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

In the Matter of the Accusation Against:  
**ERIN MARIE YASIN**  
5325 West 134th Street  
Hawthorne, CA 90250  
  
Pharmacy Technician Registration No. TCH  
39817  
  
Respondent.

Case No. 5538

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about July 11, 2016, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 5538 against Erin Marie Yasin (Respondent) before the Board of Pharmacy. (Accusation attached as **Exhibit A.**)

2. On or about October 31, 2001, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 39817 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 5538 and will expire on April 30, 2017, unless renewed.

3. On or about July 25, 2016, Respondent was served by Certified and First Class Mail copies of the Accusation No. 5538, Statement to Respondent, Notice of Defense, Request for

1 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at  
2 Respondent's address of record which, pursuant to Business and Professions Code section 4100,  
3 is required to be reported and maintained with the Board. Respondent's address of record was  
4 and is 5325 West 134th Street, Hawthorne, CA 90250.

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

8 5. On or about July 28, 2016, the aforementioned documents were delivered and left  
9 with an individual at the subject address by the U.S. Postal Service, per the USPS Tracking report  
10 regarding the certified mailing number. Additionally, the first class mailing package was not  
11 returned, and presumably delivered to the addressee.

12 6. Government Code section 11506(c) states, in pertinent part:

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

18 7. Respondent failed to file a Notice of Defense within 15 days after service upon her of  
19 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 5538.

20 8. California Government Code section 11520(a) states, in pertinent part:

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

25 9. Pursuant to its authority under Government Code section 11520, the Board finds  
26 Respondent is in default. The Board will take action without further hearing and, based on the  
27 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
28 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
file at the Board's offices regarding the allegations contained in Accusation No. 5538, finds that  
the charges and allegations in Accusation No. 5538, are separately and severally, found to be true  
and correct by clear and convincing evidence.



1 d. Further, in aggravation of penalty, the Board finds that on or about October 21, 2015,  
2 due to her admitted theft of money and drugs from St. Antony's Pharmacy as described above,  
3 criminal charges were filed against Respondent alleging violation of Penal Code section 487 (A)  
4 [grand theft] in the criminal proceeding entitled *The People of the State of California v. Erin*  
5 *Marie Yasin* (Super. Ct. Los Angeles County, 2015, No. LAXSA091476-011. Those charges may  
6 be still pending at the time of this decision, however, on or about November 24, 2015, the Court  
7 in the criminal matter issued its order that, due to concern for public safety, as a condition of her  
8 release on bail, Respondent was prohibited "from engaging, either directly or indirectly, in any  
9 activity for which a pharmacy technician license is required."

10 **ORDER**

11 IT IS ORDERED that Pharmacy Technician Registration No. TCH 39817, heretofore  
12 issued to Respondent Erin Marie Yasin, is revoked.

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

17 This Decision shall become effective at 5:00 p.m. on November 23, 2016.

18 It is so ORDERED on October 24, 2016.

19  
20 BOARD OF PHARMACY  
21 DEPARTMENT OF CONSUMER AFFAIRS  
22 STATE OF CALIFORNIA

23 

24  
25 By \_\_\_\_\_  
Amy Gutierrez, Pharm.D.

26 52230754.DOC  
DOJ Matter ID:LA2016600902

27 Attachment:  
28 Exhibit A: Accusation

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6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 5538

13 **ERIN MARIE YASIN**  
5325 West 134th Street  
Hawthorne, CA 90250

**A C C U S A T I O N**

14 Pharmacy Technician Registration No. TCH  
39817

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about October 31, 2001, the Board of Pharmacy issued Pharmacy Technician  
22 Registration Number TCH 39817 to Erin Marie Yasin (Respondent). The Pharmacy Technician  
23 Registration was in full force and effect at all times relevant to the charges brought herein and  
24 will expire on April 30, 2017, 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 **118**, subdivision (b), of the Code provides that the suspension, expiration,  
2 surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
3 disciplinary action during the period within which the license may be renewed, restored, reissued  
4 or reinstated.

5           5.    Section **4011** of the code provides that the Board shall administer and enforce both the  
6 Pharmacy Law (Business and Profession Code section 4000 et seq.) and the Uniform Controlled  
7 Substances Act (Health and Safety Code section 11000 et seq.).

8           6.    Section **4059** states, at subdivision (a):

9           "(a) A person may not furnish any dangerous drug, except upon the prescription of a  
10 physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section  
11 3640.7. A person may not furnish any dangerous device, except upon the prescription of a  
12 physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section  
13 3640.7."

14          7.    Section **4060** of the Code states:

15          "No person shall possess any controlled substance, except that furnished to a person upon  
16 the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor  
17 pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified  
18 nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a  
19 physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,  
20 or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of  
21 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not  
22 apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,  
23 pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified  
24 nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly  
25 labeled with the name and address of the supplier or producer.

26          "Nothing in this section authorizes a certified nurse-midwife, a nurse practitioner, a  
27 physician assistant, or a naturopathic doctor, to order his or her own stock of dangerous drugs  
28 and devices."

1 8. Section 4300 of the Code provides 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 . . .

13 9. Section 4300.1 of the Code states:

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

19 10. Section 4301 of the Code states:

20 "The board shall take action against any holder of a license who is guilty of unprofessional  
21 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

22 Unprofessional conduct shall include, but is not limited to, any of the following:

23 . . .

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

27 . . .

28



1	Soma	Carisoprodol	Yes	Yes, CIV HSC 11057	Muscle Relaxant
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3 **FACTS COMMON TO ALL CAUSES FOR DISCIPLINE**

4 15. Between approximately February 24, 2008 and August 17, 2015, Respondent was  
5 employed full-time as a pharmacy technician at St. Antony Pharmacy, a retail pharmacy located  
6 in the city of El Segundo, CA.

7 16. Her employment was terminated on August 17, 2015.

8 **May 3, 2015 Arrest**

9 17. On or about May 3, 2015, El Segundo Police Department officers were dispatched  
10 to a liquor store parking lot following a report that a driver who appeared to be intoxicated had  
11 entered her vehicle and driven away. An officer subsequently located and observed the reported  
12 vehicle, and conducted a traffic stop after witnessing several violations. The officer contacted the  
13 driver and noted objective signs/symptoms of intoxication, including slurred speech - and  
14 conducted an investigation. The driver, identified as Respondent, was then arrested for driving  
15 under the influence (DUI).

16 18. During a booking search, Respondent was found to be in possession of and had  
17 prescriptions for 8 controlled drugs apparently dispensed from St. Antony's Pharmacy. However,  
18 she was also in possession of multiple controlled medications for which she did NOT have  
19 prescriptions, including:

- 20
- 21 1. Adderall XR 15 mg (1 pill)
  - 22 2. Acetaminophen and Oxycodone 325 mg/ 7.5 mg (1 orange pill)
  - 23 3. Acetaminophen and Oxycodone 325 mg/ 10 mg (3 white pills)
  - 24 4. Acetaminophen and Oxycodone 325 mg/ 10 mg (11 yellow pills)
  - 25 5. Oxycodone Hydrochloride 20 mg (4 pills)
  - 26 6. Amphetamine and dextroamphetamine 20 mg (3 orange pills)
  - 27 7. Amphetamine and dextroamphetamine 30 mg (4 orange pills)
  - 28 8. Amphetamine and dextroamphetamine 20 mg (5 pink pills)
  - 29 9. Amphetamine and dextroamphetamine 30 mg (25 pink pills)
  - 30 10. Amphetamine and dextroamphetamine 15 mg (5 orange pills)

31 ///

32 ///



1 acts involving dishonesty, fraud, and/or deceit, due to her routine theft of money from the  
2 pharmacy registry, and routine practice of stealing drugs from pharmacy inventory for personal  
3 use, as more fully set forth at paragraph 20 above.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Unlawful Possession of Controlled Substances)**

6 23. Respondent is subject to disciplinary action under section 4301, subdivision (j) and  
7 (o), for violating section 4060 in that, by her own admission, on dates approximately between  
8 August 2012 and August 2015, while employed as a pharmacy technician at St. Antony's  
9 Pharmacy, CA, Respondent obtained by theft for self use, at least 50 tablets of the drugs  
10 Oxycodone, Soma, Norco and Adderall, as more fully set forth in paragraph 20 above.

11 **THIRD CAUSE FOR DISCIPLINE**

12 **(Unlawful Self- Furnishing of Controlled Substances)**

13 24. Respondent is subject to disciplinary action under section 4301, subdivision (j) and  
14 (o), for violating section 4059, subdivision (a) and Health and Safety Code sections 11170 and  
15 11171, in that, by her own admission, on dates approximately between August 2012 and August  
16 2015, while employed as a pharmacy technician at St. Antony's Pharmacy, CA, Respondent  
17 furnished to herself for self-use, at least 50 tablets of the drugs Oxycodone, Soma, Norco and  
18 Adderall, as more fully set forth in paragraphs 20 and 21 above.

19 **OTHER MATTERS**

20 25. On or about October 21, 2015, due to her admitted theft of money and drugs from St.  
21 Antony's Pharmacy as described at paragraph 20 above, criminal charges were filed against  
22 Respondent alleging violation of Penal Code section 487 (A) [grand theft] in the criminal  
23 proceeding entitled *The People of the State of California v. Erin Marie Yasin* (Super. Ct. Los  
24 Angeles County, 2015, No. LAXSA091476-011. Those charges are still pending, however, on or  
25 about November 24, 2015, the Court in the criminal matter issued its order that, due to concern  
26 for public safety, as a condition of her release on bail, Respondent was prohibited "from  
27 engaging, either directly or indirectly, in any activity for which a pharmacy technician license is  
28 required."

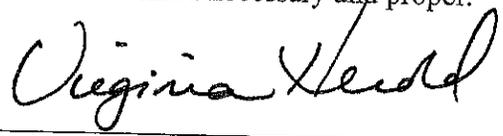
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**PRAYER**

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

1. Revoking or suspending Pharmacy Technician Registration Number TCH 39817, issued to Erin Marie Yasin;
2. Ordering Erin Marie Yasin to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: 7/11/16



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

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