more scheduled interviews with the board or its designee during  
19 the period of probation, shall be considered a violation of probation.

20 **5. Cooperate with Board Staff**

21 Respondent shall cooperate with the board's inspection program and with the board's  
22 monitoring and investigation of respondent's compliance with the terms and conditions of his  
23 probation. Failure to cooperate shall be considered a violation of probation.

24 **6. Notice to Employers**

25 During the period of probation, respondent shall notify all present and prospective  
26 employers of the decision in case number 3640 and the terms, conditions and restrictions imposed  
27 on respondent by the decision, as follows:

28 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of

1 respondent undertaking any new employment, respondent shall cause his direct supervisor,  
2 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
3 tenure of employment) and owner to report to the board in writing acknowledging that the listed  
4 individual(s) has/have read the decision in case number 3640 and the terms and conditions  
5 imposed thereby. It shall be respondent's responsibility to ensure that his employer(s) and/or  
6 supervisor(s) submit timely acknowledgement(s) to the board.

7 If respondent works for or is employed by or through a pharmacy employment service,  
8 respondent must notify his direct supervisor, pharmacist-in-charge and owner at every pharmacy  
9 of the terms and conditions of the decision in case number 3640 in advance of the respondent  
10 commencing work at each pharmacy. A record of this notification must be provided to the board  
11 upon request.

12 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
13 (15) days of respondent undertaking any new employment by or through a pharmacy employment  
14 service, respondent shall cause his direct supervisor with the pharmacy employment service to  
15 report to the board in writing acknowledging that he has read the decision in case number 3640  
16 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure  
17 that his employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

18 Failure to timely notify present or prospective employer(s) or to cause that/those  
19 employer(s) to submit timely acknowledgements to the board shall be considered a violation of  
20 probation.

21 "Employment" within the meaning of this provision shall include any full-time,  
22 part-time, temporary or relief service or pharmacy management service as a pharmacy  
23 technician or in any position for which a pharmacy technician license is a requirement  
24 or criterion for employment, whether the respondent is considered an employee,  
25 independent contractor or volunteer.

#### 26 **7. Reimbursement of Board Costs**

27 As a condition precedent to successful completion of probation, respondent shall pay to the  
28 board its costs of investigation and prosecution in the amount of \$1,700. Respondent shall be

1 allows to make said payments as required by the Board. Failure to pay costs by the deadline(s) as  
2 directed shall be considered a violation of probation.

3 The filing of bankruptcy by respondent shall not relieve respondent of his responsibility to  
4 reimburse the board its costs of investigation and prosecution.

5 **8. Probation Monitoring Costs**

6 Respondent shall pay any costs associated with probation monitoring as determined by the  
7 board each and every year of probation. Such costs shall be payable to the board on a schedule as  
8 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall  
9 be considered a violation of probation.

10 **9. Status of License**

11 Respondent shall, at all times while on probation, maintain an active, current pharmacy  
12 technician license with the board, including any period during which suspension or probation is  
13 tolled. Failure to maintain an active, current license shall be considered a violation of probation.

14 If respondent's pharmacy technician license expires or is cancelled by operation of law or  
15 otherwise at any time during the period of probation, including any extensions thereof due to  
16 tolling or otherwise, upon renewal or reapplication respondent's license shall be subject to all  
17 terms and conditions of this probation not previously satisfied.

18 **10. License Surrender While on Probation/Suspension**

19 Following the effective date of this decision, should respondent cease work due to  
20 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
21 respondent may tender his pharmacy technician license to the board for surrender. The board or  
22 its designee shall have the discretion whether to grant the request for surrender or take any other  
23 action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the  
24 license, respondent will no longer be subject to the terms and conditions of probation. This  
25 surrender constitutes a record of discipline and shall become a part of the respondent's license  
26 history with the board.

27 Upon acceptance of the surrender, respondent shall relinquish his pharmacy technician  
28 license to the board within ten (10) days of notification by the board that the surrender is



1 accepted. Respondent may not reapply for any license, permit, or registration from the board for  
2 three (3) years from the effective date of the surrender. Respondent shall meet all requirements  
3 applicable to the license sought as of the date the application for that license is submitted to the  
4 board.

5 **11. Notification of a Change in Name, Residence Address, Mailing Address or**  
6 **Employment**

7 Respondent shall notify the board in writing within ten (10) days of any change of  
8 employment. Said notification shall include the reasons for leaving, the address of the new  
9 employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
10 shall further notify the board in writing within ten (10) days of a change in name, residence  
11 address and mailing address, or phone number.

12 Failure to timely notify the board of any change in employer(s), name(s), address(es), or  
13 phone number(s) shall be considered a violation of probation.

14 **12. Tolling of Probation**

15 Except during periods of suspension, respondent shall, at all times while on probation, be  
16 employed as a pharmacy technician in California for a minimum of ten (10) hours per calendar  
17 month. Any month during which this minimum is not met shall toll the period of probation, i.e.,  
18 the period of probation shall be extended by one month for each month during which this  
19 minimum is not met. During any such period of tolling of probation, respondent must  
20 nonetheless comply with all terms and conditions of probation.

21 Should respondent, regardless of residency, for any reason (including vacation) cease  
22 working as a pharmacy technician for a minimum of ten (10) hours per calendar month in  
23 California, respondent must notify the board in writing within ten (10) days of cessation of work  
24 and must further notify the board in writing within ten (10) days of the resumption of the work.  
25 Any failure to provide such notification(s) shall be considered a violation of probation.

26 It is a violation of probation for respondent's probation to remain tolled pursuant to the  
27 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
28 exceeding thirty-six (36) months.

1 "Cessation of work" means calendar month during which respondent is not  
2 working for at least ten (10) hours as a pharmacy technician, as defined in Business  
3 and Professions Code section 4115. "Resumption of work" means any calendar  
4 month during which respondent is working as a pharmacy technician for at least ten  
5 (10) hours as a pharmacy technician as defined by Business and Professions Code  
6 section 4115.

7 **13. Violation of Probation**

8 If a respondent has not complied with any term or condition of probation, the board shall  
9 have continuing jurisdiction over respondent, and probation shall automatically be extended, until  
10 all terms and conditions have been satisfied or the board has taken other action as deemed  
11 appropriate to treat the failure to comply as a violation of probation, to terminate probation, and  
12 to impose the penalty that was stayed.

13 If respondent violates probation in any respect, the board, after giving respondent notice  
14 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
15 was stayed. Notice and opportunity to be heard are not required for those provisions stating that a  
16 violation thereof may lead to automatic termination of the stay and/or revocation of the license. If  
17 a petition to revoke probation or an accusation is filed against respondent during probation, the  
18 board shall have continuing jurisdiction, and the period of probation shall be automatically  
19 extended until the petition to revoke probation or accusation is heard and decided.

20 **14. Completion of Probation**

21 Upon written notice by the board indicating successful completion of probation,  
22 respondent's pharmacy technician license will be fully restored.

23 **15. No Ownership of Licensed Premises**

24 Respondent shall not own, have any legal or beneficial interest in, or serve as a manager,  
25 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
26 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell  
27 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)  
28 days following the effective date of this decision and shall immediately thereafter provide written

1 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide  
2 documentation thereof shall be considered a violation of probation.

3 **16. Random Drug Screening**

4 Respondent, at his own expense, shall participate in random testing, including but not  
5 limited to biological fluid testing (urine, blood), breathalyzer, hair follicle testing, or other drug  
6 screening program as directed by the board or its designee. Respondent may be required to  
7 participate in testing for the entire probation period and the frequency of testing will be  
8 determined by the board or its designee. At all times respondent shall fully cooperate with the  
9 board or its designee, and shall, when directed, submit to such tests and samples for the detection  
10 of alcohol, narcotics, hypnotics, dangerous drugs or other controlled substances as the board or its  
11 designee may direct. Failure to timely submit to testing as directed shall be considered a violation  
12 of probation. Upon request of the board or its designee, respondent shall provide documentation  
13 from a licensed practitioner that the prescription for a detected drug was legitimately issued and is  
14 a necessary part of the treatment of the respondent. Failure to timely provide such documentation  
15 shall be considered a violation of probation. Any confirmed positive test for alcohol or for any  
16 drug not lawfully prescribed by a licensed practitioner as part of a documented medical treatment  
17 shall be considered a violation of probation and shall result in the automatic suspension of work  
18 by respondent. Respondent may not resume work as a pharmacy technician until notified by the  
19 board in writing.

20 During suspension, respondent shall not enter any pharmacy area or any portion of or any  
21 other board licensed premises (wholesaler, veterinary food-animal drug retailer or any other  
22 distributor of drugs) any drug manufacturer, or any other location where dangerous drugs and  
23 devices or controlled substances are maintained. Respondent shall not do any act involving drug  
24 selection, selection of stock, manufacturing, compounding or dispensing; nor shall respondent  
25 manage, administer, or assist any licensee of the board. Respondent shall not have access to or  
26 control the ordering, manufacturing or dispensing of dangerous drugs and devices or controlled  
27 substances. Respondent shall not resume work until notified by the board.

28 Respondent shall not direct, control or perform any aspect of the practice of pharmacy.

1 Subject to the above restrictions, respondent may continue to own or hold an interest in any  
2 licensed premises in which he holds an interest at the time this decision becomes effective unless  
3 otherwise specified in this order.

4 Failure to comply with this suspension shall be considered a violation of probation.

5 **17. Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

6 Within thirty (30) days upon a written demand made by the Board, in conjunction with any  
7 confirmed positive test for alcohol or for any drug not lawfully prescribed by a licensed  
8 practitioner as part of a documented medical treatment, respondent shall begin regular attendance  
9 at a recognized and established substance abuse recovery support group in California, (e.g.,  
10 Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved by the board or its  
11 designee. Respondent must attend at least one group meeting per week unless otherwise directed  
12 by the board or its designee. Respondent shall continue regular attendance and submit signed and  
13 dated documentation confirming attendance with each quarterly report for the duration of  
14 probation. Failure to attend or submit documentation thereof shall be considered a violation of  
15 probation.

16 **18. Work Site Monitor**

17 Within ten (10) days of the effective date of this decision, respondent shall identify a work  
18 site monitor, for prior approval by the board, who shall be responsible for supervising respondent  
19 during working hours. Respondent shall be responsible for ensuring that the work site monitor  
20 reports in writing to the board quarterly. Should the designated work site monitor determine at  
21 any time during the probationary period that respondent has not maintained sobriety, he shall  
22 notify the board immediately, either orally or in writing as directed. Should respondent change  
23 employment, a new work site monitor must be designated, for prior approval by the board, within  
24 ten (10) days of commencing new employment. Failure to identify an acceptable initial or  
25 replacement work site monitor, or to ensure quarterly reports are submitted to the board, shall be  
26 considered a violation of probation.

27 **19. Notification of Departure**

28 Prior to leaving the probationary geographic area designated by the board or its designee for

1 a period greater than twenty-four (24) hours, respondent shall notify the board verbally and in  
2 writing of the dates of departure and return. Failure to comply with this provision shall be  
3 considered a violation of probation.

4 **20. Abstain from Drugs and Alcohol Use**

5 Respondent shall completely abstain from the possession or use of alcohol, controlled  
6 substances, dangerous drugs and their associated paraphernalia except when the drugs are  
7 lawfully prescribed by a licensed practitioner as part of a documented medical treatment. Upon  
8 request of the board or its designee, respondent shall provide documentation from the licensed  
9 practitioner that the prescription for the drug was legitimately issued and is a necessary part of the  
10 treatment of the respondent. Failure to timely provide such documentation shall be considered a  
11 violation of probation. Respondent shall ensure that he is not in the same physical location as  
12 individuals who are using illicit substances even if respondent is not personally ingesting the  
13 drugs. Any possession or use of alcohol, controlled substances, or their associated paraphernalia  
14 not supported by the documentation timely provided, and/or any physical proximity to persons  
15 using illicit substances, shall be considered a violation of probation.

16 **21. Prescription Coordination and Monitoring of Prescription Use**

17 Within thirty (30) days of the effective date of this decision, respondent shall submit to the  
18 board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,  
19 physician assistant, or psychiatrist of respondent's choice, who shall be aware of the respondent's  
20 history and who will coordinate and monitor any prescriptions for respondent for dangerous  
21 drugs, controlled substances or mood-altering drugs. The approved practitioner shall be provided  
22 with a copy of the board's Accusation and decision. A record of this notification must be  
23 provided to the board upon request. Respondent shall sign a release authorizing the practitioner  
24 to communicate with the board about respondent's treatment(s). The coordinating physician,  
25 nurse practitioner, physician assistant, or psychiatrist shall report to the board on a quarterly basis  
26 for the duration of probation regarding respondent's compliance with this condition. If any  
27 substances considered addictive have been prescribed, the report shall identify a program for the  
28 time limited use of any such substances. The board may require that the single coordinating

1 physician, nurse practitioner, physician assistant or psychiatrist be a specialist in addictive  
2 medicine, or consult a specialist in addictive medicine. Should respondent, for any reason, cease  
3 supervision by the approved practitioner, respondent shall notify the board immediately and,  
4 within thirty (30) days of ceasing treatment, submit the name of a replacement physician, nurse  
5 practitioner, physician assistant, or psychiatrist of respondent's choice to the board or its designee  
6 for its prior approval. Failure to timely submit the selected practitioner or replacement  
7 practitioner to the board for approval, or to ensure the required reporting thereby on the quarterly  
8 reports, shall be considered a violation of probation.

9 If at any time an approved practitioner determines that respondent is unable to practice  
10 safely or independently as a pharmacist, the practitioner shall notify the board immediately by  
11 telephone and follow up by written letter within three (3) working days. Upon notification from  
12 the board or its designee of this determination, respondent shall be automatically suspended and  
13 shall not resume practice until notified by the board that practice may be resumed.

14 During suspension, respondent shall not enter any pharmacy area or any portion of the  
15 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of  
16 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices  
17 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act  
18 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient  
19 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the  
20 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs  
21 and controlled substances. Respondent shall not resume practice until notified by the board.

22 During suspension, respondent shall not engage in any activity that requires the  
23 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the  
24 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a  
25 designated representative for any entity licensed by the board.

26 Subject to the above restrictions, respondent may continue to own or hold an interest in any  
27 licensed premises in which he holds an interest at the time this decision becomes effective unless  
28 otherwise specified in this order.

1 Failure to comply with this suspension shall be considered a violation of probation.

2 **22. Tolling of Suspension**

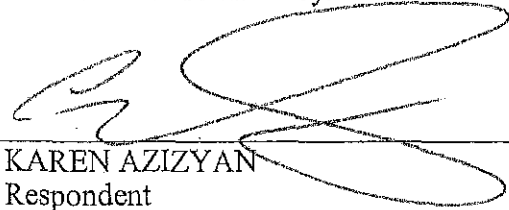
3 During the period of suspension, respondent shall not leave California for any period  
4 exceeding ten (10) days, regardless of purpose (including vacation). Any such absence in excess  
5 of ten (10) days during suspension shall be considered a violation of probation. Moreover, any  
6 absence from California during the period of suspension exceeding ten (10) days shall toll the  
7 suspension, i.e., the suspension shall be extended by one day for each day over ten (10) days  
8 respondent is absent from California. During any such period of tolling of suspension,  
9 respondent must nonetheless comply with all terms and conditions of probation.

10 Respondent must notify the board in writing within ten (10) days of departure, and must  
11 further notify the board in writing within ten (10) days of return. The failure to provide such  
12 notification(s) shall constitute a violation of probation. Upon such departure and return,  
13 respondent shall not return to work until notified by the board that the period of suspension has  
14 been satisfactorily completed.

15 ACCEPTANCE

16 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the  
17 stipulation and the effect it will have on my Pharmacy Technician License. I enter into this  
18 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
19 to be bound by the Decision and Order of the Board of Pharmacy.

20  
21 DATED: 03-26-2012

  
KAREN AZIZYAN  
Respondent

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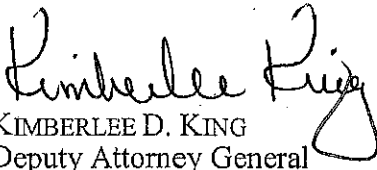
ENDORSEMENT

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

Dated:

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
GLORIA A. BARRIOS  
Supervising Deputy Attorney General

  
KIMBERLEE D. KING  
Deputy Attorney General  
*Attorneys for Complainant*

LA2010600970  
Stipulation.rtf



**Exhibit A**

**Accusation No. 3640**

1 KARLA D. HARRIS  
Attorney General of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
3 KIMBERLEE D. KING  
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*Attorneys for Complainant*  
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8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 3640

12 **KAREN AZIZYAN**  
13 13728 Proctor Ave., #D  
La Puente, CA 91744

**ACCUSATION**

14 Pharmacy Technician License No. TCH 56494

15 Respondent.

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17  
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about May 19, 2004, the Board issued Pharmacy Technician License No. TCH  
23 56494 to Karen Azizyan (Respondent). The Pharmacy Technician License was in full force and  
24 effect at all times relevant to the charges brought herein and will expire on December 31, 2011,  
25 unless renewed.

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.

STATUTORY PROVISIONS

1  
2       4.    Section 118, subdivision (b), provides that the suspension, expiration, surrender or  
3 cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary  
4 action during the period within which the license may be renewed, restored, reissued or  
5 reinstated.

6       5.    Section 4300, subdivision (a), states that "[e]very license issued may be suspended or  
7 revoked."

8       6.    Section 4301 states, in pertinent part:

9       "The board shall take action against any holder of a license who is guilty of unprofessional  
10 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

11 Unprofessional conduct shall include, but is not limited to, any of the following:

12       ....

13       "(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or  
14 corruption, whether the act is committed in the course of relations as a licensee or otherwise, and  
15 whether the act is a felony or misdemeanor or not.

16       "(g) Knowingly making or signing any certificate or other document that falsely  
17 represents the existence or nonexistence of a state of facts.

18       ....

19       "(j) The violation of any of the statutes of this state, or any other state, or of the United  
20 States regulating controlled substances and dangerous drugs.

21       ....

22       "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
23 violation of or conspiring to violate any provision or term of this chapter or of the applicable  
24 federal and state laws and regulations governing pharmacy, including regulations established by  
25 the board or by any other state or federal regulatory agency. . . ."

26       7.    Section 4059, subdivision (a), states:

27       "A person may not furnish any dangerous drug, except upon the prescription of a physician,  
28 dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7. A

1 person may not furnish any dangerous device, except upon the prescription of a physician, dentist,  
2 podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7.”

3 8. Section 4060 states:

4 "No person shall possess any controlled substance, except that furnished to a person upon  
5 the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor  
6 pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified  
7 nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a  
8 physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,  
9 or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of  
10 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not  
11 apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,  
12 pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified  
13 nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly  
14 labeled with the name and address of the supplier or producer.

15 "Nothing in this section authorizes a certified nurse-midwife, a nurse practitioner, a  
16 physician assistant, or a naturopathic doctor, to order his or her own stock of dangerous drugs  
17 and devices."

#### 18 COST RECOVERY

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

#### 23 CONTROLLED SUBSTANCES / DANGEROUS DRUGS

24 10. Xanax, a brand name for alprazolam, is an anti-anxiety benzodiazepin and is a  
25 Schedule IV controlled substance as designated by Health and Safety Code section 11057(d)(1)  
26 and is categorized as a dangerous drug pursuant to section 4022.

27 ///

28 ///

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unlawful Possession of Controlled Substances)**

3 11. Respondent is subject to disciplinary action under section 4301, subdivision (j), on  
4 the grounds of unprofessional conduct, for violating sections 4059, subdivision (a), and 4060, in  
5 that on or about June 3, 2009, Respondent admitted to being in possession of 30 Xanax obtained  
6 for his family from his employer pharmacy without a valid prescription.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Making False Pharmacy Records)**

9 12. Respondent is subject to disciplinary action under section 4301, subdivision (g), on  
10 the grounds of unprofessional conduct, in that on or about June 3, 2009, Respondent created a  
11 false state of facts in pharmacy records by taking without a valid prescription 30 tablets of Xanax.

12 **THIRD CAUSE FOR DISCIPLINE**

13 **(Act Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

14 13. Respondent is subject to disciplinary action under section 4301, subdivision (f), on  
15 the grounds of unprofessional conduct, in that Respondent committed acts involving moral  
16 turpitude, dishonesty, fraud, deceit, or corruption. Complainant refers to and by this reference  
17 incorporates the allegations set forth above in paragraphs 11 and 12, inclusive, as though set forth  
18 fully.

19 **FOURTH CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct / Violating Pharmacy Law)**

21 14. Respondent is subject to disciplinary action under section 4301, subdivision (o), in  
22 that Respondent committed acts of unprofessional conduct violating pharmacy law. Complainant  
23 refers to and by this reference incorporates the allegations set forth above in paragraphs 11 - 13,  
24 inclusive, as though set forth fully.

25 ///

26 ///

27 ///

28 ///

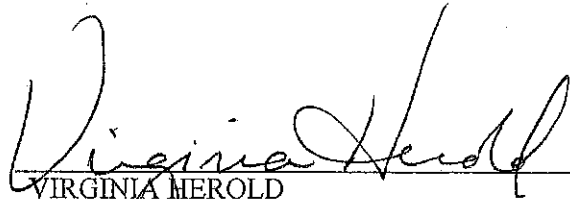
PRAYER

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

1. Revoking or suspending Pharmacy Technician License No. TCH 56494, issued to Respondent;
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: \_\_\_\_\_

4/5/14



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

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