

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

In the Matter of the Accusation Against:

Case No. 5646

**SHANNA MARIE JACKSON  
1411 Santa Anita  
Oceanside, CA 92058**

**Pharmacy Technician Registration  
No. TCH 3677**

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 January 22, 2016.

It is so ORDERED on December 23, 2015.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

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

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9 **BEFORE THE**  
**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
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12 In the Matter of the Accusation Against:

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13 **SHANNA MARIE JACKSON**  
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**Oceanside, CA 92058**

**STIPULATED SURRENDER OF**  
**LICENSE AND ORDER**

15 **Pharmacy Technician Registration**  
16 **No. TCH 3677**

17 Respondent.

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

21 **PARTIES**

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

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

28 ///



1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 5646, agrees that cause exists for discipline and hereby surrenders her Pharmacy Technician  
4 Registration No. TCH 3677 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation she enables the Board to issue  
6 an order accepting the surrender of her Pharmacy Technician Registration without further  
7 process.

8 **CONTINGENCY**

9 10. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent  
10 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may  
11 communicate directly with the Board regarding this stipulation and surrender, without notice to or  
12 participation by Respondent. By signing the stipulation, Respondent understands and agrees that  
13 she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board  
14 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,  
15 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this  
16 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
17 be disqualified from further action by having considered this matter.

18 11. The parties understand and agree that Portable Document Format (PDF) and facsimile  
19 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures  
20 thereto, shall have the same force and effect as the originals.

21 12. This Stipulated Surrender of License and Order is intended by the parties to be an  
22 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
23 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
24 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
25 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
26 executed by an authorized representative of each of the parties.

27 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
28 the Board may, without further notice or formal proceeding, issue and enter the following Order:

**ORDER**

IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 3677, issued to Respondent Shanna Marie Jackson, is surrendered and accepted by the Board of Pharmacy.

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

2. Respondent shall lose all rights and privileges as a pharmacy technician in California as of the effective date of the Board's Decision and Order.

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

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

Respondent may not apply for any license, permit, or registration from the board for three (3) years from the effective date of this decision. Respondent stipulates that should she apply for any license from the board on or after the effective date of this decision, all allegations set forth in Accusation 5646 shall be deemed to be true, correct and admitted by Respondent when the board determines whether to grant or deny the application.

Respondent shall satisfy all requirements applicable to that license as of the date the application is submitted to the Board, including, but not limited to certification by a nationally recognized body prior to the issuance of a new license. Respondent is required to report this surrender as disciplinary action.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$469.42 prior to issuance of a new or reinstated license.

**ACCEPTANCE**

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this

1 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
2 be bound by the Decision and Order of the Board of Pharmacy.

3  
4 DATED: 11-16-2015 Shanna Marie Jackson  
5 SHANNA MARIE JACKSON  
6 Respondent

7  
8 **ENDORSEMENT**

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

11 Dated: 11-17-2015

Respectfully submitted,

12 KAMALA D. HARRIS  
13 Attorney General of California  
14 GREGORY J. SALUTE  
15 Supervising Deputy Attorney General

16   
17 GREGORY J. SALUTE  
18 Supervising Deputy Attorney General  
19 Attorneys for Complainant

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**Exhibit A**  
**Accusation No. 5646**

1 KAMALA D. HARRIS  
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2 LINDA K. SCHNEIDER  
Senior Assistant Attorney General  
3 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
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**A C C U S A T I O N**

14 **Pharmacy Technician Registration**  
15 **No. TCH 3677**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about January 26, 1993, the Board of Pharmacy issued Pharmacy Technician  
23 Registration Number TCH 3677 to Shanna Marie Jackson (Respondent). The Pharmacy  
24 Technician Registration expired on November 30, 2014, and was cancelled on March 1, 2015.

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 (Code) unless otherwise indicated.





- 1 (3) The time that has elapsed since commission of the act(s) or offense(s).
- 2 (4) Whether the licensee has complied with all terms of parole, probation,
- 3 restitution or any other sanctions lawfully imposed against the licensee.
- 4 (5) Evidence, if any, of rehabilitation submitted by the licensee.

5 9. California Code of Regulations, title 16, section 1770, states:

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

10 **COSTS**

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

17 **DRUGS**

18 11. Methamphetamine is a Schedule II controlled substance as designated by Health and  
19 Safety Code section 11055(d)(2), and is a dangerous drug pursuant to Business and Professions  
20 Code section 4022.

21 12. Acetaminophen with oxycodone hydrochloride is Schedule II controlled substance as  
22 designated by Health and Safety Code section 11055(b)(1)(M), and is a dangerous drug pursuant  
23 to Business & Professions Code section 4022.

24 13. Hydrocodone bitartate/acetaminophen is a Schedule III controlled substance as  
25 designated by Health and Safety Code section 11056(e)(4), and is a dangerous drug pursuant to  
26 Business and Professions Code section 4022.

27 14. Tramadol hydrochloride is a dangerous drug pursuant to Business and Professions  
28 Code section 4022.

1 15. Section 4022 of the Code states

2 "Dangerous drug" or "dangerous device" means any drug or device unsafe for  
3 self-use in humans or animals, and includes the following:

4 (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing  
5 without prescription," "Rx only," or words of similar import.

6 (b) Any device that bears the statement: "Caution: federal law restricts this  
7 device to sale by or on the order of a \_\_\_\_\_," "Rx only," or words of similar  
8 import, the blank to be filled in with the designation of the practitioner licensed to use  
9 or order use of the device.

10 (c) Any other drug or device that by federal or state law can be lawfully  
11 dispensed only on prescription or furnished pursuant to Section 4006.

12 16. Section 4060 of the Code provides, in pertinent part, that no person shall possess any  
13 controlled substance, except that furnished to a person upon the prescription of a physician,  
14 dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor.

15 **CAUSE FOR DISCIPLINE**

16 **(Violation of Statutes Regulating Controlled Substances)**

17 17. Respondent has subjected her license to discipline under section 4301(j) of the Code  
18 in that she illegally possessed controlled substances on August 21, 2014, a violation of California  
19 statutes. The circumstances are as follows:

20 a. On August 21, 2014, Respondent arrived at the California Correctional  
21 Institution with a friend to witness the friend's marriage to an inmate. The prison's Investigative  
22 Services Unit had previously monitored telephone communications between the inmate and  
23 Respondent's friend which indicated that she would be bringing controlled substances into the  
24 prison. Upon their arrival, correctional officers obtained consent from Respondent and her friend  
25 to conduct unclothed body searches for contraband. The searches were negative. The officers  
26 obtained consent to search a vehicle that had been rented by Respondent. In a purse belonging to  
27 Respondent, a prison investigation found methamphetamine, and 26.5 pills identified as Schedule  
28 II, III, and IV narcotics, and 41 non-narcotic pills. Respondent and her friend were arrested,  
charged with possession of controlled substances, and possession of controlled substances inside  
a correctional facility, and released to the custody of the Kern County Sheriff's Department.

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