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

In t	ne I	Matter	of the	Accusation	Against:
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Case No. 4409

GEORGE RALPF THIBAULLT

9827 Cedar Street, I Bellflower, CA 90706

Pharmacy Technician Registration No. TCH 8822

STIPULATED SURRENDER OF LICENSE AND ORDER

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on May 29, 2013.

It is so ORDERED on April 29, 2013.

BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

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Ву

STANLEY C. WEISSER Board President

1	Kamala D. Harris
2	Attorney General of California GREGORY J. SALUTE
3	Supervising Deputy Attorney General CRISTINA FELIX
4	Deputy Attorney General State Bar No. 195663
5	300 So. Spring Street, Suite 1702
· .	Los Angeles, CA 90013 Telephone: (213) 897-2455
6	Facsimile: (213) 897-2804 E-mail: Cristina.Felix@doj.ca.gov
7	Attorneys for Complainant
8	BEFORE THE BOARD OF PHARMACY
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
10	STATE OF CALIFORNIA
11	In the Matter of the Accusation Against: Case No. 4409
12	GEORGE RALPH THIBAULT
13	9827 Cedar Street, I Bellflower, CA 90706 STIPULATED SURRENDER OF
14	LICENSE AND ORDER
15	Pharmacy Technician Registration No. TCH 8822
16	Respondent.
17	IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18	proceeding that the following matters are true:
19	<u>PARTIES</u>
20.	1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.
21	She brought this action solely in her official capacity and is represented in this matter by Kamala
22	D. Harris, Attorney General of the State of California, by Cristina Felix, Deputy Attorney
23	General.
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26	Shahnazarian, Esq. whose address is: 3055 Wilshire Blvd., Suite 670, Los Angeles, California,
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3. On or about August 13, 1983, the Board of Pharmacy issued Pharmacy Technician Registration No. TCH 8822 to George Ralph Thibault (Respondent). The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 4409 and will expire on September 30, 2014, unless renewed.

JURISDICTION

4. Accusation No. 4409 was filed before the Board of Pharmacy (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 29, 2013. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 4409 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 4409. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.
- Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

Respondent understands that the charges and allegations in Accusation No. 4409, if proven at a hearing, constitute cause for imposing discipline upon his Pharmacy Technician Registration.

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- 9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline.

 Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.
- 10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Pharmacy Technician Registration without further process.

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Board of Pharmacy or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

- 12. 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 surrender, without notice to or participation by Respondent or his counsel. 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 Surrender 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.
- 13. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

- 14. This Stipulated Surrender of License and 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 Surrender of License and 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.
- 15. 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 Order:

ORDER

IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 8822, issued to Respondent George Ralph Thibault, is surrendered and accepted by the Board of Pharmacy.

- 1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Pharmacy. Respondent is required to report this surrender as disciplinary action.
- 2. Respondent shall lose all rights and privileges as a Pharmacy Technician in California as of the effective date of the Board's Decision and Order.
- 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.
- 4. Respondent may not reapply or petition the board for reinstatement of his or her revoked technician license for three (3) years from the effective date of the Decision and Order.
- 5. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 4409 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

- 6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$6,690.00 prior to issuance of a new or reinstated license.
- 7. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 4409 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

<u>ACCEPTANCE</u>

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Artin Shahnazarian, Esq. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

OEORGE RALPH THUBAULT

Respondent

I have read and fully discussed with Respondent George Ralph Thibault the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

RTIN-SHAHNAZARIAN, Esq.

Attorney for Respondent

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1		ENDORSEN	MENT		
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3	The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.				
4	,	harmacy of the L	Department of Consur	ner Affairs.	
5	Dated: 03/2013		Respectfully submitt	ed,	
6			KAMALA D. HARRIS Attorney General of GREGORY J. SALUTE	California	
7			GREGORY J. SALUTE Supervising Deputy.	Attorney General	
8			(D) tac		
9			CRISTINA FELIX) ·	
10			Deputy Attorney Ger Attorneys for Comple	neral <i>ainant</i>	
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Exhibit A

Accusation No. 4409

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1	Kamala D. Harris	
2	Attorney General of California GREGORY J. SALUTE	•
3 _	Supervising Deputy Attorney General CRISTINA FELIX	
4	Deputy Attorney General State Bar No. 195663	
5 [300 So. Spring Street, Suite 1702 Los Angeles, CA 90013	•
6	Telephone: (213) 897-2455 Facsimile: (213) 897-2804	
7	E-mail: Cristina.Felix@doj.ca.gov Attorneys for Complainant	
8		RE THE
9	BOARD OF	PHARMACY
		CONSUMER AFFAIRS CALIFORNIA
10	The state of the s	1
1,1	In the Matter of the Accusation Against:	Case No. 4409
12	GEORGE RALPH THIBAULT 9827 Cedar Street, I	
13	Bellflower, CA 90706	ACCUSATION
14	Pharmacy Technician Registration No. TCH 8822	
15		
16	Respondent.	
17		
18	Complainant alleges:	
19	\underline{PAR}	TIES
20	Virginia Herold (Complainant) bring	s this Accusation solely in her official capacity
21	as the Executive Officer of the Board of Pharma	cy, Department of Consumer Affairs.
22	2. On or about August 13, 1983, the Bo	oard of Pharmacy issued Pharmacy Technician
23	Registration Number TCH 8822 to George Ralp	h Thibault (Respondent). The Pharmacy
24	Technician Registration was in full force and eff	fect at all times relevant to the charges brought
25	herein and will expire on September 30, 2014, u	nless renewed.
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	<i>III</i>	
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JURISDICTION

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

STATUTORY PROVISIONS

- 4. Section 118, subdivision (b), provides that the suspension, expiration, surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.
- 5. Section 4300, subdivision (a), states that "[e]very license issued may be suspended or revoked."
 - 6. Section 4022 States:
- " 'Dangerous drug' or 'dangerous device' means any drug or device unsafe for self-use in humans or animals, and includes the following:
- (a) Any drug that bears the legend: 'Caution: federal law prohibits dispensing without prescription,' 'Rx only,' or words of similar import.
- (b) Any device that bears the statement: 'Caution: federal law restricts this device to sale by or on the order of a _____,' 'Rx only,' or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.
- (c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006."
 - 7. Section 4301 states, in pertinent part:

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

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

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

(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to oneself, to a person holding a license under this chapter; or to any other person or to the public, or to the extent that the use impairs the ability of the person to conduct with safety to the public the practice authorized by the license.

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

(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of this chapter [Pharmacy Law, §§ 4000, et seq.] or of the applicable federal and state laws and regulations governing pharmacy, including regulations established by the board or by any other state or federal regulatory agency. . . ."

Section 4059 states:

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

(g) Nothing in this section shall be construed as permitting a licensed physical therapist to dispense or furnish a dangerous device without a prescription of a physician, dentist, optometrist, or veterinarian. . . ."

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9. Section 4060 states:

"No person shall possess any controlled substance, except that furnished to a person upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, a physician assistant pursuant to Section 3502.1, a naturopathic doctor pursuant to Section 3640.5, or a pharmacy technician pursuant to either Section 4052.1 or 4052.2.

This section shall not apply to the possession of any controlled substance by manufacturer, wholesaler, pharmacy, pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly labeled with the name and address of the supplier or producer.

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

10. Health and Safety Code section 11170 states: "No person shall prescribe, administer, or furnish a controlled substance for himself."

REGULATORY PROVISION

11. California Code of Regulations, title 16, section 1770, states:

"For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related to the qualifications, functions or duties of a licensee or registrant 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."

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COST RECOVERY

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

CONTROLLED SUBSTANCES / DANGEROUS DRUGS

- 13. Oxycodone, is a synthetic opioid analgesic, which is classified as a Schedule II controlled substance pursuant to Health and Safety Code section 11055(b)(1)(M) and a dangerous drug pursuant to Business and Professions Code section 4022.
- 14. Dilaudid, is a trade name for Hydromorphone, an Opium derivative, which is classified as a Schedule II Controlled Substance pursuant to Health and Safety Code section 11055, subdivision (b)(1), and is a dangerous drug within the meaning of Business and Professions Code section 4022.
- 15. Morphine is a Schedule II controlled substance pursuant to Health and Safety Code section 11055(b)(1)(L) and a dangerous drug pursuant to Business and Professions Code section 4022.
- 16. Marinol is a trade name for Dronabinol, a hallucinogenic substance, which is classified as a Schedule III controlled substance pursuant to Health and Safety Code section 11056(h) and a dangerous drug pursuant to Business and Professions Code section 4022.

DEFINITIONS

17. Omnicell is a computerized single dose medication dispensing machine. The user enters a unique user identified, password and / or thumbprint scan in order to access and dispense medication from the machine. The machine records the user name, patient name, medication, dose, date and time of the dispensing/withdrawal. The Omnicell is integrated with hospital pharmacy inventory management systems.

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Ronald Reagan UCLA Medical Center

- 18. Respondent worked as a pharmacy technician at Ronald Reagan UCLA Medical Center (UCLA Medical Center), 662 Gayley Avenue, Los Angeles, California 90095 from July 16, 2002 until June 1, 2011 in the pharmacy department. The pharmacy department operates seven "satellite pharmacies" located throughout the hospital and one "main pharmacy" located in the basement, also referred to as the "vault." While employed at the UCLA Medical Center, Respondent diverted controlled substances and dangerous drugs. The circumstances are as follows:
- a. On April 27, 2011, an audit of the vault inventory of Oxycodone revealed that ten(10) Oxycodone 30 mg tablets were missing.
- b. On that same date, the UCLA Medical Center staff, security and the University of California Police Department retrieved and reviewed video from the vault which revealed that, on or about April 15, 2011 at approximately 7:17 a.m., Respondent removed packets of 30 mg Oxycodone pills and concealed them in his pocket.
- c. On May 4, 2011, a police report was filed with the UCLA Police Department for ten (10) Oxycodone 30 mg tablets that were missing as of April 15, 2011.
- d. On or about May 4, 2011, the UCLA Medical Center filed a Report of Theft or Loss of Controlled Substances, DEA Form 106, for ten (10) Oxycodone 30 mg tablets that were missing as of April 15, 2011.
- e. Respondent was on medical leave from the UCLA Medical Center from April 18, 2011 through June 1, 2011.
- f. Upon Respondent's return from medical leave, on or about June 1, 2011, Respondent was questioned about the missing Oxycodone tablets by the UCLA Medical Center staff, and was placed on administrative leave.
 - g. On that same date, Respondent resigned from the UCLA Medical Center.

Saint John's Health Center

- 19. Respondent worked as a pharmacy technician at Saint John's Health Center, 2121 Santa Monica Blvd., Santa Monica, CA 90404, from August 16, 2011 until December 22, 2011. All pharmacy technicians at this facility are trained in restocking the Omicell machines with dangerous drugs. While employed at the Saint John's Health Center, Respondent diverted controlled substances and dangerous drugs. The circumstances are as follows:
- a. In late November of 2011, staff at Saint John's Health Center discovered drug discrepancies that could not be reconciled. Concerned with the discrepancies, a new procedure for restocking controlled drugs was implemented in December of 2011.
- b. On December 20, 2011, staff at Saint John's Health Center discovered an unusual pattern of Omnicell discrepancies involving Respondent and several drugs: Hydromorphone, Morphine and Dronabinol.
- c. "Null" transactions in the Omnicell occur when drawers are accessed but not restocked. Staff discovered that Respondent had numerous null transactions. Also, on at least four occasions, Respondent, unnecessarily accessed the Omnicell machine one hour after a restock. Respondent opened Omnicell drawers containing controlled drugs without documenting the adding or removing of any drug at least 54 times within four days. Respondent also accessed the Omnicell drawers when he was not scheduled to be on an Omnicell restock shift on December 13, 2011 and December 20, 2011. The null activity events where Respondent accessed the Omnicell drawer containing a controlled drug include the following:

Date	Time	Omnicell Location	Drug
12/5/2011	4:24 p.m.	ER	Hydromorphone 4mg syr
12/5/2011	9:21 p.m.	ER	Hydromorphone 4mg syr
12/5/2011	2:51 p.m	ICU	Hydromorphone 4mg syr
12/5/2011	9:00 p.m.	ICU	Hydromorphone 4mg syr
12/5/2011	9:30 p.m.	Med SURG	Hydromorphone 4mg syr

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12/5/2011	3:58 p.m.	Med SURG	Hydromorphone 2mg syr
12/5/2011	3:59 p.m.	Med SURG	Morphine 10 mg/ml syr
12/5/2011	2:22 p.m.	Oncology	Morphine 2 mg/ml syr
12/5/2011	2:22 p.m.	Oncology	Morphine 4 mg/ml syr
12/5/2011	2:25 p.m.	Oncology	Hydromorphone 2 mg syr
12/5/2011	8:18 p.m.	Oncology	Morphine 2 mg/ml syr
12/5/2011	8:18 p.m.	Oncology	Morphine 4 mg/ml syr
12/5/2011	8:20 p.m.	Oncology	Hydromorphone 4 mg syr
12/5/2011	8:21 p.m.	Oncology	Hydromorphone 4 mg syr
12/5/2011	8:22 p.m.	Oncology	Hydromorphone 2 mg syr
12/5/2011	8:36 p.m.	Orthopedics - ABC	Hydromorphone 2 mg syr
12/5/2011	8:40 p.m.	Orthopedics - DEF	Hydromorphone 4 mg syr
12/5/2011	3:07 p.m.	PCCU .	Morphine 8 mg/ml syr
12/5/2011	3:20 p.m.	PCCU	Hydromorphone 2 mg syr
12/5/2011	9:04 p.m.	PCCU	Hydromorphone 4 mg syr
12/5/2011	2:13 p.m.	VIP	Hydromorphone 2 mg syr
12/5/2011	2:15 p.m.	VIP	Morphine 2 mg/ml syr
12/5/2011	2:15 p.m.	VIP	Morphine 4 mg/ml syr
12/5/2011	8:14 p.m.	VIP	Morphine 2 mg/ml syr
12/5/2011	8:14 p.m.	VIP	Hydromorphone 2 mg syr
12/6/2011	8:51 p.m.	ER	Morphine 4 mg/ml syr
12/6/2011	3:35 p.m.	Women's Health	Morphine 4 mg/ml syr
12/6/2011	3:39 p.m.	Women's Health	Morphine 4 mg/ml syr
12/6/2011	3:46 p.m.	Women's Health	Morphine 4 mg/ml syr
12/6/2011	3:46 p.m.	Women's Health	Morphine 4 mg/ml syr
12/6/2011	4:23 p.m.	Med SURG	Morphine 10 mg/ml syr
12/6/2011	2:19 p.m.	Oncology	Hydromorphone 2 mg syr

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Morphine 2 mg/ml syr

Morphine 4 mg/ml syr

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Morphine 2 mg/ml syr

Morphine 4 mg/ml syr

Morphine 4 mg/ml syr

Morphine 4 mg/ml syr

Hydromorphone 2 mg syr

Hydromorphone 4 mg syr

Morphine 10 mg/ml syr

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12/6/2011	8:41 p.m.	PCCU	Morphine 4 mg/ml syr
12/6/2011	8:10 p.m.	Women's Health	Morphine 10 mg/ml syr
12/6/2011	2:08 p.m.	VIP	Hydromorphone 2 mg syr
12/6/2011	2:08 p.m.	VIP	Morphine 2 mg/ml syr
12/6/2011	2:08 p.m.	VIP	Morphine 2 mg/ml syr
12/6/2011	2:09 p.m.	VIP	Morphine 4 mg/ml syr
12/13/2011	10:17 p.m.	VIP	Hydromorphone 4 mg syr
12/13/2011	10:18 p.m.	VIP	Hydromorphone 4 mg syr
12/13/2011	10:19 p.m.	VIP	Hydromorphone 4 mg syr
12/20/2011	12:52 p.m.	Oncology	Dronabinol 5 mg cap
12/20/2011	7:28 p.m.	Oncology	Dronabinol 5 mg cap
12/20/2011	12:32 p.m.	Orthopedics - DEF	Morphine 8 mg/ml syr

On or about December 21, 2011, Respondent's access to the Omnicell machine was terminated and he was removed from the Omnicell restock shift.

The next day, Respondent resigned from the Saint John's Health Center.

f. On or about January 12, 2012, Saint John's Health Center filed a Report of Theft or Loss of Controlled Substances, DEA Form 106, for the following tablets that were missing as of December 20, 2011:

11 doses - Morphine 8 mg/ml Syringe;

20 doses - Morphine 10 mg/ml Syringe;

1 dose - Hydromorphone 2 mg/ml Syringe;

1 dose - Dronabinol 5 mg capsule.

FIRST CAUSE FOR DISCIPLINE

(Possession of Controlled Substance Without a Prescription)

- 20. Respondent is subject to disciplinary action under section 4060 as follows:
- a. While employed as a pharmacy technician at UCLA Medical Center, Respondent unlawfully possessed controlled substances that were not furnished to him upon prescription of a physician on April 15, 2011. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 17, subparagraphs a g, inclusive, as though set forth fully.
- b. While employed as a pharmacy technician at Saint John's Health, Respondent unlawfully possessed controlled substances that were not furnished to him upon prescription of a physician from on or about December 5, 2011 through December 20, 2011. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 18, subparagraphs a f, inclusive, as though set forth fully.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Acts Involving Dishonesty)

- 21. Respondent is subject to disciplinary action under sections 4300 and 4301, subdivision (f), as follows:
- a. While employed as a pharmacy technician at UCLA Medical Center, Respondent unlawfully possessed controlled substances that were not furnished to him upon prescription of a physician on April 15, 2011. Complainant refers to and by this reference incorporates the

allegations set forth above in paragraph 17, subparagraphs a – g, inclusive, as though set forth fully.

b. While employed as a pharmacy technician at Saint John's Health, Respondent committed acts involving dishonesty when unlawfully possessed controlled substances that were not furnished to him upon prescription of a physician from on or about December 5, 2011 through December 20, 2011. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 18, subparagraphs a - f, inclusive, as though set forth fully.

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Violation of the Nursing Board Act)

- 22. Respondent is subject to disciplinary action for violating under sections 4300 and 4301, subdivision (j), as follows:
- a. While employed as a pharmacy technician at UCLA Medical Center, Respondent unlawfully possessed controlled substances that were not furnished to him upon prescription of a physician on April 15, 2011. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 17, subparagraphs a g, inclusive, as though set forth fully.
- b. While employed as a pharmacy technician at Saint John's Health, Respondent unlawfully possessed controlled substances that were not furnished to him upon prescription of a physician from on or about December 5, 2011 through December 20, 2011. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 18, subparagraphs a-f, 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 of Pharmacy issue a decision:

- Revoking or suspending Pharmacy Technician Registration Number TCH 8822, issued to George Ralph Thibault;

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1	2. Ordering George Ralph Thibault to pay the Board of Pharmacy the reasonable costs
2	of the investigation and enforcement of this case, pursuant to Business and Professions Code
3	section 125.3;
4	3. Taking such other and further action as deemed necessary and proper.
5	DATED: 1/17/13 / Junion & Skedd
6.	VIRGINIA HEROLD Executive Officer
7	Board of Pharmacy Department of Consumer Affairs
8	State of California Complainant
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Accusation