

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

In the Matter of the Statement of Issues Against:

Case No. 5090

JORDAN MATTHEW GERACI

2245 Rosita Ave.
Santa Clara, CA 95050

Pharmacy Technician Applicant

Respondent.

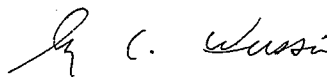
DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary 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 July 23, 2014.

It is so ORDERED on July 16, 2014.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STAN C. WEISSER
Board President

Received

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUSTIN R. SURBER
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7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Statement of Issues
11 Against:
12 **JORDAN MATTHEW GERACI**
13 Respondent.

Case No. 5090
STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

14
15
16 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
17 entitled proceedings that the following matters are true:

18 PARTIES

19 1. Virginia Herold ("Complainant") is the Executive Officer of the Board of Pharmacy.
20 She brought this action solely in her official capacity and is represented in this matter by Kamala
21 D. Harris, Attorney General of the State of California, by Justin R. Surber, Deputy Attorney
22 General.

23 2. Respondent Jordan Matthew Geraci ("Respondent") is represented in this proceeding
24 by attorney Douglas R. Lipton, whose address is: 1901 South Bascom Ave., Suite 1111
25 Campbell, CA 95008-2211

26 3. On or about July 8, 2013, Respondent filed an application dated July 4, 2013, with the
27 Board of Pharmacy to obtain pharmacy technician license.

28 ///

1 JURISDICTION

2 4. Statement of Issues No. 5090 was filed before the Board of Pharmacy (Board),
3 Department of Consumer Affairs, and is currently pending against Respondent. The Statement of
4 Issues and all other statutorily required documents were properly served on Respondent on April
5 29, 2014.

6 5. A copy of Statement of Issues No. 5090 is attached as exhibit A and incorporated
7 herein by reference.

8 ADVISEMENT AND WAIVERS

9 6. Respondent has carefully read, fully discussed with counsel, and understands the
10 charges and allegations in Statement of Issues No. 5090. Respondent has also carefully read,
11 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
12 Disciplinary Order.

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

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

22 CULPABILITY

23 9. Respondent admits the truth of each and every charge and allegation in Statement of
24 Issues No. 5090.

25 10. Respondent agrees that his pharmacy technician application is subject to denial and
26 he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order
27 below.

28 ///

1 CONTINGENCY

2 11. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
3 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
4 communicate directly with the Board regarding this stipulation and settlement, without notice to
5 or participation by Respondent or his counsel. By signing the stipulation, Respondent
6 understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation
7 prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation
8 as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or
9 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,
10 and the Board shall not be disqualified from further action by having considered this matter.

11 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
12 copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format
13 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

14 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
15 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
16 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
17 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
18 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
19 writing executed by an authorized representative of each of the parties.

20 14. In consideration of the foregoing admissions and stipulations, the parties agree that
21 the Board may, without further notice or formal proceeding, issue and enter the following
22 Disciplinary Order:

23 DISCIPLINARY ORDER

24 IT IS HEREBY ORDERED that upon satisfaction of all statutory and regulatory
25 requirements for issuance of a license a Pharmacy Technician license will be issued to
26 Respondent. The License will be immediately revoked. However, the revocation will be stayed
27 and the Respondent placed on four (4) years probation on the following terms and conditions.

28 ///

1 **1. Certification Prior to Resuming Work**

2 Respondent shall be automatically suspended from working as a pharmacy technician until
3 he or she is certified as defined by Business and Professions Code section 4202(a)(4) and
4 provides satisfactory proof of certification to the board. Respondent shall not resume working as a
5 pharmacy technician until notified by the board. Failure to achieve certification within one
6 (1) year shall be considered a violation of probation. Respondent shall not resume working as a
7 pharmacy technician until notified by the board.

8 During suspension, respondent shall not enter any pharmacy area or any portion of any
9 other board licensed premises (wholesaler, veterinary food-animal drug retailer or any other
10 distributor of drugs) any drug manufacturer, or any other location where dangerous drugs and
11 devices or controlled substances are maintained. Respondent shall not do any act involving drug
12 selection, selection of stock, manufacturing, compounding or dispensing; nor shall respondent
13 manage, administer, or assist any licensee of the board. Respondent shall not have access to or
14 control the ordering, manufacturing or dispensing of dangerous drugs and devices or controlled
15 substances. Respondent shall not resume work until notified by the board.

16 Subject to the above restrictions, respondent may continue to own or hold an interest in any
17 licensed premises by the board in which he or she holds an interest at the time this decision
18 becomes effective unless otherwise specified in this order.

19 Failure to comply with this suspension shall be considered a violation of probation.

20 **2. Obey All Laws**

21 Respondent shall obey all state and federal laws and regulations.

22 Respondent shall report any of the following occurrences to the board, in writing, within
23 seventy-two (72) hours of such occurrence:

- 24 an arrest or issuance of a criminal complaint for violation of any provision of the
25 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
26 substances laws
27 a plea of guilty or nolo contendere in any state or federal criminal proceeding to any
28 criminal complaint, information or indictment

- 1 a conviction of any crime
2 discipline, citation, or other administrative action filed by any state or federal agency
3 which involves respondent's Pharmacy Technician license or which is related to the
4 practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing,
5 or charging for any drug, device or controlled substance.

6 Failure to timely report any such occurrence shall be considered a violation of probation.

7 **3. Report to the Board**

8 Respondent shall report to the board quarterly, on a schedule as directed by the board or its
9 designee. The report shall be made either in person or in writing, as directed. Among other
10 requirements, respondent shall state in each report under penalty of perjury whether there has
11 been compliance with all the terms and conditions of probation. Failure to submit timely reports
12 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency
13 in submission of reports as directed may be added to the total period of probation. Moreover, if
14 the final probation report is not made as directed, probation shall be automatically extended until
15 such time as the final report is made and accepted by the board.

16 **4. Interview with the Board**

17 Upon receipt of reasonable prior notice, respondent shall appear in person for interviews
18 with the board or its designee, at such intervals and locations as are determined by the board or its
19 designee. Failure to appear for any scheduled interview without prior notification to board staff,
20 or failure to appear at two (2) or more scheduled interviews with the board or its designee during
21 the period of probation, shall be considered a violation of probation.

22 **5. Cooperate with Board Staff**

23 Respondent shall cooperate with the board's inspection program and with the board's
24 monitoring and investigation of respondent's compliance with the terms and conditions of his
25 probation. Failure to cooperate shall be considered a violation of probation.

26 **6. Notice to Employers**

27 During the period of probation, respondent shall notify all present and prospective
28 employers of the decision in case number 5090 and the terms, conditions and restrictions imposed

1 on respondent by the decision, as follows:

2 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
3 respondent undertaking any new employment, respondent shall cause his direct supervisor,
4 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's
5 tenure of employment) and owner to report to the board in writing acknowledging that the listed
6 individual(s) has/have read the decision in case number 5090 and the terms and conditions
7 imposed thereby. It shall be respondent's responsibility to ensure that his employer(s) and/or
8 supervisor(s) submit timely acknowledgement(s) to the board.

9 If respondent works for or is employed by or through a pharmacy employment service,
10 respondent must notify his direct supervisor, pharmacist-in-charge and owner at every pharmacy
11 of the terms and conditions of the decision in case number 5090 in advance of the respondent
12 commencing work at each pharmacy. A record of this notification must be provided to the board
13 upon request.

14 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
15 (15) days of respondent undertaking any new employment by or through a pharmacy employment
16 service, respondent shall cause his direct supervisor with the pharmacy employment service to
17 report to the board in writing acknowledging that he has read the decision in case number 5090
18 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure
19 that his employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

20 Failure to timely notify present or prospective employer(s) or to cause that/those
21 employer(s) to submit timely acknowledgements to the board shall be considered a violation of
22 probation.

23 "Employment" within the meaning of this provision shall include any full-time,
24 part-time, temporary or relief service or pharmacy management service as a pharmacy
25 technician or in any position for which a pharmacy technician license is a requirement
26 or criterion for employment, whether the respondent is considered an employee,
27 independent contractor or volunteer.

28

1 **7. Probation Monitoring Costs**

2 Respondent shall pay any costs associated with probation monitoring as determined by the
3 board each and every year of probation. Such costs shall be payable to the board on a schedule as
4 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall
5 be considered a violation of probation.

6 **8. Status of License**

7 Respondent shall, at all times while on probation, maintain an active, current pharmacy
8 technician license with the board, including any period during which suspension or probation is
9 tolled. Failure to maintain an active, current license shall be considered a violation of probation.

10 If respondent's pharmacy technician license expires or is cancelled by operation of law or
11 otherwise at any time during the period of probation, including any extensions thereof due to
12 tolling or otherwise, upon renewal or reapplication respondent's license shall be subject to all
13 terms and conditions of this probation not previously satisfied.

14 **9. License Surrender While on Probation/Suspension**

15 Following the effective date of this decision, should respondent cease work due to
16 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,
17 respondent may tender his pharmacy technician license to the board for surrender. The board or
18 its designee shall have the discretion whether to grant the request for surrender or take any other
19 action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the
20 license, respondent will no longer be subject to the terms and conditions of probation. This
21 surrender constitutes a record of discipline and shall become a part of the respondent's license
22 history with the board.

23 Upon acceptance of the surrender, respondent shall relinquish his pharmacy technician
24 license to the board within ten (10) days of notification by the board that the surrender is
25 accepted. Respondent may not reapply for any license, permit, or registration from the board for
26 three (3) years from the effective date of the surrender. Respondent shall meet all requirements
27 applicable to the license sought as of the date the application for that license is submitted to the
28 board.

1 **10. Notification of a Change in Name, Residence Address, Mailing Address or**
2 **Employment**

3 Respondent shall notify the board in writing within ten (10) days of any change of
4 employment. Said notification shall include the reasons for leaving, the address of the new
5 employer, the name of the supervisor and owner, and the work schedule if known. Respondent
6 shall further notify the board in writing within ten (10) days of a change in name, residence
7 address and mailing address, or phone number.

8 Failure to timely notify the board of any change in employer(s), name(s), address(es), or
9 phone number(s) shall be considered a violation of probation.

10 **11. Tolling of Probation**

11 Except during periods of suspension, respondent shall, at all times while on probation, be
12 employed as a pharmacy technician in California for a minimum of 40 hours per calendar month.
13 Any month during which this minimum is not met shall toll the period of probation, i.e., the
14 period of probation shall be extended by one month for each month during which this minimum is
15 not met. During any such period of tolling of probation, respondent must nonetheless comply
16 with all terms and conditions of probation.

17 Should respondent, regardless of residency, for any reason (including vacation) cease
18 working as a pharmacy technician for a minimum of 40 hours per calendar month in California,
19 respondent must notify the board in writing within ten (10) days of cessation of work and must
20 further notify the board in writing within ten (10) days of the resumption of the work. Any
21 failure to provide such notification(s) shall be considered a violation of probation.

22 It is a violation of probation for respondent's probation to remain tolled pursuant to the
23 provisions of this condition for a total period, counting consecutive and non-consecutive months,
24 exceeding thirty-six (36) months.

25 "Cessation of work" means calendar month during which respondent is not
26 working for at least 40 hours as a pharmacy technician, as defined in Business and
27 Professions Code section 4115. "Resumption of work" means any calendar month
28 during which respondent is working as a pharmacy technician for at least 40 hours as

1 a pharmacy technician as defined by Business and Professions Code section 4115.”

2 **12. Violation of Probation**

3 If a respondent has not complied with any term or condition of probation, the board shall
4 have continuing jurisdiction over respondent, and probation shall automatically be extended, until
5 all terms and conditions have been satisfied or the board has taken other action as deemed
6 appropriate to treat the failure to comply as a violation of probation, to terminate probation, and
7 to impose the penalty that was stayed.

8 If respondent violates probation in any respect, the board, after giving respondent notice
9 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
10 was stayed. Notice and opportunity to be heard are not required for those provisions stating that a
11 violation thereof may lead to automatic termination of the stay and/or revocation of the license. If
12 a petition to revoke probation or an accusation is filed against respondent during probation, the
13 board shall have continuing jurisdiction, and the period of probation shall be automatically
14 extended until the petition to revoke probation or accusation is heard and decided.

15 **13. Completion of Probation**

16 Upon written notice by the board indicating successful completion of probation,
17 respondent's pharmacy technician license will be fully restored.

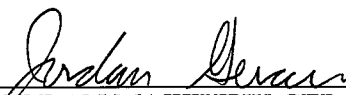
18 **14. No Ownership of Licensed Premises**

19 Respondent shall not own, have any legal or beneficial interest in, or serve as a manager,
20 administrator, member, officer, director, trustee, associate, or partner of any business, firm,
21 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell
22 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)
23 days following the effective date of this decision and shall immediately thereafter provide written
24 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide
25 documentation thereof shall be considered a violation of probation.

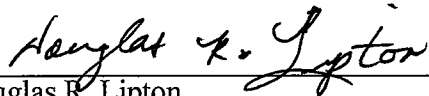
26 ACCEPTANCE

27 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
28 discussed it with my attorney, Douglas R. Lipton. I understand the stipulation and the effect it

1 will have on my pharmacy technician application and license. I enter into this Stipulated
2 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
3 bound by the Decision and Order of the Board of Pharmacy.

4
5 DATED: 6/13/2014 
6 JORDAN MATTHEW GERACI
Respondent

7 I have read and fully discussed with Respondent Jordan Matthew Geraci the terms and
8 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
9 I approve its form and content.

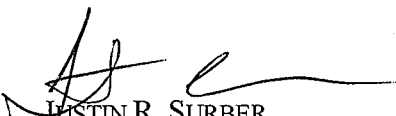
10 DATED: 06/13/14 
11 Douglas R. Lipton
Attorney for Respondent

12
13
14 ENDORSEMENT

15 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
16 submitted for consideration by the Board of Pharmacy.

17 Dated: 6/17/14

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General

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21 
22 JUSTIN R. SURBER
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Statement of Issues No. 5090

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUSTIN R. SURBER
Deputy Attorney General
4 State Bar No. 226937
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5 San Francisco, CA 94102-7004
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Attorneys for Complainant

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

10 In the Matter of the Statement of Issues
11 Against:

Case No. 5090

12 **JORDAN MATTHEW GERACI**

STATEMENT OF ISSUES

13 Respondent.

14
15 Complainant alleges:

16 PARTIES

- 17 1. Virginia Herold (Complainant) brings this Statement of Issues solely in her official
18 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
19 2. On or about July 8, 2013, the Board of Pharmacy, Department of Consumer Affairs
20 received an application for registration as a Pharmacy Technician from Jordan Matthew Geraci
21 (Respondent). On or about July 4, 2013, Jordan Matthew Geraci certified under penalty of
22 perjury to the truthfulness of all statements, answers, and representations in the application. The
23 Board denied the application on December 3, 2013.

24 JURISDICTION

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

1 4. Section 480 of the Code states:

2 "(a) A board may deny a license regulated by this code on the grounds that the applicant has
3 one of the following:

4 "(1) Been convicted of a crime. A conviction within the meaning of this section means a
5 plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a
6 board is permitted to take following the establishment of a conviction may be taken when the time
7 for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an
8 order granting probation is made suspending the imposition of sentence, irrespective of a
9 subsequent order under the provisions of Section 1203.4 of the Penal Code.

10 "(2) Done any act involving dishonesty, fraud, or deceit with the intent to substantially
11 benefit himself or herself or another, or substantially injure another.

12 "(3) (A) Done any act that if done by a licentiate of the business or profession in question,
13 would be grounds for suspension or revocation of license.

14 "(B) The board may deny a license pursuant to this subdivision only if the crime or act is
15 substantially related to the qualifications, functions, or duties of the business or profession for
16 which application is made.

17 "(b) Notwithstanding any other provision of this code, no person shall be denied a license
18 solely on the basis that he or she has been convicted of a felony if he or she has obtained a
19 certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of
20 Part 3 of the Penal Code or that he or she has been convicted of a misdemeanor if he or she has
21 met all applicable requirements of the criteria of rehabilitation developed by the board to evaluate
22 the rehabilitation of a person when considering the denial of a license under subdivision (a) of
23 Section 482.

24 "(c) A board may deny a license regulated by this code on the ground that the applicant
25 knowingly made a false statement of fact required to be revealed in the application for the
26 license."

27 5. Section 4300 of the Code states:

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

1 "(b) The board shall discipline the holder of any license issued by the board, whose default
2 has been entered or whose case has been heard by the board and found guilty, by any of the
3 following methods:

4 "(1) Suspending judgment.

5 "(2) Placing him or her upon probation.

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

7 "(4) Revoking his or her license.

8 "(5) Taking any other action in relation to disciplining him or her as the board in its
9 discretion may deem proper.

10 "(c) The board may refuse a license to any applicant guilty of unprofessional conduct. The
11 board may, in its sole discretion, issue a probationary license to any applicant for a license who is
12 guilty of unprofessional conduct and who has met all other requirements for licensure. The board
13 may issue the license subject to any terms or conditions not contrary to public policy, including,
14 but not limited to, the following:

15 "(1) Medical or psychiatric evaluation.

16 "(2) Continuing medical or psychiatric treatment.

17 "(3) Restriction of type or circumstances of practice.

18 "(4) Continuing participation in a board-approved rehabilitation program.

19 "(5) Abstention from the use of alcohol or drugs.

20 "(6) Random fluid testing for alcohol or drugs.

21 "(7) Compliance with laws and regulations governing the practice of pharmacy.

22 "(d) The board may initiate disciplinary proceedings to revoke or suspend any probationary
23 certificate of licensure for any violation of the terms and conditions of probation. Upon
24 satisfactory completion of probation, the board shall convert the probationary certificate to a
25 regular certificate, free of conditions.

26 "(e) The proceedings under this article shall be conducted in accordance with Chapter 5
27 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board
28 shall have all the powers granted therein. The action shall be final, except that the propriety of the

1 action is subject to review by the superior court pursuant to Section 1094.5 of the Code of Civil
2 Procedure."

3 6. Section 4301 of the Code states:

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

7

...

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

25

...

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

27 "For the purpose of denial, suspension, or revocation of a personal or facility license
28 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a

1 crime or act shall be considered substantially related to the qualifications, functions or duties of a
2 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
3 licensee or registrant to perform the functions authorized by his license or registration in a manner
4 consistent with the public health, safety, or welfare."

5 FIRST CAUSE FOR DENIAL OF APPLICATION

6 (Conviction)

7 8. Respondent's application is subject to denial under Code sections 480(a)(1) and
8 4300(c) in conjunction with Code section 4301(l) in that Respondent was convicted of a crime
9 that is substantially related to the duties, functions, or qualifications of a pharmacy technician. On
10 or about August 15, 2009, in a criminal proceeding entitled People v. Jordan Geraci, Santa Clara
11 County Superior Court, Case Number CC935337, Respondent was convicted by plea of nolo
12 contendere in Penal Code section 261.5(c), sex with a minor more than 3 years younger.

13 SECOND CAUSE FOR DENIAL OF APPLICATION

14 (Failure to Disclose Conviction)

15 9. Respondent's application is subject to denial under section 480(c) of the code in that
16 Respondent knowingly made a false statement of fact required to be revealed in the application
17 for the license. Respondent failed to disclose the conviction mentioned in paragraph 8 on his
18 application. Respondent marked the Box "No" to question 7 on his application. Question 7 asked
19 whether Respondent had ever been convicted of a crime. Respondent had ben convicted of a
20 crime as described in paragraph 8, above.

21 PRAYER

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

24 1. Denying the application of Jordan Matthew Geraci for registration as Pharmacy
25 Technician;

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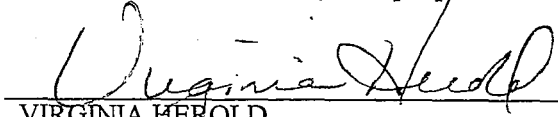
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2. Taking such other and further action as deemed necessary and proper.

DATED: 4/20/14



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

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