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

In the Matter of the Accusation Against:
ANTHONY RAYMOND BEEBE
1343 West Nicolet Street
Banning, CA 92220
**Pharmacy Technician Registration No. TCH
89959**

Respondent.

Case No. 5770
DEFAULT DECISION AND ORDER
[Gov. Code, §11520]

FINDINGS OF FACT

1. On April 20, 2016, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs, filed Accusation No. 5770 against Anthony Raymond Beebe (Respondent) before the Board. (Accusation attached as Exhibit A.)

2. On May 6, 2009, the Board issued Pharmacy Technician Registration No. TCH 89959 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 5770 and will expire on August 31, 2016, unless renewed.

3. On April 27, 2016, Respondent was served by Certified and First Class Mail copies of Accusation No. 5770, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7)

1 at Respondent's address of record which, pursuant to Business and Professions Code (Code)
2 section 4100, is required to be reported and maintained with the Board. Respondent's address of
3 record was and is 1343 West Nicolet Street, Banning, CA 92220.

4 4. Service of the Accusation was effective as a matter of law under the provisions of
5 Government Code section 11505, subdivision (c) and Code section 124.

6 5. On May 3, 2016, the domestic return receipt for the aforementioned documents
7 sent by registered mail was returned by the U.S. Postal Service indicating receipt by Respondent.

8 6. Government Code section 11506 states, in pertinent part:

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

14 7. Respondent failed to file a Notice of Defense within 15 days after service upon
15 him of the Accusation, and therefore waived his right to a hearing on the merits of Accusation
16 No. 5770.

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

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

22 9. Pursuant to its authority under Government Code section 11520, the Board finds
23 Respondent is in default. The Board will take action without further hearing and, based on the
24 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
25 taking official notice of all the investigatory reports, exhibits and statements contained therein on
26 file at the Board's offices regarding the allegations contained in Accusation No. 5770, finds that
27 the charges and allegations in Accusation No. 5770, are separately and severally, found to be true
28 and correct by clear and convincing evidence.

10. Taking official notice of its own internal records, pursuant to Business and
Professions Code section 125.3, it is hereby determined that the reasonable costs for
Investigation and Enforcement is \$632.50 as of May 24, 2016.

DETERMINATION OF ISSUES

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2 1. Based on the foregoing findings of fact, Respondent Anthony Raymond Beebe
3 has subjected his Pharmacy Technician Registration No. TCH 89959 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy
6 Technician Registration based upon the following violation alleged in the Accusation which is
7 supported by the evidence contained in the Default Decision Evidence Packet in this case.

8 4. Respondent has subjected his Pharmacy Technician Registration to discipline
9 under Code section 4301, subdivision (f), in that he committed acts involving moral turpitude,
10 deceit, and corruption when he repeatedly harass and threaten to commit a crime against another
11 person, because of the person's race, color, religion, nationality, country of origin, ancestry, and
12 sexual orientation; acts that are substantially related to the qualifications, functions, and duties of
13 a registered pharmacy technician.

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ORDER

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 89959, heretofore issued to Respondent Anthony Raymond Beebe, is revoked.

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

This Decision shall become effective at 5:00 p.m. on July 29, 2016.

It is so ORDERED on June 29, 2016.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

Amy Gutierrez, Pharm.D.
Board President

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DOJ Matter ID:SD2016700409

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

(ANTHONY RAYMOND BEEBE)

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Attorneys for Complainant

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

11
12 In the Matter of the Accusation Against:

Case No. 5770

13 **ANTHONY RAYMOND BEEBE**
1343 West Nicolet Street
14 Banning, CA 92220

A C C U S A T I O N

15 Pharmacy Technician Registration No. TCH
16 89959

Respondent.

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19 Complainant alleges:

20 **PARTIES**

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

24 2. On May 6, 2009, the Board issued Pharmacy Technician Registration Number
25 TCH 89959 to Anthony Raymond Beebe (Respondent). Respondent has also been known as
26 Tony Beebe. The Pharmacy Technician Registration was in full force and effect at all times
27 relevant to the charges brought herein and will expire on August 31, 2016, unless renewed.

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JURISDICTION

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

4. Code section 4300, subdivision (a) provides that every license issued by the Board may be suspended or revoked.

5. Code section 4300.1 states:

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

STATUTORY PROVISIONS

6. Code section 482 states:

Each board under the provisions of this code shall develop criteria to evaluate the rehabilitation of a person when:

(a) Considering the denial of a license by the board under Section 480; or

(b) Considering suspension or revocation of a license under Section 490.

Each board shall take into account all competent evidence of rehabilitation furnished by the applicant or licensee.

7. 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:

...

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

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1 **REGULATORY PROVISIONS**

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

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

8 **COST RECOVERY**

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

15 **CAUSE FOR DISCIPLINE**

16 **(Unprofessional Conduct - Commission of Any Act Involving Moral Turpitude,
17 Dishonesty, Fraud, Deceit, or Corruption)**

18 10. Respondent has subjected his Pharmacy Technician Registration to discipline
19 under Code section 4301, subdivision (f), in that he committed acts involving moral turpitude,
20 deceit, and corruption when he repeatedly harass and threaten to commit a crime against another
21 person, because of the person's race, color, religion, nationality, country of origin, ancestry, and
22 sexual orientation; acts that are substantially related to the qualifications, functions, and duties of
23 a registered pharmacy technician. The circumstances are as follows:

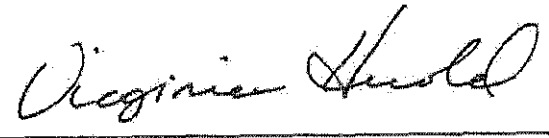
24 a. On several occasions before July 1, 2015, Respondent made numerous
25 annoying and harassing phone calls to an African-American woman in Moreno Valley,
26 California. The woman was the foster mother to Respondent's son. Shortly after gaining custody
27 of Respondent's sixteen-year-old son, Respondent left inflammatory messages on the foster
28 mother's voice mail making racial slurs and criminal threats against her and her biological son.

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2. Ordering Anthony Raymond Beebe 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; and

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

DATED: 4/20/16



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

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