

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

In the Matter of the Accusation Against:

Case No. 5200

**JAMIE L. SCOTT  
6330 Hilltop Drive  
Carmichael, California 95608**

OAH No. 2015050070

**Pharmacy Technician Registration No. TCH  
42484**

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 February 24, 2016.

It is so ORDERED on January 25, 2016.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

\_\_\_\_\_  
Amy Gutierrez, Pharm.D.  
Board President

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
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Attorneys for Complainant  
8

9 **BEFORE THE**  
**BOARD OF PHARMACY**  
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10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:  
12 **JAMIE L. SCOTT**  
13 **6330 Hilltop Drive**  
14 **Carmichael, California 95608**  
15 **Pharmacy Technician Registration No. TCH**  
**42484**  
16 Respondent.  
17

Case No. 5200  
OAH No. 2015050070  
**STIPULATED SURRENDER OF**  
**LICENSE AND ORDER**

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

21 **PARTIES**

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

26 2. Jamie L. Scott (Respondent) is representing herself in this proceeding and has chosen  
27 not to exercise her right to be represented by counsel.

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1 ORDER

2 **IT IS ORDERED** that Pharmacy Technician Registration No. TCH 42484, issued to  
3 Respondent Jamie L. Scott, is surrendered and accepted by the Board of Pharmacy.

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

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

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

12 4. Respondent understands and agrees that if he or she ever files an application for  
13 licensure or a petition for reinstatement in the State of California, the board shall treat it as a new  
14 application for licensure.

15 Respondent may not apply for any license, permit, or registration from the board for three  
16 (3) years from the effective date of this decision. Respondent stipulates that should he or she  
17 apply for any license from the board on or after the effective date of this decision, all allegations  
18 set forth in the accusation shall be deemed to be true, correct and admitted by respondent when  
19 the board determines whether to grant or deny the application. Respondent shall satisfy all  
20 requirements applicable to that license as of the date the application is submitted to the board,  
21 including, but not limited to certification by a nationally recognized body prior to the issuance of  
22 a new license. Respondent is required to report this surrender as disciplinary action.

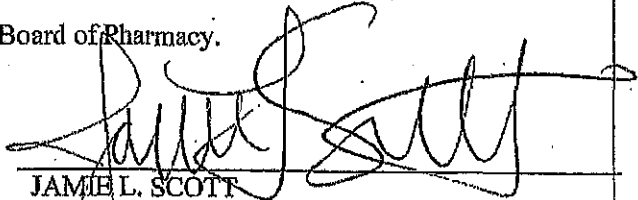
23 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
24 amount of \$5,417.50 prior to issuance of a new or reinstated license.

25 6. If Respondent should ever apply or reapply for a new license or certification, or  
26 petition for reinstatement of a license, by any other health care licensing agency in the State of  
27 California, all of the charges and allegations contained in Accusation, No. 5200 shall be deemed  
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1 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any  
2 other proceeding seeking to deny or restrict licensure.

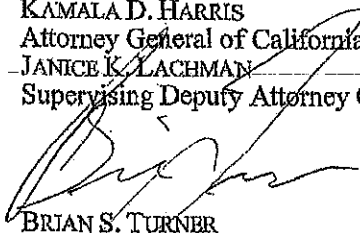
3 ACCEPTANCE

4 I have carefully read the Stipulated Surrender of License and Order. I understand the  
5 stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this  
6 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
7 be bound by the Decision and Order of the Board of Pharmacy.

8  
9 DATED: 10-2-15   
10 JAMIE L. SCOTT  
11 Respondent

12 ENDORSEMENT

13 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
14 for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

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16 Dated: 10/2/15 Respectfully submitted,  
17  
18 KAMALA D. HARRIS  
Attorney General of California  
19 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
20  
21   
BRIAN S. TURNER  
22 Deputy Attorney General  
Attorneys for Complainant  
23

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**Exhibit A**

**Accusation No. 5200**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 BRIAN S. TURNER  
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**BOARD OF PHARMACY**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
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12 In the Matter of the Accusation Against:

Case No. 5200

13 **JAMIE LYNN SCOTT**  
6330 Hilltop Drive  
14 Carmichael, CA 95608

**ACCUSATION**

15 Pharmacy Technician License No. TCH 42484  
16 Respondent.

17  
18 Virginia Herold (Complainant) alleges:

19 **PARTIES**

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

22 2. On or about August 16, 2002, the Board issued Pharmacy Technician License  
23 Number TCH 42484 to Jamie Lynn Scott (Respondent). The Pharmacy Technician License was  
24 in full force and effect at all times relevant to the charges brought herein, and will expire on  
25 August 31, 2016, unless renewed.

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1 dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section  
2 3640.7.

3 8. Code section 4060 provides in relevant part:

4 "No person shall possess any controlled substance, except that  
5 furnished to a person upon the prescription of a physician, dentist..."

6 9. Business and Professions Code ( all references to Code herein shall refer to  
7 Business and Professions Code unless otherwise indicated) section 4300.1 provides:

8 " The expiration, cancellation, forfeiture, or suspension of a board-issued license by  
9 operation of law or by order or decision of the board or a court of law, the placement  
10 of a license on a retired status, or the voluntary surrender of a license by a licensee  
11 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 10. Section 4300 provides in relevant part:

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

16 11. Section 4301 provides in relevant part:

17 The board shall take action against any holder of a license who is guilty of  
18 unprofessional conduct. Unprofessional conduct shall include, but not be limited to, any of the  
19 following:

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

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

28 (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.

#### COST RECOVERY

12. Section 125.3 of the Code provides, in pertinent part, that the Director may request  
the administrative law judge to direct a licensee 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

1 and enforcement of the case.

2 FACTUAL ALLEGATIONS

3 13. At all relevant times to the charges brought herein, Respondent was a Pharmacy  
4 Technician employed at CVS Pharmacy #09814 located at 8101 Greenback Lane, Fair Oaks,  
5 California. Beginning in or about December of 2011, Respondent began taking, converting,  
6 diverting, possessing, and ingesting Norco tablets consisting of 7.5 milligrams of hydrocodone  
7 and 325 milligrams of acetaminophen (7.5/325) . An audit of CVS pharmacy number 09814  
8 revealed that between May of 2011 and April of 2013 Respondent converted, diverted, took,  
9 stole, or otherwise took possession of 1,539 tablets without a valid or lawful prescription of the  
10 dangerous drug and controlled substance Norco. Respondent's diversion, acquisition, possession  
11 and ingestion of the 7.5/325 Norco included time while Respondent was in the course and scope  
12 of her job duties and responsibilities as a pharmacy technician.

13 14. The CVS audit further revealed that between October of 2011 and June of 2013  
14 Respondent diverted, took, stole, or otherwise took possession of 10,667 tablets of the dangerous  
15 drug and controlled substance Norco comprised of 10 milligrams of hydrocodone and 325  
16 milligrams of acetaminophen (10/325) without a valid or lawful prescription. Respondent's  
17 conversion, diversion, acquisition, possession and ingestion of the 10/325 Norco included time  
18 while Respondent was in the course and scope of her job duties and responsibilities as a  
19 pharmacy technician.

20 15. During the relevant time, Respondent took, used or ingested Norco tablets, up to as  
21 much as 10 to 12 tablets daily, and was under the influence of the dangerous drug Norco while in  
22 the course and scope of her job duties and responsibilities as a pharmacy technician. Respondent  
23 furnished a portion of the Norco to others without a lawful prescription including but not limited  
24 to Respondent's father.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Moral Turpitude, Dishonesty, Corruption)

3 16. Respondent is subject to disciplinary action for unprofessional conduct pursuant to  
4 section 4301(f) because Respondent while in the course and scope of her job duties and  
5 responsibilities as a pharmacy technician took, stole, diverted and possessed the dangerous drug  
6 and controlled substance Norco. The circumstances are as follows:

7 17. Paragraphs 13 through 15 are incorporated herein as though set forth at length.  
8 Respondent took, diverted, stole and possessed at least one thousand five hundred (1,500) tablets  
9 of 7.5/325 Norco and at least five thousand (5,000) tablets of 10/325 Norco and up to as much as  
10 ten thousand five hundred (10,556) tablets of Norco. Respondent possessed the Norco without  
11 lawful authority to take or possess Norco while in the course and scope of her job duties and  
12 responsibilities as a pharmacy technician

13 SECOND CAUSE FOR DISCIPLINE

14 (Unprofessional Conduct-Self Administration/Dangerous Conduct)

15 18. Respondent is subject to disciplinary action for unprofessional conduct pursuant to  
16 section 4301(h) because Respondent used a dangerous drug and controlled substance to an extent  
17 and in a manner that was dangerous to herself or others. The circumstances are as follows:

18 19. Paragraphs 13 through 15 are incorporated herein as though set forth at length.  
19 Respondent admitted ingesting and using Norco while in the course and scope of her job duties  
20 and responsibilities as a pharmacy technician to an extent and in a manner that was dangerous to  
21 herself and others. Respondent admitted to consuming up to 10 to 12 Norco tablets per day  
22 without a lawful prescription. By working in the pharmacy after ingesting Norco without a  
23 prescription, Respondent demonstrated a lack of fitness and judgment to safely perform the  
24 functions, duties and obligations of a pharmacy technician and constituted a danger to public  
25 health, safety and welfare.

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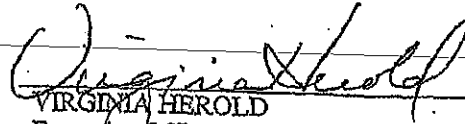


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3. Taking such other and further action as deemed necessary and proper.

DATED:

1/19/15



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