

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

In the Matter of the Accusation Against:

Case No. 4662

KRYSTINNA B. JOHNSRUD

311 Carlina Court
Roseville, CA 95747

Pharmacy Technician Registration No.
TCH 69407

Respondent.

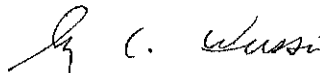
DECISION AND ORDER

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 12, 2014.

It is so ORDERED on May 7, 2014.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STAN C. WEISSER
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KRISTINA T. JANSEN
Deputy Attorney General
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7 Attorneys for Complainant

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

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12 In the Matter of the Accusation Against:

Case No. 4662

13 **KRYSTINNA B. JOHNSRUD**
311 Carlina Ct.
14 Roseville, CA 95747

OAH No. 2014010457

15 **Pharmacy Technician Registration No.**
TCH 69407

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16
17 Respondent.

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

20 **PARTIES**

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

25 2. Krystinna B. Johnsrud (Respondent) is represented in this proceeding by attorney Jess
26 C. Bedore III, Esq., whose address is 2220 Douglas Blvd., Suite 220, Roseville, CA 95661.

27 3. On or about June 14, 2006, the Board of Pharmacy issued Pharmacy Technician
28 Registration No. TCH 69407 to Krystinna B. Johnsrud (Respondent). The Pharmacy Technician

1 Registration was in full force and effect at all times relevant to the charges brought in Accusation
2 No. 4662 and will expire on May 31, 2014, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 4662 was filed before the Board of Pharmacy (Board), Department of
5 Consumer Affairs, and is currently pending against Respondent. The Accusation and all other
6 statutorily required documents were properly served on Respondent on December 20, 2013.
7 Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation
8 No. 4662 is attached as Exhibit A and incorporated by reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, fully discussed with counsel, and understands the
11 charges and allegations in Accusation No. 4662. Respondent also has carefully read, fully
12 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
13 Order.

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

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

23 **CULPABILITY**

24 8. Respondent admits the truth of each and every charge and allegation in Accusation
25 No. 4662, agrees that cause exists for discipline and hereby surrenders her Pharmacy Technician
26 Registration No. TCH 69407 for the Board's formal acceptance.

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1 1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance
2 of the surrendered license by the Board shall constitute the imposition of discipline against
3 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
4 Respondent's license history with the Board of Pharmacy.

5 2. Respondent shall lose all rights and privileges as a Pharmacy Technician in California
6 as of the effective date of the Board's Decision and Order.

7 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
8 issued, her wall certificate on or before the effective date of the Decision and Order.

9 4. Respondent understands and agrees that if she ever files an application for licensure
10 or a petition for reinstatement in the State of California, the Board shall treat it as a new
11 application for licensure.

12 5. Respondent may not apply for any license, permit, or registration from the board for
13 three (3) years from the effective date of this decision. Respondent stipulates that should he or she
14 apply for any license from the board on or after the effective date of this decision, all allegations
15 set forth in Accusation No. 4662 shall be deemed to be true, correct and admitted by respondent
16 when the board determines whether to grant or deny the application. Respondent shall satisfy all
17 requirements applicable to that license as of the date the application is submitted to the board,
18 including, but not limited to certification by a nationally recognized body prior to the issuance of
19 a new license. Respondent is required to report this surrender as disciplinary action.

20 6. Respondent shall pay the agency its costs of investigation and enforcement in the
21 amount of \$7,403.50 prior to issuance of a new or reinstated license.

22 7. If Respondent should ever apply or reapply for a new license or certification, or
23 petition for reinstatement of a license, by any other health care licensing agency in the State of
24 California, all of the charges and allegations contained in Accusation, No. 4662 shall be deemed
25 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
26 other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Jess C. Bedore III, 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.

DATED: April 7th 2014 
KRYSTINNA B. JOHNSRUD
Respondent

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

DATED: April 7, 2014 
JESS C. BEDORE III, ESQ.
Attorney for Respondent

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ENDORSEMENT

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.

Dated: *April 14, 2014*

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General


KRISTINA T. JANSEN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A
Accusation No. 4662

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KRISTINA T. JANSEN
Deputy Attorney General
4 State Bar No. 258229

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12 **KRYSTINNA B. JOHNSRUD**
13 **311 Carlina Ct.**
Roseville, CA 95747

A C C U S A T I O N

14 **Pharmacy Technician No. TCH 69407**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about June 14, 2006, the Board of Pharmacy issued Pharmacy Technician
22 Number TCH 69407 to Krystinna B. Johnsrud (Respondent). The Pharmacy Technician was in
23 full force and effect at all times relevant to the charges brought herein and will expire on May 31,
24 2014, unless renewed.

25 **JURISDICTION**

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

1 4. Section 4300 of the Code states in pertinent part:

2 “(a) Every license issued may be suspended or revoked.

3 “(b) The board shall discipline the holder of any license issued by the board, whose default
4 has been entered or whose case has been heard by the board and found guilty, by any of the

5 following methods:

6 “(1) Suspending judgment.

7 “(2) Placing him or her upon probation.

8 “(3) Suspending his or her right to practice for a period not exceeding one year.

9 “(4) Revoking his or her license.

10 “(5) Taking any other action in relation to disciplining him or her as the board in its
11 discretion may deem proper.”

12 5. Section 4300.1 of the Code states:

13 “The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation
14 of law or by order or decision of the board or a court of law, the placement of a license on a
15 retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of
16 jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding
17 against, the licensee or to render a decision suspending or revoking the license.”

18 6. Section 4301 of the Code states in pertinent part:

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

22 “... ”

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

26 “(h) The administering to oneself, of any controlled substance, or the use of any dangerous
27 drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to
28 oneself, to a person holding a license under this chapter, or to any other person or to the public, or

1 to the extent that the use impairs the ability of the person to conduct with safety to the public the
2 practice authorized by the license.

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

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

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

26 7. Section 4022 of the Code states:

27 “Dangerous drug” or “dangerous device” means any drug or device unsafe for self-use in
28 humans or animals, and includes the following:

1 Respondent further admitted she embezzled the drug for her own personal use, stating she was
2 addicted and consumed between 30-40 pills per day. Respondent stated she believed she stole
3 approximately 21,852 hydrocodone pills. The estimated loss for this theft is \$17,000.00.

4 **FIRST CAUSE FOR DISCIPLINE**

5 **(Substantially Related Criminal Conviction)**

6 13. Respondent is subject to disciplinary action under section 4301, subdivision (l) in that
7 on or about March 29, 2013, in Placer County Superior Court in the case entitled *People v.*
8 *Krystinna Beverly Johnsrud*, case number 62-118876, Respondent was convicted after her plea of
9 no contest of violating Penal Code section 487, subdivision (a), a misdemeanor, (grand theft by
10 embezzlement in an amount exceeding \$950.00). The circumstances are stated in paragraph 12,
11 above.

12 **SECOND CAUSE FOR DISCIPLINE**

13 **(Violation of Laws Governing Controlled Substances)**

14 14. Respondent is subject to disciplinary action for unprofessional conduct pursuant to
15 section 4301, subdivision (j), in that between the dates of January 1, 2012 and December 21, 2012,
16 Respondent violated laws governing controlled substances. Respondent violated Health and
17 Safety Code section 11350, subdivision (a), and Code section 4060 by unlawfully possessing the
18 controlled substance hydrocodone. The circumstances are stated in paragraph 12, above.

19 **THIRD CAUSE FOR DISCIPLINE**

20 **(Unlawful Self-Administration of Controlled Substances)**

21 15. Respondent is subject to disciplinary action under section 4301, subdivision (h) in that
22 between the dates of January 1, 2012 and December 21, 2012, Respondent unlawfully self-
23 administered hydrocodone to an extent or in a manner to be dangerous or injurious to herself or
24 others. The circumstances are stated in paragraph 12, above.

25 **FOURTH CAUSE FOR DISCIPLINE**

26 **(Dishonest, Fraudulent, Corrupt, and Deceitful Acts)**

27 16. Respondent is subject to disciplinary action under section 4301, subdivision (f), in that
28 between the dates of January 1, 2012, and December 21, 2012, while employed and on duty as a

1 pharmacy technician at the CVS Pharmacy store in Rocklin, California, Respondent committed
2 dishonest, fraudulent, corrupt, and deceitful acts by embezzling approximately 21,852
3 hydrocodone pills, a controlled substance. The circumstances are stated in paragraph 12, above.

4 **FIFTH CAUSE FOR DISCIPLINE**

5 **(Violation of Laws Governing Pharmacy)**

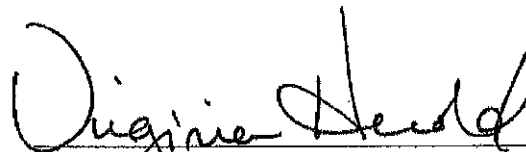
6 17. Respondent is subject to disciplinary action under section 4301, subdivision (o), in that
7 between the dates of January 1, 2012 and December 21, 2012, Respondent committed acts in
8 violation of the laws governing pharmacy, as set forth in paragraphs 12 through 16, above.

9 **PRAYER**

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

- 12 1. Revoking or suspending Pharmacy Technician Number TCH 69407, issued to
13 Krystinna B. Johnsrud;
- 14 2. Ordering Krystinna B. Johnsrud to pay the Board of Pharmacy the reasonable costs of
15 the investigation and enforcement of this case, pursuant to Business and Professions Code section
16 125.3;
- 17 3. Taking such other and further action as deemed necessary and proper.

18
19
20 DATED: 12/2/13



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

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