

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

In the Matter of the Statement of Issues Against:

**JENNIFER PALAD CABIDA
9624 Madison Ave. Apt. #A
Southgate, CA 90280**

Pharmacy Technician License

Respondent.

Case No. 3950

OAH No. 2011100894

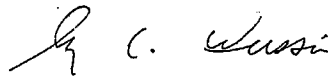
DECISION AND ORDER

The attached Stipulated Settlement 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 May 25, 2012.

It is so ORDERED on April 25, 2012.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STANLEY C. WEISSER
Board President

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In the Matter of the Statement of Issues
Against:

JENNIFER PALAD CABIDA,
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PROPOSED DECISION

Administrative Law Judge, Amy C. Yerkey, State of California, Office of Administrative Hearings, heard this matter on March 15, 2012, in Los Angeles, California.

Linda L. Sun, Deputy Attorney General, represented Virginia Herold (Complainant), Executive Officer of the Board of Pharmacy, Department of Consumer Affairs (Board).

Jennifer Cabida (Respondent) represented herself.

The parties submitted the matter for decision on March 15, 2012.

FACTUAL FINDINGS

1. Complainant filed the Statement of Issues in her official capacity.
2. On May 19, 2010, the Board received an application for a pharmacy technician license from Respondent. On August 18, 2010, the Board denied the Respondent's application.

Respondent's Convictions

3. a. On January 5, 2005, the Los Angeles County Superior Court, in case number 4SB09697, convicted Respondent on her guilty plea, of violating Health and Safety Code section 11364 (possession of narcotic paraphernalia), a misdemeanor. The court deferred entry of judgment for 18 months; however, two months later, in March 2005, the court terminated the deferred entry of judgment and sentenced Respondent to serve 180 days in jail.

b. The facts underlying this conviction are that in December 2004, Respondent was at the Plaza Hotel with her ex-boyfriend and some friends, doing drugs. The police conducted a narcotics investigation and found a large quantity of narcotics and narcotic paraphernalia in plain view in the hotel room. Respondent was arrested. While searching through her purse, police found a drug pipe.

4. a. On February 3, 2004, the Los Angeles County Superior Court, in case number 4SB00030, convicted Respondent on her nolo contendere plea, for violating Vehicle Code section 4462.5 (displaying an invalid registration), a misdemeanor. The court sentenced Respondent to a suspended 30 day jail term, and two years summary probation, with terms and conditions.

b. The facts underlying this conviction are that in November 2003, Respondent displayed on her vehicle or presented to a police officer a registration card or other identifying information which was not issued for the vehicle which she was driving.

5. a. On June 27, 2002, the Los Angeles County Superior Court, in case number BA227632, convicted Respondent on her guilty plea, of violating two felony counts of Penal Code section 470, subdivision (d) (forgery). On the first count, the court sentenced Respondent to serve 180 days in jail and three years formal probation, with terms and conditions. On the second count, the court sentenced Respondent to serve 60 days in jail and 3 years formal probation, with terms and conditions, to run concurrent to the prior sentence. Respondent violated her probation on at least three occasions between 2003 and 2005, and each time, the court revoked her probation and ordered her to serve jail time. Respondent's probation was ultimately reinstated.

b. The facts underlying this conviction are that in November 2001, Respondent stole two checks from her employer and altered them for her personal use. Respondent was employed at California State University, Dominguez Hills, in the admissions office. As part of her job duties, she opened mail and processed student checks. On the occasions in question, students had sent checks to process their graduation applications. Respondent stole the checks, altered them, and used them to pay her electricity bill, and to purchase food.

6. a. On July 10, 2002, the Los Angeles County Superior Court, in case number 2SB01746, convicted Respondent on her nolo contendere plea, for violating Penal Code section 666 (petty theft with a prior), a misdemeanor. The court sentenced Respondent to a suspended 365 day jail term, but ordered her to serve 60 days in jail, and three years summary probation, with terms and conditions.

b. The facts underlying this conviction are that in February 2002, Respondent stole merchandise from Nordstrom in Redondo Beach.

7. a. On July 10, 2002, the Los Angeles County Superior Court, in case number 1SB08213, convicted Respondent on her nolo contendere plea, for violating Penal

Code section 666 (petty theft with a prior), a misdemeanor. The court sentenced Respondent to 90 days in jail, and three years summary probation, with terms and conditions.

b. The facts underlying this conviction are that in February 2002, Respondent stole merchandise from Mervyns Department Store.

8. a. On February 17, 1998, the Municipal Court of Los Angeles County, in case number 8SB01057, convicted Respondent on her nolo contendere plea, for violating Penal Code section 484, subdivision (a) (petty theft), a misdemeanor. The court sentenced Respondent to one day in jail, and three years summary probation, with terms and conditions.

b. The facts underlying this conviction are that Respondent stole \$3500 from her former employer, Sears Department store, from October 1998 through January 1998.

9. a. On November 13, 1996, the Municipal Court of Los Angeles County, in case number 6CM09288, convicted Respondent on her nolo contendere plea, for violating Penal Code section 484, subdivision (a) (petty theft), a misdemeanor. The court sentenced Respondent to one day in jail, and one year summary probation, with terms and conditions.

b. The facts underlying this conviction are that in September 1996, Respondent stole merchandise from Super K-Mart.

10. a. Respondent's convictions for theft and forgery bear on her honesty, and are substantially related to the duties, functions and qualifications of a pharmacy technician.

b. Respondent's conviction for possession of drug paraphernalia, because it involves drug use, is also substantially related to the duties, functions and qualifications of a pharmacy technician.

11. Valerie Knight (Knight), Doctor of Pharmacy, testified at the hearing. Knight explained that the responsibilities of a pharmacy technician include assisting with filling prescriptions, counting and pouring drugs. In addition, there are clerical duties, such as handling money, and patient confidential information; e.g., credit card numbers, social security numbers, and insurance information.

12. Considering the duties of a pharmacy technician and Respondent's criminal history with theft and drugs, Knight stated that the Board has concerns about Respondent's licensure. Knight explained that the Board reviews factors which demonstrate rehabilitation, such as work history, current employment, and character references. Knight opined that Respondent has not shown sufficient rehabilitation, based on several facts: Respondent has not been employed since 2002, and she has not done a pharmacy externship. Thus, she has no references to show how she performs in a current work environment. In addition, Respondent has not shown that she is actively trying to better herself. She is not involved in

any community service, church, counseling, or rehabilitative programs. She did not seek drug treatment or counseling other than what was court-ordered.

Respondent's Application

13. Respondent did not disclose all of her convictions on her application. The application asks "Have you ever been convicted or plead no contest to a violation of any law of a foreign country, the United States, or any state laws or local ordinances?" It then states "You must include all misdemeanor and felony convictions, regardless of the age of the conviction, including those which have been set aside under Penal Code section 1203.4." Respondent answered "yes," which required further explanation, including information about the convictions. Instead, she only disclosed her felony conviction for forgery, and wrote a short note which apologized for her actions. Thereafter, the Board contacted Respondent by letter and requested further information. Respondent submitted more detail about her felony forgery conviction, but again failed to mention her six other convictions.

14. Respondent testified at the hearing. She thought that she was only required to disclose her felony conviction. When Complainant's counsel pointed out that the application required disclosure of all convictions, Respondent acknowledged that her failure to disclose was a mistake. Respondent's explanation for nondisclosure was not convincing. Although Respondent provided evidence that all but one of her convictions was dismissed, the application language clearly requires disclosure of all convictions.

Evidence in Support of Licensure

15. Respondent is a single mother of two children, ages 16 and 19. She explained that she used drugs for a period of time, and perhaps that is why she committed crimes. Respondent has stopped using drugs, and she does not drink. She no longer interacts with people who use drugs. Respondent presented evidence that all of her convictions, except the 1996 theft conviction, have been expunged. Respondent sincerely apologized for her actions, and testified candidly about the underlying events. She is currently enrolled in school, and has been actively seeking employment; however, it is difficult to obtain a job because of her criminal record. She asked to be given a chance.

LEGAL CONCLUSIONS

1. Cause exists to deny Respondent's application for a pharmacy technician license, pursuant to Business and Professions Code section 480, subdivision (a)(1), and California Code of Regulations, title 16, section 1770, on the grounds that Respondent was convicted of crimes that are substantially related to the qualifications, functions, and duties of a licensed pharmacy technician, as set forth in factual findings 3 through 10.

2. A crime shall be considered "substantially related" if "to a substantial degree it evidences present or potential unfitness of a licensee or registrant to perform the functions

authorized by his license or registration in a manner consistent with the public health, safety, or welfare." (Cal. Code Regs., tit. 16, § 1770.) Respondent's convictions for theft, forgery and drug use fall within the definition of "substantial relationship." Her actions evidence a present or potential unfitness to discharge the duties of a licensed pharmacy technician.

3. Cause exists to deny Respondent's application for a pharmacy technician license, pursuant to Business and Professions Code section 480, subdivision (a)(2), in that Respondent committed acts involving dishonesty, as set forth in factual findings 5 through

10.

4. Cause exists to deny Respondent's application for a pharmacy technician license, pursuant to Business and Professions Code section 480, subdivision (c), in that Respondent knowingly made a false statement on her application to the Board, as set forth in factual findings 13 and 14.

5. Cause exists to deny Respondent's application for a pharmacy technician license, pursuant to Business and Professions Code section 480, subdivision (a)(3), in that she committed acts which if done by a licensee, would be grounds to discipline the license, as set forth in factual findings 3 through 10.

6. California Code of Regulations, title 16, section 1769, subdivision (a), provides that the Board, when considering the denial of a license under Business and Professions Code section 480, will consider the following criteria in evaluating the rehabilitation of the applicant and her present eligibility for licensing:

(1) The nature and severity of the act(s) or offense(s) under consideration as grounds for denial.

(2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial under Section 480 of the Business and Professions Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

(4) Whether the applicant has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

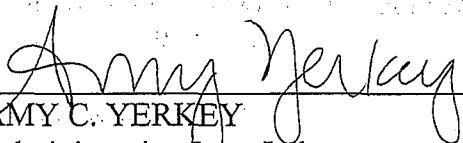
7. Applying the criteria, Respondent's application must be denied. She was convicted for multiple theft crimes and forgery, which implicate her honesty, and she suffered a conviction for possessing drug paraphernalia. She also failed to disclose all but one of her convictions, which cast doubt on her credibility. Although seven years have passed since Respondent's last conviction, the mere passage of time does not establish

rehabilitation. In Respondent's favor, all but one of her convictions was expunged, and she has no subsequent convictions or misconduct since 2005. Although Respondent has made some progress, she failed to establish that she has sufficiently rehabilitated herself to justify a probationary license at this time. Respondent's fitness for performing the functions of a licensed pharmacy technician consistent with the public health, safety, and welfare was not established. Accordingly, denial of her application is warranted at this time.

ORDER

The application of Respondent Jennifer Palad Cabida for a pharmacy technician license is denied.

DATED: March 23, 2012



AMY C. YERKEY
Administrative Law Judge
Office of Administrative Hearings

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7 *Attorneys for Complainant*

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

12 In the Matter of the Statement of Issues
Against:

13 **JENNIFER PALAD CABIDA**
9624 Madison Ave., Apt. A
14 Southgate, CA 90280

15 Respondent.

Case No. 3950

STATEMENT OF ISSUES

16 Complainant alleges:

17 **PARTIES**

18 1. Virginia Herold (Complainant) brings this Statement of Issues solely in her official
19 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
20 2. On or about May 19, 2010, the Board of Pharmacy (Board) received an application
21 for an Applicant for Pharmacy Technician Registration from Jennifer Palad Cabida,
22 (Respondent). On or about March 25, 2010, Respondent certified under penalty of perjury to the
23 truthfulness of all statements, answers, and representations in the application. The Board denied
24 the application on August 18, 2010.

25 **JURISDICTION**

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

1 **STATUTORY PROVISIONS**

2 4. Section 480 states, in pertinent part:

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

5 "(1) Been convicted of a crime. A conviction within the meaning of this section means a
6 plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a
7 board is permitted to take following the establishment of a conviction may be taken when the
8 time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when
9 an order granting probation is made suspending the imposition of sentence, irrespective of a
10 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 substantially
12 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 in question,
14 would be grounds for suspension or revocation of license.

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

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19 "(c) A board may deny a license regulated by this code on the ground that the applicant
20 knowingly made a false statement of fact required to be revealed in the application for the
21 license."

22 5. Section 4300 provides, in pertinent part, that every license issued by the Board is
23 subject to discipline, including suspension or revocation.

24 6. Section 4301 states, in pertinent part:

25 "The board shall take action against any holder of a license who is guilty of unprofessional
26 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.
27 Unprofessional conduct shall include, but is not limited to, any of the following:

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

4
5 "(j) The violation of any of the statutes of this state, or any other state, or of the United
6 States regulating controlled substances and dangerous drugs.

7
8 "(l) The conviction of a crime substantially related to the qualifications, functions, and
9 duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13
10 (commencing with Section 801) of Title 21 of the United States Code regulating controlled
11 substances or of a violation of the statutes of this state regulating controlled substances or
12 dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the
13 record of conviction shall be conclusive evidence only of the fact that the conviction occurred.
14 The board may inquire into the circumstances surrounding the commission of the crime, in order
15 to fix the degree of discipline or, in the case of a conviction not involving controlled substances
16 or dangerous drugs, to determine if the conviction is of an offense substantially related to the
17 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or
18 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning
19 of this provision. The board may take action when the time for appeal has elapsed, or the
20 judgment of conviction has been affirmed on appeal or when an order granting probation is made
21 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of
22 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not
23 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
24 indictment.

25
26 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
27 violation of or conspiring to violate any provision or term of this chapter or of the applicable
28

1 federal and state laws and regulations governing pharmacy, including regulations established by
2 the board or by any other state or federal regulatory agency.”

3 **REGULATORY PROVISION**

4 7. California Code of Regulations, title 16, section 1770 states, in pertinent part:

5 "For the purpose of denial, suspension, or revocation of a personal or facility license
6 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
7 crime or act shall be considered substantially related to the qualifications, functions or duties of a
8 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
9 licensee or registrant to perform the functions authorized by his license or registration in a manner
10 consistent with the public health, safety, or welfare."

11 **FIRST CAUSE FOR DENIAL OF APPLICATION**

12 **(Conviction of Crimes)**

13 8. Respondent's application is subject to denial under Code section 480, subdivision
14 (a)(1), in conjunction with California Code of Regulations, title 16, section 1770, in that
15 Respondent was convicted of crimes substantially related to the qualifications, functions, or
16 duties of a pharmacy technician, as follows:

17 a. On or about January 5, 2005, Respondent pled guilty to one misdemeanor count of
18 violating Health and Safety Code section 11364 [possession of narcotic paraphernalia] in the
19 criminal proceeding entitled *The People of the State of California v. Jennifer Palad Cabida*
20 (Super. Ct. Los Angeles County, 2005, No. 4SB09697). The Court deferred entry of judgment
21 for eighteen (18) months. On or about March 25, 2005, the Court terminated deferred entry of
22 judgment and sentenced Respondent to serve 180 days in Los Angeles County Jail. The
23 circumstances surrounding the conviction are that on or about December 15, 2004, during a
24 narcotics investigation by the Los Angeles Police Department at The Plaza Hotel in Torrance,
25 officers found Respondent and 5 others in a hotel room with a large amount of narcotics and
26 narcotic paraphernalia in plain sight. While searching through Respondent's purse, an officer
27 found a purple eye-glass holder containing a glass drug pipe. Respondent was arrested.

28

1 b. On or about February 3, 2004, Respondent was convicted on her plea of nolo
2 contendere to one misdemeanor count of violating Vehicle Code section 4462.5 [displaying
3 invalid vehicle registration] in the criminal proceeding entitled *The People of the State of*
4 *California v. Jennifer Palad Cabida* (Super. Ct. Los Angeles County, 2004, No. 4SB00030). The
5 Court placed Respondent on 2 years of summary probation, with terms and conditions. On March
6 25, 2005, the Court sentenced Respondent to serve 180 days in Los Angeles County Jail for
7 violating the terms and conditions of probation. The circumstances surrounding the conviction
8 are that on or about November 30, 2003, Respondent unlawfully displayed on a vehicle, or
9 presented to peace officer, any registration car, identification card, temporary receipt, license
10 plate, or permit not issued for such vehicle or not otherwise lawfully used with intent to avoid
11 compliance with vehicle registration requirements.

12 c. On or about June 27, 2002, Respondent was convicted on her guilty plea to two
13 felony counts of violating Penal Code section 470, subdivision (d) [forgery] in the criminal
14 proceeding entitled *The People of the State of California v. Jennifer Palad Cabida* (Super. Ct.
15 Los Angeles County, 2002, No. BA227632). On the first count, the Court sentenced Respondent
16 to serve 180 days in Los Angeles County Jail and placed her on 3 years formal probation, with
17 terms and conditions. On the second count, on or about August 12, 2002, the Court sentenced
18 Respondent to serve 60 days in Los Angeles county Jail and placed her on 3 years formal
19 probation with terms and conditions, to run concurrent with the prior sentence. On March 12,
20 2003, Respondent admitted to probation violation and was ordered to serve 3 days in jail among
21 other terms. Her probation was revoked and reinstated. On or about January 23, 2004,
22 Respondent admitted to probation violation and was ordered to serve an additional 7 days in jail
23 among other terms. Her probation was reinstated. On or about May 20, 2005, Respondent
24 admitted to probation violation, and was ordered to serve an additional 16 days in jail among
25 other terms. On or about March 12, 2010, the two counts were reduced to misdemeanors and
26 dismissed pursuant to Penal Code section 1203.4 The circumstances surrounding the conviction
27 are that on or between November 2, 2001 and November 21, 2001, Respondent with the intent to
28 defraud, falsely made, altered, forged, and counterfeited, uttered, published, passed, and

1 attempted or offered to pass, as true and genuine, a check written on the account of J.C., knowing
2 the same to be false, altered, forged, and counterfeited. In addition, on or between November 2,
3 2001 and December 28, 2001, Respondent with the intent to defraud, falsely made, altered,
4 forged and counterfeited, uttered published, passed, and attempted to offer to pass, as true and
5 genuine, a check written on the account of C.C and K.V., knowing the same to be false, altered,
6 forged and counterfeited.

7 d. On or about July 10, 2002, Respondent was convicted of her plea of nolo contendere
8 to one misdemeanor count of violating Penal Code section 666 [petty theft with a prior] in the
9 criminal proceeding entitled *The People of the State of California v. Jennifer Palad Cabida*
10 (Super. Ct. Los Angeles County, 2002, No. 2SB01746). The Court sentenced Respondent to serve
11 60 days in Los Angeles County Jail and placed her on 3 years of summary probation, with terms
12 and conditions. On or about December 2, 2003, February 3, 2004, and February 16, 2005,
13 Respondent admitted to probation violations. On or about March 25, 2005, the Court ordered
14 Respondent to serve 180 days in Los Angeles County Jail to run concurrent with Case No.
15 1SB08213. The circumstances surrounding the conviction are that on or about February 7, 2002,
16 Respondent removed clothing items from Nordstrom without paying for them.

17 e. On or about July 10, 2002, Respondent was convicted on her plea of nolo contendere
18 to one misdemeanor count of violating Penal Code section 666 [petty theft with a prior] in the
19 criminal proceeding entitled *The People of the State of California v. Jennifer Palad Cabida*
20 (Super. Ct. Los Angeles County, 2002, No. 1SB08213). The Court sentenced Respondent to
21 serve 90 days in Los Angeles County Jail and placed her on 3 years probation, with terms and
22 conditions. On or about February 3, 2004 and February 16, 2005, Respondent admitted to
23 probation violations. On or about March 25, 2005, the Court ordered Respondent to serve 180
24 days in Los Angeles County Jail. The circumstances surrounding the conviction are that on or
25 about October 16, 2001, Respondent removed clothing items from Mervyns without paying for
26 them.

27 f. On or about July February 17, 1998, Respondent was convicted of her plea of nolo
28 contendere to one misdemeanor count of violating Penal Code section 484 [petty theft] in the

1 criminal proceeding entitled *The People of the State of California v. Jennifer Palad Cabida*
2 (Super. Ct. Los Angeles County, 1998, No. 8SB01057). The Court sentenced Respondent to
3 serve 1-day in Los Angeles County Jail and placed her on 3 years probation, with terms and
4 conditions. The circumstances surrounding the conviction are that on or about January 17, 1998,
5 while employed at Sears Roebuck & Co., Respondent admitted to stealing approximately \$3,500
6 from her employer's cash registry since approximately October of 1998.

7 g. On or about November 13, 1996, Respondent was convicted of her plea of nolo
8 contendere to one misdemeanor count of violating Penal Code section 484 [petty theft] in the
9 criminal proceeding entitled *The People of the State of California v. Jennifer Palad Cabida*
10 (Super. Ct. Los Angeles County, 1996, No. 6CM09288). The Court sentenced Respondent to
11 serve 1 day in Los Angeles County Jail and placed her on 12 months probation, with terms and
12 conditions. The circumstances surrounding the conviction are that on or about September 25,
13 1996, Respondent removed items from Super K-Mart without paying for them.

14 **SECOND CAUSE FOR DENIAL OF APPLICATION**

15 **(Dishonest Acts, Fraud, or Deceit)**

16 9. Respondent's application is subject to denial under Code section 480, subdivision
17 (a)(2), in that Respondent committed dishonest acts, fraud, or deceit with the intent to
18 substantially benefit herself, or substantially injure another. Complainant refers to, and by this
19 reference incorporates, the allegations set forth above in paragraph 8, subparagraphs (b) through
20 (g), inclusive, as though set forth fully.

21 **THIRD CAUSE FOR DENIAL OF APPLICATION**

22 **(Knowingly Made a False Statement of Fact)**

23 10. Respondent application is subject to denial under Code section 480, subdivision (c),
24 in that on or about March 25, 2010, Respondent knowingly made a false statement of fact by
25 failing to disclose six additional convictions on her application for licensure. Complainant refers
26 to, and by this reference incorporates, the allegations set forth in paragraph 8, subparagraphs (a)
27 through (g) inclusive, as though set forth fully.

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FOURTH CAUSE FOR DENIAL OF APPLICATION

(Acts Warranting Denial of Licensure)

11. Respondent's application is subject to denial under Code section 480, subdivisions (a)(3)(A) and (a)(3)(B), in conjunction with Code section 4301, subdivisions (f), (j), (l) and (o), in that Respondent committed acts which if done by a licentiate of the business and profession, would be grounds for suspension or revocation of her license. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraph 8, subparagraphs (a) and (g), inclusive, as though set forth fully.

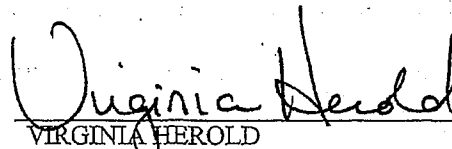
PRAYER

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

- 1. Denying the application of Respondent for Registration as a Pharmacy Technician;
- and
- 2. Taking such other and further action as deemed necessary and proper.

DATED: _____

8/15/11



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

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