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

In the Matter of the Accusation Against:

LILIAN GRISSEL FLORES
28019 Roblin Avenue
Santa Clarita, CA 91350

Pharmacy Technician Registration No.
TCH87080

Respondent.

Case No. 4558

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about September 6, 2013, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 4558 against Lilian Grissel Flores (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)
2. On or about January 1, 2009, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH87080 to Respondent. The Pharmacy Technician Registration expired on January 31, 2013, and has not been renewed.

1 3. On or about September 19, 2013, Respondent was served by Certified and First Class
2 Mail copies of the Accusation No. 4558, Statement to Respondent, Notice of Defense, Request
3 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
4 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
5 section 4100, is required to be reported and maintained with the Board. Respondent's address of
6 record was and is: 28019 Roblin Avenue, Santa Clarita, CA 91350.

7 4. Service of the Accusation was effective as a matter of law under the provisions of
8 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
9 124.

10 5. On or about October 18, 2013, the aforementioned documents were returned by the
11 U.S. Postal Service marked "Return to Sender. Unclaimed. Unable to Forward. Return to
12 Sender." The address on the documents was the same as the address on file with the Board.
13 Respondent failed to maintain an updated address with the Board and the Board has made
14 attempts to serve the Respondent at the address on file. Respondent has not made herself
15 available for service and therefore, has not availed herself of her right to file a notice of defense
16 and appear at hearing.

17 6. Government Code section 11506 states, in pertinent part:

18 (c) The respondent shall be entitled to a hearing on the merits if the respondent
19 files a notice of defense, and the notice shall be deemed a specific denial of all parts
20 of the accusation not expressly admitted. Failure to file a notice of defense shall
21 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
22 may nevertheless grant a hearing.

23 7. Respondent failed to file a Notice of Defense within 15 days after service upon her of
24 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 4558.

25 8. California Government Code section 11520 states, in pertinent part:

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

 9. Pursuant to its authority under Government Code section 11520, the Board finds
Respondent is in default. The Board will take action without further hearing and, based on the

1 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
2 taking official notice of all the investigatory reports, exhibits and statements contained therein on
3 file at the Board's offices regarding the allegations contained in Accusation No. 4558, finds that
4 the charges and allegations in Accusation No. 4558, are separately and severally, found to be true
5 and correct by clear and convincing evidence.

6 10. Taking official notice of its own internal records, pursuant to Business and
7 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
8 and Enforcement is \$1,377.50 as of December 9, 2013.

9 DETERMINATION OF ISSUES

10 1. Based on the foregoing findings of fact, Respondent Lilian Grissel Flores has
11 subjected her Pharmacy Technician Registration No. TCH87080 to discipline.

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

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

16 a. Respondent is subject to disciplinary action under Business and Professions Code
17 sections 4060, 4300, 4301, subdivision (j), on the grounds of unprofessional conduct, in that on or
18 about July 22, 2012, Respondent was in possession of a tested 0.15 grams of methamphetamine,
19 without a valid prescription.

20 ORDER

21 IT IS SO ORDERED that Pharmacy Technician Registration No. TCH87080, heretofore
22 issued to Respondent Lilian Grissel Flores, is revoked.

23 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
24 written motion requesting that the Decision be vacated and stating the grounds relied on within

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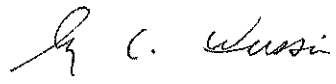
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1 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
2 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

3 This Decision shall become effective on March 27, 2014.

4 It is so ORDERED ON February 25, 2014.

5 BOARD OF PHARMACY
6 DEPARTMENT OF CONSUMER AFFAIRS
7 STATE OF CALIFORNIA

8 

9 By _____
10 STAN C. WEISSER
11 Board President

11 51439246.DOC
12 DOJ Matter ID:LA2013508844

12 Attachment:
13 Exhibit A: Accusation

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Exhibit A

Accusation

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 GILLIAN E. FRIEDMAN
Deputy Attorney General
4 State Bar No. 169207
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2564
6 Facsimile: (213) 897-2804

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

10
11 In the Matter of the Accusation Against:

Case No. 4558

12 **LILIAN GRISEL FLORES**
28019 Roblin Avenue
13 Santa Clarita, CA 91350

ACCUSATION

14 Pharmacy Technician Registration
15 No. TCH 87080

Respondent.

16
17
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about January 16, 2009, the Board issued Pharmacy Technician Registration
23 No. TCH 87080 to Lilian Grissel Flores (Respondent). The Pharmacy Technician Registration
24 expired on January 31, 2013, and has not been renewed.

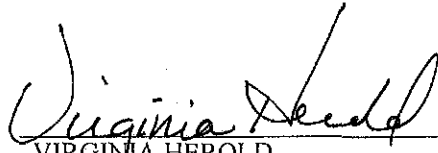
25 **JURISDICTION**

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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3. Taking such other and further action as deemed necessary and proper.

DATED: 9/6/13



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

LA2013508844
6/3/2013dmm
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