

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

In the Matter of the Accusation Against:

Case No. 3821

JEREMY SALAZAR
11126 West Hondo Pkwy
Temple City, CA 91780

Applicant

Respondent.

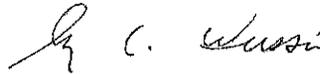
DECISION AND ORDER

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 November 26, 2012.

It is so ORDERED on October 25, 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
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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:

12 **JEREMY MARK SALAZAR**
11126 West Hondo Pkwy
13 Temple City, CA 91780

14 **Pharmacy Technician Registration**
15 **No. TCH 78868**

16 Respondent.

Case No. 3821
OAH No. 2012021201

STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER

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

19 **PARTIES**

20 1. Virginia K. Herold ("Complainant") is the Executive Officer of the Board of
21 Pharmacy, Department of Consumer Affairs, State of California. She brought this action solely in
22 her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of
23 the State of California, by Armando Zambrano, Deputy Attorney General.

24 2. Jeremy Mark Salazar ("Respondent") is representing himself in this proceeding and
25 has elected not to exercise his right to be represented by counsel.

26 3. On October 4, 2007, the Board of Pharmacy, Department of Consumer Affairs, State
27 of California ("Board") issued Pharmacy Technician Registration No. TCH 78868 to Jeremy
28 Mark Salazar. The Pharmacy Technician Registration was in full force and effect at all times

1 relevant to the charges in Accusation No. 3821 and will expire on November 30, 2012, unless
2 renewed.

3 **JURISDICTION**

4 4. Accusation No. 3821 was filed before the Board of Pharmacy and is currently
5 pending against Respondent. The accusation and all other statutorily required documents were
6 properly served on Respondent on December 19, 2011. Respondent timely filed a Notice of
7 Defense contesting the Accusation.

8 5. A copy of Accusation No. 3821 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. 3821.

13 7. Respondent has also carefully read and understands the effects of this Stipulated
14 Settlement and Disciplinary Order.

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

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

24 **CULPABILITY**

25 10. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 3821.

27 11. Respondent agrees that his Pharmacy Technician Registration is subject to discipline
28 and he agrees to be bound by the Board of Pharmacy probationary terms as set forth in the

1 Disciplinary Order below.

2 CONTINGENCY

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

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

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

22 15. In consideration of the foregoing admissions and stipulations, the parties agree that
23 the Board of Pharmacy may, without further notice or formal proceeding, issue and enter the
24 following Disciplinary Order:

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 78868 issued
3 to Respondent Jeremy Mark Salazar is revoked. However, the order of revocation is stayed and
4 the Respondent is placed on probation for four (4) years on the following terms and conditions:

5 SEVERABILITY CLAUSE. Each condition of probation contained herein is a separate
6 and distinct condition. If any condition of this Disciplinary Order, or any application thereof, is
7 declared unenforceable in whole, in part, or to any extent, the remainder of the Disciplinary Order
8 and all other applications thereof, shall not be affected. Each condition of this Disciplinary Order
9 shall separately be valid and enforceable to the fullest extent permitted by law.

10 1. Certification Prior to Resuming Work. Respondent shall be automatically suspended
11 from working as a pharmacy technician until he or she is certified as defined by Business and
12 Professions Code section 4202(a)(4) and provides satisfactory proof of certification to the Board.
13 Respondent shall not resume working as a pharmacy technician until notified by the Board.
14 Failure to achieve certification within one (1) year shall be considered a violation of probation.
15 Respondent shall not resume working as a pharmacy technician until notified by the Board.

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

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

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

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1 2. Obey All Laws. Respondent shall obey all state and federal laws and regulations.

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

4 • An arrest or issuance of a criminal complaint for violation of any provision of the
5 Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances
6 laws

7 • A plea of guilty or nolo contendere in any state or federal criminal proceeding to any
8 criminal complaint, information or indictment

9 • A conviction of any crime

10 • Discipline, citation, or other administrative action filed by any state or federal agency
11 which involves pharmacy technician registration, or license, or which is related to the practice of
12 pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any
13 drug, device or controlled substance.

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

15 3. Report to the Board. Respondent shall report to the board quarterly, on a schedule as
16 directed by the board or its designee. The report shall be made either in person or in writing, as
17 directed. Among other requirements, respondent shall state in each report under penalty of
18 perjury whether there has been compliance with all the terms and conditions of probation. Failure
19 to submit timely reports in a form as directed shall be considered a violation of probation. Any
20 period(s) of delinquency in submission of reports as directed may be added to the total period of
21 probation. Moreover, if the final probation report is not made as directed, probation shall be
22 automatically extended until such time as the final report is made and accepted by the board.

23 4. Interview with the Board. Upon receipt of reasonable prior notice, respondent shall
24 appear in person for interviews with the board or its designee, at such intervals and locations as
25 are determined by the board or its designee. Failure to appear for any scheduled interview
26 without prior notification to board staff, or failure to appear at two (2) or more scheduled
27 interviews with the board or its designee during the period of probation, shall be considered a
28 violation of probation.

1 5. Cooperate with Board Staff. Respondent shall cooperate with the board's inspection
2 program and with the board's monitoring and investigation of respondent's compliance with the
3 terms and conditions of his or her probation. Failure to cooperate shall be considered a violation
4 of probation.

5 6. Notice to Employers. During the period of probation, respondent shall notify all
6 present and prospective employers of the decision in case number 3821 and the terms, conditions
7 and restrictions imposed on respondent by the decision, as follows:

8 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
9 respondent undertaking any new employment, respondent shall cause his or her direct supervisor,
10 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's
11 tenure of employment) and owner to report to the board in writing acknowledging that the listed
12 individual(s) has/have read the decision in case number 3821 and the terms and conditions
13 imposed thereby. It shall be respondent's responsibility to ensure that his or her employer(s)
14 and/or supervisor(s) submit timely acknowledgement(s) to the board.

15 If respondent works for or is employed by or through a pharmacy employment service,
16 respondent must notify his or her direct supervisor, pharmacist-in-charge and owner at every
17 pharmacy of the terms and conditions of the decision in case number 3821 in advance of the
18 respondent commencing work at each pharmacy. A record of this notification must be provided
19 to the board upon request.

20 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
21 (15) days of respondent undertaking any new employment by or through a pharmacy employment
22 service, respondent shall cause his or her direct supervisor with the pharmacy employment
23 service to report to the board in writing acknowledging that he or she has read the decision in case
24 number 3821 and the terms and conditions imposed thereby. It shall be respondent's
25 responsibility to ensure that his or her employer(s) and/or supervisor(s) submit timely
26 acknowledgment(s) to the board. Failure to timely notify present or prospective employer(s) or to
27 cause that/those employer(s) to submit timely acknowledgements to the board shall be considered
28 a violation of probation.

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

5 7. Reimbursement of Board Costs. As a condition precedent to successful completion
6 of probation, respondent shall pay \$3,000.00 to the Board of Pharmacy for its costs of
7 investigation and prosecution. Respondent shall be permitted to pay these costs through a
8 payment plan that shall be pre-approved by the Board. There shall be no deviation from this
9 schedule absent prior written approval by the board or its designee. Failure to pay costs by the
10 deadline(s) as directed shall be considered a violation of probation.

11 The filing of bankruptcy by respondent shall not relieve respondent of his or her
12 responsibility to reimburse the board its costs of investigation and prosecution.

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

17 9. Status of License. Respondent shall, at all times while on probation, maintain an
18 active, current pharmacy technician license with the board, including any period during which
19 suspension or probation is tolled. Failure to maintain an active, current license shall be
20 considered a violation of probation.

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

25 10. License Surrender While on Probation/Suspension. Following the effective date of
26 this decision, should respondent cease work due to retirement or health, or be otherwise unable to
27 satisfy the terms and conditions of probation, respondent may tender his or her pharmacy
28 technician license to the board for surrender. The board or its designee shall have the discretion

1 whether to grant the request for surrender or take any other action it deems appropriate and
2 reasonable. Upon formal acceptance of the surrender of the license, respondent will no longer be
3 subject to the terms and conditions of probation. This surrender constitutes a record of discipline
4 and shall become a part of the respondent's license history with the board.

5 Upon acceptance of the surrender, respondent shall relinquish his or her pharmacy
6 technician license to the board within ten (10) days of notification by the board that the surrender
7 is accepted. Respondent may not reapply for any license, permit, or registration from the board
8 for three (3) years from the effective date of the surrender. Respondent shall meet all
9 requirements applicable to the license sought as of the date the application for that license is
10 submitted to the board.

11 11. Notification of a Change in Name, Residence Address, Mailing Address or
12 Employment. Respondent shall notify the board in writing within ten (10) days of any change of
13 employment. Said notification shall include the reasons for leaving, the address of the new
14 employer, the name of the supervisor and owner, and the work schedule if known. Respondent
15 shall further notify the board in writing within ten (10) days of a change in name, residence
16 address and mailing address, or phone number.

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

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

25 Should respondent, regardless of residency, for any reason (including vacation) cease
26 working as a pharmacy technician for a minimum of fifteen (15) hours per calendar month in
27 California, respondent must notify the board in writing within ten (10) days of cessation of work
28 and must further notify the board in writing within ten (10) days of the resumption of the work.

1 Any failure to provide such notification(s) shall be considered a violation of probation.

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

5 "Cessation of work" means calendar month during which respondent is not working for at
6 least fifteen (15) hours as a pharmacy technician, as defined in Business and Professions Code
7 section 4115. "Resumption of work" means any calendar month during which respondent is
8 working as a pharmacy technician for at least fifteen (15) hours as a pharmacy technician as
9 defined by Business and Professions Code section 4115.

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

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

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

24 15. No Ownership of Licensed Premises. Respondent shall not own, have any legal or
25 beneficial interest in, or serve as a manager, administrator, member, officer, director, trustee,
26 associate, or partner of any business, firm, partnership, or corporation currently or hereinafter
27 licensed by the board. Respondent shall sell or transfer any legal or beneficial interest in any
28 entity licensed by the board within ninety (90) days following the effective date of this decision

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

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

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

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

17 18. Community Services Program. Within sixty (60) days of the effective date of this
18 decision, respondent owner shall submit to the board or its designee, for prior approval, a
19 community service program in which respondent shall provide free health-care related services to
20 a community or charitable facility or agency for at least one hundred twenty (120) hours per year
21 for the first three (3) years of probation.

22 Within thirty (30) days of board approval thereof, respondent owner shall submit
23 documentation to the board demonstrating commencement of the community service program.
24 Respondent owner shall report on progress with the community service program in the quarterly
25 reports.

26 Failure to timely submit, commence, or comply with the program shall be considered a
27 violation of probation.

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1 19. Prescription Coordination and Monitoring of Prescription Use. Within thirty (30)
2 days of the effective date of this decision, respondent shall submit to the board, for its prior
3 approval, the name and qualifications of a single physician, nurse practitioner, physician assistant,
4 or psychiatrist of respondent's choice, who shall be aware of the respondent's history [with the use
5 of alcohol, controlled substances, and/or dangerous drugs, and/or of mental illness, and/or of
6 gambling addiction] and who will coordinate and monitor any prescriptions for respondent for
7 dangerous drugs, controlled substances or mood-altering drugs. The approved practitioner shall
8 be provided with a copy of the board's [accusation or petition to revoke probation] and decision.
9 A record of this notification must be provided to the board upon request. Respondent shall sign a
10 release authorizing the practitioner to communicate with the Board of Pharmacy about
11 respondent's treatment(s). The coordinating physician, nurse practitioner, physician assistant, or
12 psychiatrist shall report to the board on a quarterly basis for the duration of probation regarding
13 respondent's compliance with this condition. If any substances considered addictive have been
14 prescribed, the report shall identify a program for the time limited use of any such substances.
15 The board may require that the single coordinating physician, nurse practitioner, physician
16 assistant or psychiatrist be a specialist in addictive medicine, or consult a specialist in addictive
17 medicine. Should respondent, for any reason, cease supervision by the approved practitioner,
18 respondent shall notify the board immediately and, within thirty (30) days of ceasing treatment,
19 submit the name of a replacement physician, nurse practitioner, physician assistant, or psychiatrist
20 of respondent's choice to the board or its designee for its prior approval. Failure to timely submit
21 the selected practitioner or replacement practitioner to the board for approval, or to ensure the
22 required reporting thereby on the quarterly reports, shall be considered a violation of probation.

23 If at any time, an approved practitioner determines that respondent is unable to practice
24 safely or independently as a pharmacy technician, then the practitioner shall notify the Board of
25 Pharmacy immediately by telephone and follow up by written letter within three (3) working
26 days. Upon notification from the board or its designee of this determination, respondent shall be
27 automatically suspended and shall not resume practice until notified by the board that practice
28 may be resumed.

1 During suspension, respondent shall not enter any pharmacy area or any portion of the
2 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of
3 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices
4 or controlled substances are maintained. Respondent shall not work as a pharmacy technician nor
5 do any act involving drug selection, selection of stock, manufacturing, compounding, dispensing
6 or patient consultation; nor shall respondent manage, administer, or be a consultant to any
7 licensee of the board, or have access to or control the ordering, manufacturing or dispensing of
8 dangerous drugs and controlled substances. Respondent shall not resume work as a pharmacy
9 technician until notified by the board.

10 During suspension, respondent shall not engage in any activity that requires the judgment of
11 a pharmacy technician. Respondent shall not direct or control any aspect of the practice of a
12 pharmacy. Respondent shall not perform the duties of a pharmacy technician or a designated
13 representative for any entity licensed by the board.

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

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

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ACCEPTANCE

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

DATED: 8/7/2012 Jeremy Salazar
JEREMY MARK SALAZAR
Respondent

ENDORSEMENT

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

Dated: 08/07/12

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

Armando Zambrano
ARMANDO ZAMBRANO
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 3821

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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. 3821

12 **JEREMY MARK SALAZAR**
11143 Wildflower Road
13 Temple City, CA 91780

ACCUSATION

14 Pharmacy Technician
15 Registration No. TCH 78868

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 October 4, 2007, the Board of Pharmacy (Board) issued Pharmacy
22 Technician Registration No. TCH 78868 to Jeremy Mark Salazar (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 November 30, 2012, unless renewed.

25 **JURISDICTION**

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

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SECOND CAUSE FOR DISCIPLINE

(Furnishing Controlled Substances and Dangerous Drugs Without a Prescription)

15. Respondent is subject to disciplinary action under section 4301, subdivision (j), as defined in section 4059, in that on or about December 19, 2009, during an interview with Loss Prevention personnel from CVS, Respondent, admitted that he had stolen between five (5) and seven (7) Viagra pills from CVS pharmacy over the course of 10 months and had stolen almost 100 Vicodin pills from CVS pharmacy over the course of three (3) months. Respondent stated that he had been selling the pills to a person who he met through his step-father for a price of \$5.00 per pill for Vicodin and \$10.00 per pill for Viagara. He stated that he had used the money that he had gotten in exchange for the pills to pay for the car registration on his car.

THIRD CAUSE FOR DISCIPLINE

(Subverting a Board Investigation)

16. Respondent is subject to disciplinary action under section 4301, subdivision (q), in that on or about March 22, 2010, and April 12, 2010, the Board sent a letter requesting information regarding the investigation the Board was conducting to Respondent's address of record by certified and regular mail with a return receipt request form. The return receipts were signed on March 24, 2010 and April 15, 2010, respectively. Respondent failed to respond to the Board's questions and requests for information.

FOURTH CAUSE FOR DISCIPLINE

(Dishonest Acts)

17. Respondent is subject to disciplinary action under section 4301, subdivision (f), in that Respondent committed dishonest acts, by stealing controlled substances and dangerous drugs from his employer and selling them for a financial profit. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 14 and 15, inclusive, as though fully set forth.

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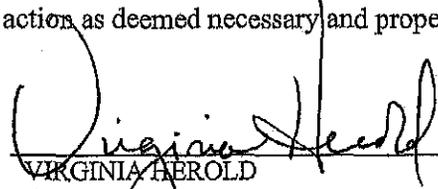
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PRAYER

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 Registration No. TCH 78868, 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: 12/1/11



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

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