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

In the Matter of the Accusation Against:

Case No. 4807

**STEPHANIE E. BECHLE  
39829 Western Jay Way  
Murrieta, CA 93277**

**DEFAULT DECISION AND ORDER**

**Pharmacy Technician Registration  
No. TCH 30272**

[Gov. Code, §11520]

Respondent.

**FINDINGS OF FACT**

1. On or about October 21, 2013, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 4807 against Stephanie E. Bechle (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about August 18, 1999, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 30272 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 4807 and will expire on November 30, 2014, unless renewed.



1 the charges and allegations in Accusation No. 4807, are separately and severally, found to be true  
2 and correct by clear and convincing evidence.

3 10. Taking official notice of its own internal records, pursuant to Business and  
4 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
5 and Enforcement is \$552.50 as of December 18, 2013.

6 DETERMINATION OF ISSUES

7 1. Based on the foregoing findings of fact, Respondent Stephanie E. Bechle has  
8 subjected her Pharmacy Technician Registration No. TCH 30272 to discipline.

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

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

13 a. Violation of Business and Professions Code sections 490 and 4301, subdivision (l) of  
14 the Code, in that she was convicted of a crime that is substantially related to the qualifications,  
15 duties and functions of a pharmacy technician. On or about May 30, 2013, in a criminal  
16 proceeding entitled *People of the State of California v. Stephanie Elizabeth Bechle*, in the  
17 Superior Court of California, County of Riverside, in Case No. SWM1302926, Respondent was  
18 convicted on her plea of guilty of violating Vehicle Code sections 23152(a) (DUI), and 23152(b)  
19 (driving with a blood alcohol concentration of 0.08 percent or more [0.31 percent BAC]),  
20 misdemeanors, with an admitted allegation pursuant to Vehicle Code section 23578 of driving a  
21 motor vehicle while having a blood alcohol concentration of 0.15 percent or more by weight.

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ORDER

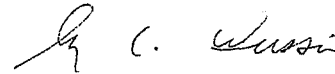
IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 30272, heretofore issued to Respondent Stephanie E. Bechle, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on February 24, 2014.

It is so ORDERED ON January 24, 2014.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By \_\_\_\_\_  
STAN C. WEISSER  
Board President

70798215.DOC  
DOJ Matter ID:SD2013705569

Attachment:  
Exhibit A: Accusation

# Exhibit A

Accusation

1 KAMALA D. HARRIS  
Attorney General of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
4 State Bar No. 101336  
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P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-3037  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:  
12 **STEPHANIE E. BECHLE**  
13 **39829 Western Jay Way**  
14 **Murrieta, CA 93277**  
15 **Pharmacy Technician Registration**  
**No. TCH 30272**  
16 Respondent.

Case No. 4807  
**A C C U S A T I O N**

17  
18  
19 Complainant alleges:

20 **PARTIES**

- 21 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity as  
22 the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.  
23 2. On or about August 18, 1999, the Board of Pharmacy issued Pharmacy Technician  
24 Registration Number TCH 30272 to Stephanie E. Bechle (Respondent). The Pharmacy  
25 Technician Registration was in full force and effect at all times relevant to the charges brought  
26 herein and will expire on November 30, 2014, unless renewed.

27 ///  
28 ///

1 **JURISDICTION**

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

5 4. Section 4300, subdivision (a) of the Code states "Every license issued may be  
6 suspended or revoked."

7 5. Section 4300.1 of the Code states:

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

14 **STATUTORY PROVISIONS**

15 6. Section 482 of the Code states:

16 Each board under the provisions of this code shall develop criteria to  
17 evaluate the rehabilitation of a person when:

18 (a) Considering the denial of a license by the board under Section 480; or

19 (b) Considering suspension or revocation of a license under Section 490.

20 Each board shall take into account all competent evidence of rehabilitation  
21 furnished by the applicant or licensee.

22 7. Section 490 of the Code provides, in pertinent part, that a board may suspend or  
23 revoke a license on the ground that the licensee has been convicted of a crime substantially related  
24 to the qualifications, functions, or duties of the business or profession for which the license was  
25 issued.

26 8. Section 493 of the Code states:

27 Notwithstanding any other provision of law, in a proceeding conducted by  
28 a board within the department pursuant to law to deny an application for a license or  
to suspend or revoke a license or otherwise take disciplinary action against a person  
who holds a license, upon the ground that the applicant or the licensee has been  
convicted of a crime substantially related to the qualifications, functions, and duties of  
the licensee in question, the record of conviction of the crime shall be conclusive  
evidence of the fact that the conviction occurred, but only of that fact, and

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1 the board may inquire into the circumstances surrounding the commission of the crime  
2 in order to fix the degree of discipline or to determine if the conviction is substantially  
3 related to the qualifications, functions, and duties of the licensee in question.

4 As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,'  
5 and 'registration.'

6 9. Section 4301 of the Code states:

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

11 . . . .

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

17 . . . .

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

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1 **REGULATORY PROVISIONS**

2 10. California Code of Regulations, title 16, section 1769, states:

3 . . . .

4 (b) When considering the suspension or revocation of a facility or a  
5 personal license on the ground that the licensee or the registrant has been convicted of  
6 a crime, the board, in evaluating the rehabilitation of such person and his present  
7 eligibility for a license will consider the following criteria:

8 (1) Nature and severity of the act(s) or offense(s).

9 (2) Total criminal record.

10 (3) The time that has elapsed since commission of the act(s) or  
11 offense(s).

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

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

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

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

23 **COST RECOVERY**

24 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
25 administrative law judge to direct a licentiate found to have committed a violation or violations of  
26 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
27 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
28 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
included in a stipulated settlement.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(May 30, 2013 Criminal Conviction for DUI and for Driving Under the Influence of Alcohol**  
3 **With Blood Alcohol Concentration of 0.08% or More [0.31% BAC] on April 10, 2013)**

4 13. Respondent has subjected her registration to discipline under sections 490 and 4301,  
5 subdivision (l) of the Code, in that she was convicted of a crime that is substantially related to the  
6 qualifications, duties and functions of a pharmacy technician. The circumstances are as follows:

7 14. On or about May 30, 2013, in a criminal proceeding entitled *People of the State of*  
8 *California v. Stephanie Elizabeth Bechle*, in the Superior Court of California, County of  
9 Riverside, in Case No. SWM1302926, Respondent was convicted on her plea of guilty of violating  
10 Vehicle Code sections 23152(a) (DUI), and 23152(b) (driving with a blood alcohol concentration  
11 of 0.08 percent or more [0.31 percent BAC]), misdemeanors, with an admitted allegation pursuant  
12 to Vehicle Code section 23578 of driving a motor vehicle while having a blood alcohol  
13 concentration of 0.15 percent or more by weight.

14 15. As a result of the conviction, the Court placed Respondent on 36 months probation  
15 and ordered her to serve 20 days in the Riverside County Jail, with one day credit for time served,  
16 with the 19 remaining days to be served through the Work Release Program. The Court also  
17 ordered Respondent to pay various fines and fees, not drive with any measurable amount of  
18 alcohol in her blood or within 6 hours of consuming alcohol or drugs, submit to blood, breath or  
19 urine tests as requested by arresting officer, not drive unless properly licensed nor without  
20 insurance or valid registration, attend and satisfactorily complete a 9-month First Offender DUI  
21 Program, attend 44 AA meetings or an approved alternative program, and enroll in and complete  
22 the MADD Victim Impact Panel session.

23 16. The circumstances that led to the conviction are that on April 10, 2013, at  
24 approximately 9:00 a.m., Murrieta Police Department Officers were dispatched to a call of a  
25 disabled vehicle on Los Alamos Road and Hancock Avenue. Upon arrival, officers made contact  
26 with the driver (Respondent) who told officers that she had run out of gasoline and was on her  
27 way to a gas station from her residence in Murrieta. Officers smelled an odor of alcohol emitting  
28 from her person and observed that Respondent's eyes were bloodshot and watery. Respondent

1 initially denied consuming alcohol and later admitted to drinking alcohol the night prior.  
2 Respondent refused field sobriety tests and the officers determined that Respondent was too  
3 intoxicated to safely operate a motor vehicle and placed her under arrest and transported to the  
4 Murrieta Police Department where she submitted to a blood sample. Respondent was later  
5 booked at the county jail. The blood sample analysis showed Respondent had a 0.31 percent  
6 blood alcohol concentration.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Unprofessional Conduct - Use of Alcohol in a Manner Dangerous to Self or Others)**

9 17. Respondent has subjected her registration to disciplinary action under section 4301,  
10 subdivision (h) of the Code for unprofessional conduct in that on April 10, 2013, Respondent  
11 operated a motor vehicle while substantially impaired by the use of alcoholic beverages, as detailed  
12 at paragraphs 13-16, above, which are incorporated here by reference.

13 **PRAYER**

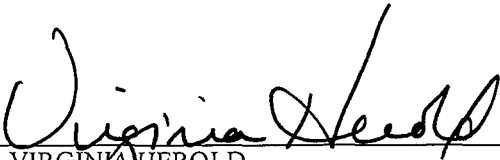
14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
15 and that following the hearing, the Board of Pharmacy issue a decision:

16 1. Revoking or suspending Pharmacy Technician Registration Number TCH 30272  
17 issued to Stephanie E. Bechle;

18 2. Ordering Stephanie E. Bechle to pay the Board of Pharmacy the reasonable costs of  
19 the investigation and enforcement of this case, pursuant to Business and Professions Code section  
20 125.3;

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

22  
23  
24 DATED: 10/21/13

  
25 VIRGINIA HEROLD  
26 Executive Officer  
27 Board of Pharmacy  
28 Department of Consumer Affairs  
State of California  
*Complainant*

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