

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

In the Matter of the Accusation Against:

**KARLA MARILYN SALAS  
430 W. Olive Street  
Corona, CA 92882**

**Pharmacy Technician Registration No. TCH  
142791**

Respondent.

Case No. 5763

**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 at 5:00 p.m. on April 26, 2017.

It is so ORDERED on March 27, 2017.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By \_\_\_\_\_

Amy Gutierrez, Pharm.D.  
Board President

1 XAVIER BECERRA  
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2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
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*Attorneys for Complainant*

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**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

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14 **430 W. Olive Street**  
**Corona, CA 92882**  
15 **Pharmacy Technician Registration No. TCH**  
**142791**  
16  
17 Respondent.

Case No. 5763

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

18  
19 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
20 interest and the responsibility of the Board of Pharmacy of the Department of Consumer Affairs,  
21 the parties hereby agree to the following Stipulated Surrender and Disciplinary Order which will  
22 be submitted to the Board for approval and adoption as the final disposition of the Accusation.

23 **PARTIES**

24 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy  
25 (Board). She brought this action solely in her official capacity and is represented in this matter by  
26 Xavier Becerra, Attorney General of the State of California, by Stephen A. Aronis, Deputy  
27 Attorney General.  
28



1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 5763, agrees that cause exists for discipline and hereby surrenders her Pharmacy Technician  
4 Registration No. TCH 142791 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. Respondent understands  
10 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
11 with the Board regarding this stipulation and surrender, without notice to or participation by  
12 Respondent. By signing the stipulation, Respondent understands and agrees that she may not  
13 withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers  
14 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the  
15 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 Portable Document Format  
20 (PDF) and facsimile signatures 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

1  
2 IT IS HEREBY ORDERED that Pharmacy Technician Registration No, TCH 142791,  
3 issued to Respondent Karla Marilyn Salas, is surrendered and accepted by the Board of  
4 Pharmacy.

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

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

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

13 4. Respondent may not submit a new application for licensure, or petition for  
14 reinstatement, until three years from the effective date of the Board's Decision and Order.

15 5. If Respondent ever files an application for licensure or a petition for reinstatement in  
16 the State of California, the Board shall treat it as an application for a new license. Respondent  
17 must comply with all the laws, regulations and procedures for reinstatement of a revoked license  
18 in effect at the time the petition is filed, and all of the charges and allegations contained in  
19 Accusation No. 5763 shall be deemed to be true, correct and admitted by Respondent when the  
20 Board determines whether to grant or deny the petition.

21 6. Respondent shall pay the agency its costs of investigation and enforcement in the  
22 amount of \$2,808.80 prior to issuance of a new or reinstated license.

23 7. If Respondent should ever apply or reapply for a new license or certification, or  
24 petition for reinstatement of a license, by any other health care licensing agency in the State of  
25 California, all of the charges and allegations contained in Accusation, No. 5763 shall be deemed  
26 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any  
27 other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

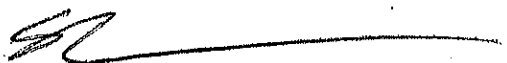
I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision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

DATED: Feb. 27, 2017 Karla Salas  
KARLA MARILYN SALAS  
*Respondent*

ENDORSEMENT

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

Dated: 3/6/17 Respectfully submitted,  
XAVIER BECERRA  
Attorney General of California  
JAMES M. LEDAKIS  
Supervising Deputy Attorney General

  
STEPHEN A. ARONIS  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 5763**

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Senior Assistant Attorney General  
3 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
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7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*  
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12 In the Matter of the Accusation Against:	Case No. 5763
13 <b>KARLA MARLIYN SALAS</b>	<b>A C C U S A T I O N</b>
14 430 W. Olive Street	
14 Corona, CA 92882	
15 Pharmacy Technician Registration No. TCH	
16 142791	
17 Respondent.	

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 (Board), Department of Consumer Affairs.

23 2. On or about January 2, 2015, the Board of Pharmacy issued Pharmacy Technician  
24 Registration Number TCH 142791 to Karla Marliyn Salas (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 December 31, 2016, unless renewed.

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1 **JURISDICTION**

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

5 4. Section 4011 of the Code provides that the Board shall administer and enforce both  
6 the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances  
7 Act [Health & Safety Code, § 11000 et seq.].

8 5. Section 4300 of the Code states, (a) Every license issued may be suspended or  
9 revoked.

10 6. Section 4300.1 of the Code states:

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

17 **STATUTORY PROVISIONS**

18 7. Section 4022 of the Code states

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

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

23 (b) Any device that bears the statement: "Caution: federal law restricts this  
24 device to sale by or on the order of, "Rx only," or words of similar import, the blank  
25 to be filled in with the designation of the practitioner licensed to use or order use of  
26 the device.

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

8. Section 4301 of the Code states:

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

...

(h) The administering to oneself, of any controlled substance, or the use of any

1 dangerous drug or of alcoholic beverages to the extent or in a manner as to be  
2 dangerous or injurious to oneself, to a person holding a license under this chapter, or  
3 to any other person or to the public, or to the extent that the use impairs the ability of  
4 the person to conduct with safety to the public the practice authorized by the license.

5 9. Health & Safety Code section 11170 states:

6 No person shall prescribe, administer, or furnish a controlled substance for  
7 himself.

8 10. California Code of Regulations, title 16, section 1770, states:

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

#### 14 COSTS

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

#### 21 DRUGS

22 12. Cannabinoids- Delta-9-tetrahydrocannabinol (Delta-9-THC), and its major  
23 metabolite, 11-Carboxy-Delta-9-tetrahydrocannabinol, is the primary psychoactive ingredient in  
24 marijuana.

25 13. Amphetamine is a Schedule II controlled substance pursuant to Health and Safety  
26 Code section 11055(d), and a dangerous drug pursuant to Business and Professions Code section  
27 4022.

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1 FIRST CAUSE FOR DISCIPLINE

2 **(Dangerous Use of a Controlled Substance on April 28, 2015)**

3 14. Respondent has subjected her registration to discipline under Code section 4301,  
4 subdivision (h), wherein Respondent was under the influence of a controlled substance, to wit:  
5 amphetamine and cannabinoids.

6 a. On or about June 19, 2015, in a criminal proceeding entitled *The People of the*  
7 *State of California v. Karla Marilyn Salas*, in Riverside County Superior Court, case number  
8 RIM1509121, a complaint was filed which contained charges of violating Health and Safety Code  
9 section 11550 (a), (under the influence of a controlled substance), a misdemeanor. Respondent  
10 failed to show up to the court hearing on July 7, 2015, and a bench warrant was issued for her  
11 failure to appear.

12 b. The facts and circumstances that led to the allegations are that on or about April  
13 28, 2015, an officer with the Corona Police Department responded to a report of a disturbance  
14 between Respondent and her ex-boyfriend. Respondent called into police dispatch and gave an  
15 incoherent story. Upon arrival at the scene, an officer made contact with Respondent and the  
16 officer immediately noticed that her speech was rapid, she could not stand still and her pupils were  
17 dilated. Based on the officer's training and experience, he placed Respondent under arrest for  
18 being under the influence of a stimulant. During booking, Respondent provided a blood sample,  
19 which detected Amphetamines and Cannabinoids.

20 SECOND CAUSE FOR DISCIPLINE

21 **(Dangerous Use of a Controlled Substance on June 1, 2015)**

22 15. Respondent has subjected her registration to discipline under Code section 4301,  
23 subdivision (h), Respondent was under the influence of a controlled substance, to wit:  
24 amphetamine and cannabinoids.

25 a. On or about September 17, 2015, in a criminal proceeding entitled *The*  
26 *People of the State of California v. Karla Marilyn Salas*, in Riverside County Superior Court,  
27 case number RIM1513243, a complaint was filed which contained charges of violating Health and  
28 Safety Code section 11550 (a), (under the influence of a controlled substance), a misdemeanor.

1 Respondent failed to show up at her court hearing on September 17, 2015, and a bench warrant  
2 has been issued for her failure to appear.

3 b. The facts and circumstances that led to the allegations are that on or about June  
4 1, 2015, an officer with the Corona Police Department responded to a report of a female throwing  
5 herself around on the grass, in the City of Corona. Upon arrival at the scene, the officer made  
6 contact with Respondent. The officer immediately noticed Respondent's eyes would flutter at a  
7 rapid pace, and her tongue had a whitish color to it which is common after the indigestion of  
8 Methamphetamine. The officer was unable to understand Respondent's statements as she would  
9 move from story to story. A records check revealed multiple arrests regarding Respondent under  
10 the influence of controlled substance. Based on the officers training and experience, he placed  
11 Respondent under arrest for being under the influence of a stimulant. During booking, Respondent  
12 provided a blood sample, which detected Amphetamines and Cannabinoids.

#### 13 DISCIPLINE CONSIDERATIONS

14 16. To determine the degree of discipline, if any, to be imposed on Respondent;  
15 Complainant alleges that on or about August 28, 2013, in a prior criminal proceeding entitled *The*  
16 *People of the State of California v. Karla Marilyn Salas*, in Riverside County Superior Court,  
17 case number RIM1303808, Respondent was charged with violating Penal Code section 273.5,  
18 subdivision (a), (inflict corporal injury resulting in traumatic injury). Pursuant to a plea agreement,  
19 Respondent was convicted of violating Penal Code section 415(2), (disturbing the peace), a  
20 misdemeanor. Respondent was order to be committed to the custody of the Sheriff for two days  
21 with pre-custody credit of two days, ordered to pay fees and fines.

22 17. The facts and circumstances that led to the said allegations are on or about January 13,  
23 2013, an officer with the Corona Police Department responded to a report of domestic violence.  
24 The victim was at the police department reporting the incident, wherein he indicated Respondent  
25 assaulted him and the victim sustained a red bump on his forehead. An officer conducted a follow  
26 up at the residence with Respondent, and placed her under arrest.

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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 142791, issued to Karla Marliyn Salas;
2. Ordering Karla Marliyn Salas 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: 6/10/16

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

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