



California State Board of Pharmacy
 2720 Gateway Oaks Drive, Suite 100
 Sacramento, CA 95833
 Phone: (916) 518-3100 Fax: (916) 574-8614
 www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency
 Department of Consumer Affairs
 Gavin Newsom, Governor



APPLICATION FOR VOLUNTARY SURRENDER OF PHARMACY TECHNICIAN LICENSE

PLEASE PRINT IN BLACK OR BLUE INK OR TYPE YOUR RESPONSES:

Name of Licensee: <u>Anahen O. Rosales</u>	Case No. <u>AC 2023 7810</u>
Address of Record: <u>21501 Roscoe Blvd. Unit 139</u> <u>Caroga Park, CA, 91304</u>	

Pursuant to the terms and conditions of my probation with the California State Board of Pharmacy (Board) in Case No. AC2023 7810, I hereby request to surrender my pharmacy technician license, License No. TCH 151852. The Board or its designee shall have the discretion whether to grant the request for surrender or take any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the license, I will no longer be subject to the terms and conditions of probation. I understand that this surrender constitutes a record of discipline and shall become a part of my license history with the Board.

Upon the acceptance of the surrender, I shall relinquish my pharmacy technician license to the Board within ten (10) days of notification by the Board that the surrender is accepted. I understand that I may not reapply for any license, permit, or registration from the board for three (3) years from the effective date of the surrender. I further understand that I shall meet all requirements applicable to the license sought as of the date the application for that license is submitted to the Board, including any outstanding costs.

PLEASE BE ADVISED THAT YOU ARE NOT RELIEVED OF THE REQUIREMENTS OF YOUR PROBATION UNLESS THE BOARD NOTIFIES YOU THAT YOUR REQUEST TO SURRENDER YOUR LICENSE HAS BEEN ACCEPTED.


Applicant's Signature

1/26/26
Date

Andrew Osvaldo Rosales
Applicant's Printed Name

TCH 151852
Applicant's License Number

Sodergren,
Anne@DCA
Executive Officer's Approval

Digitally signed by
Sodergren, Anne@DCA
Date: 2026.02.03
18:05:58 -08'00'

Date

All items on this application are mandatory in accordance with your probationary order and the Board's Disciplinary Guidelines as authorized by Title 16, California Code of Regulations section 1760. Failure to provide any of the requested information or providing unreadable information will result in the application being rejected as incomplete. The information provided on this form will be used to determine eligibility for surrender. The official responsible for information maintenance is the Executive Officer, telephone (916) 518-3100, 2720 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833. The information you provide may also be disclosed in the following circumstances: (1) in response to a Public Records Act request; (2) to another government agency as required by state or federal law; or, (3) in response to a court or administrative order, a subpoena, or a search warrant. Each individual has the right to review the files or records maintained on them by our agency, unless the records are identified as confidential information and exempted by Section 1798.40 of the Civil Code.

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

In the Matter of the Accusation Against:

ANDREW ROSALES

Pharmacy Technician License No. TCH 151852

Respondent.

Agency Case No. 7810

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 at 5:00 p.m. on January 15, 2026.

It is so ORDERED on December 16, 2025.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.
Board President

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Attorney General of California
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7 *Attorneys for Complainant*

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. 7810

13 **ANDREW OSWALDO ROSALES**
21801 Roscoe Blvd., #139
14 Canoga Park, CA 91304

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 **Pharmacy Technician License No.**
16 **TCH 151852**

Respondent.

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

20 **PARTIES**

21 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
22 (Board). She brought this action solely in her official capacity and is represented in this matter by
23 Rob Bonta, Attorney General of the State of California, by Sheronda L. Edwards, Deputy
24 Attorney General.

25 2. Respondent Andrew Oswaldo Rosales (Respondent) is representing himself in this
26 proceeding and has chosen not to exercise his right to be represented by counsel.

27 3. On or about November 10, 2015, the Board issued Pharmacy Technician License No.
28 TCH 151852 to Respondent. The Pharmacy Technician license was in full force and effect at all

1 times relevant to the charges brought in Accusation No. 7810, and will expire on October 31,
2 2025, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 7810 was filed before the Board and is currently pending against
5 Respondent. The Accusation and all other statutorily required documents were properly served on
6 Respondent on August 27, 2024. Respondent timely filed his Notice of Defense contesting the
7 Accusation.

8 5. A copy of Accusation No. 7810 is attached as exhibit A and incorporated herein by
9 reference.

10 **ADVISEMENT AND WAIVERS**

11 6. Respondent has carefully read and understands the charges and allegations in
12 Accusation No. 7810. Respondent has also carefully read, and understands the effects of this
13 Stipulated Settlement and Disciplinary Order.

14 7. Respondent is fully aware of his legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
16 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
17 to the issuance of subpoenas to compel the attendance of witnesses and the production of
18 documents; the right to reconsideration and court review of an adverse decision; and all other
19 rights accorded by the California 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 Accusation
24 No. 7810.

25 10. Respondent agrees that his Pharmacy Technician license is subject to discipline and
26 agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

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CONTINGENCY

1
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. By signing the stipulation, Respondent understands and agrees
6 that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the
7 Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and
8 Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for
9 this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall
10 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 PDF and facsimile
13 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:

DISCIPLINARY ORDER

23
24 IT IS HEREBY ORDERED that Pharmacy Technician License No. TCH 151852 issued to
25 Respondent Andrew Oswaldo Rosales is revoked. However, the revocation is stayed, and
26 Respondent is placed on probation for three (3) years on the following terms and conditions:

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1 STANDARD CONDITIONS OF PROBATIONS

2 1. **Obey All Laws**

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

4 Respondent shall report any of the following occurrences to the Board, in writing, within
5 seventy- two (72) hours of such occurrence:

- 6 • an arrest or issuance of a criminal complaint, information, or indictment for violation
7 of any state and federal laws
- 8 • a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal
9 criminal proceeding to any criminal complaint, information or indictment
- 10 • a conviction of any crime
- 11 • the filing of a disciplinary pleading, issuance of a citation, or initiation of another
12 administrative action filed by any state or federal agency.

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

14 2. **Report to the Board**

15 Respondent shall report to the Board quarterly, on a schedule as directed by the Board. The
16 report shall be made either in person or in writing, as directed. Among other requirements,
17 respondent shall state in each report under penalty of perjury whether there has been compliance
18 with all the terms and conditions of probation.

19 Failure to submit timely reports in a form as directed shall be considered a violation of
20 probation. Any period(s) of delinquency in submission of reports as directed may be added to the
21 total period of probation. Moreover, if the final probation report is not made as directed,
22 probation shall be automatically extended until such time as the final report is made and accepted
23 by the Board.

24 3. **Interview with the Board**

25 Upon receipt of reasonable prior notice, respondent shall participate as directed for
26 interviews with the Board, at such intervals and locations as are determined by the Board. Failure
27 to appear for any scheduled interview without prior notification to Board staff, or failure to

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1 appear for two (2) or more scheduled interviews with the Board during the period of probation,
2 shall be considered a violation of probation.

3 **4. Cooperate with Board Staff**

4 Respondent shall timely cooperate with the Board's inspection program and with the
5 Board's monitoring and investigation of respondent's compliance with the terms and conditions of
6 their probation, including but not limited to timely responses to requests for information by Board
7 staff; timely compliance with directives from Board staff regarding requirements of any term or
8 condition of probation; and timely completion of documentation pertaining to a term or condition
9 of probation. Failure to timely cooperate shall be considered a violation of probation.

10 **5. Reporting of Employment and Notice to Employers**

11 During the period of probation, respondent shall notify all present and prospective
12 employers of the decision in case number 7810 and the terms, conditions and restrictions imposed
13 on respondent by the decision, as follows:

14 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
15 undertaking any new employment, respondent shall report to the Board in writing the name,
16 physical address, and mailing address of each of their employer(s), and the name(s), telephone
17 number(s), and email address(es) of all of their direct supervisor(s), as well as any pharmacist(s)-
18 in-charge, designated representative(s)-in-charge, responsible manager, or other compliance
19 supervisor(s) and the work schedule, if known. Respondent shall also include the reason(s) for
20 leaving the prior employment and the last day worked. Respondent shall sign and return to the
21 Board a written consent authorizing the Board to communicate with all of respondent's
22 employer(s) and supervisor(s), and authorizing those employer(s) or supervisor(s) to
23 communicate with the Board, concerning respondent's work status, performance, and monitoring.
24 Failure to comply with the requirements or deadlines of this condition shall be considered a
25 violation of probation.

26 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
27 respondent undertaking any new employment, respondent shall cause (a) their direct supervisor,
28 (b) their pharmacist-in-charge, designated representative-in-charge, responsible manager, or other

1 compliance supervisor, and (c) the owner or owner representative of their employer, to report to
2 the Board in writing acknowledging that the listed individual(s) has/have read the decision in case
3 number 7810, and the terms and conditions imposed thereby. If one person serves in more than
4 one role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the
5 respondent's responsibility to ensure that these acknowledgment(s) are timely submitted to the
6 Board. In the event of a change in the person(s) serving the role(s) described in (a), (b), or (c)
7 during the term of probation, respondent shall cause the person(s) taking over the role(s) to report
8 to the Board in writing within fifteen (15) days of the change acknowledging that they have read
9 the decision in case number 7810, and the terms and conditions imposed thereby.

10 If respondent works for or is employed by or through an employment service, respondent
11 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board
12 of the decision in case number 7810, and the terms and conditions imposed thereby in advance of
13 respondent commencing work at such licensed entity. A record of this notification must be
14 provided to the Board upon request.

15 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
16 (15) days of respondent undertaking any new employment by or through an employment service,
17 respondent shall cause the person(s) described in (a), (b), and (c) above at the employment service
18 to report to the Board in writing acknowledging that they have read the decision in case number
19 7810, and the terms and conditions imposed thereby. It shall be respondent's responsibility to
20 ensure that these acknowledgment(s) are timely submitted to the Board.

21 Failure to timely notify present or prospective employer(s) or failure to cause the identified
22 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board
23 shall be considered a violation of probation.

24 "Employment" within the meaning of this provision includes any full-time, part-time,
25 temporary, relief, or employment/management service position as a Pharmacy Technician, or any
26 position for which a Pharmacy Technician is a requirement or criterion for employment, whether
27 the respondent is an employee, independent contractor or volunteer.

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1 **6. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

2 Respondent shall further notify the Board as directed within ten (10) days of any change in
3 name, residence address, mailing address, e-mail address or phone number.

4 Failure to timely notify the Board of any change in employer, name, address, or phone
5 number, within 10 days of the change, shall be considered a violation of probation.

6 **7. Reimbursement of Board Costs**

7 As a condition precedent to successful completion of probation, respondent shall pay to the
8 Board its costs of investigation and prosecution in the amount of \$1,500.00. Respondent shall
9 make payments monthly to commence within thirty (30) days of the effective date of this decision
10 pursuant to the following terms:

11 There shall be no deviation from this schedule absent prior written approval by the Board or
12 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of
13 probation.

14 Respondent shall be permitted to pay these costs in a payment plan approved by the Board
15 or its designee, so long as full payment is completed no later than one (1) year prior to the end
16 date of probation.

17 **8. Probation Monitoring Costs**

18 Respondent shall pay any costs associated with probation monitoring as determined by the
19 Board each and every year of probation. Such costs shall be payable to the Board on a schedule as
20 directed by the Board. Failure to pay such costs by the deadline(s) as directed shall be considered
21 a violation of probation.

22 **9. Status of License**

23 Respondent shall, at all times while on probation, maintain an active, current Pharmacy
24 Technician license with the Board, including any period during which suspension or probation is
25 tolled. Failure to maintain an active, current Pharmacy Technician license shall be considered a
26 violation of probation.

27 If respondent's Pharmacy Technician license expires or is cancelled by operation of law or
28 otherwise at any time during the period of probation, including any extensions thereof due to

1 tolling or otherwise, upon renewal or reapplication respondent's license shall be subject to all
2 terms and conditions of this probation not previously satisfied.

3 **10. License Surrender While on Probation/Suspension**

4 Following the effective date of this decision, should respondent cease practice due to
5 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,
6 respondent may relinquish his license, including any indicia of licensure issued by the Board,
7 along with a request to surrender the license. The Board shall have the discretion whether to
8 accept the surrender or take any other action it deems appropriate and reasonable. Upon formal
9 acceptance of the surrender of the license, respondent will no longer be subject to the terms and
10 conditions of probation. This surrender constitutes a record of discipline and shall become a part
11 of the respondent's license history with the Board.

12 Upon acceptance of the surrender, respondent shall relinquish his pocket and/or wall
13 license, including any indicia of licensure not previously provided to the Board within ten (10)
14 days of notification by the Board that the surrender is accepted if not already provided.
15 Respondent may not reapply for any license from the Board for three (3) years from the effective
16 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
17 of the date the application for that license is submitted to the Board, including any outstanding
18 costs.

19 **11. Certification Prior to Resuming Work**

20 Respondent shall be suspended, and shall not work as a pharmacy technician, until he has
21 been certified as defined by Business and Professions Code section 4202, subdivision (a)(4), has
22 submitted proof of certification to the Board, and been notified by the Board that he may begin
23 work. Failure to achieve certification within six (6) months of the effective date shall be
24 considered a violation of probation.

25 During suspension, respondent shall not enter any pharmacy area or any portion of any
26 other Board licensed premises where dangerous drugs and/or dangerous devices or controlled
27 substances are maintained.

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1 Respondent shall not exercise any of the privileges conveyed by the Board or assist any
2 licensee of the Board. Respondent shall not have access to or control the ordering, distributing,
3 manufacturing or dispensing of dangerous drugs and/or dangerous devices or controlled
4 substances.

5 During this suspension, respondent shall not engage in any activity that requires licensure
6 as a pharmacy technician. Respondent shall not direct or control any aspect of the practice of any
7 Board licensed premises. Failure to comply with any such suspension shall be considered a
8 violation of probation.

9 **12. Practice Requirement – Extension of Probation**

10 Except during periods of suspension, respondent shall, at all times while on probation, be
11 employed as a Pharmacy Technician in California for a minimum of 100 hours per calendar
12 month. Any month during which this minimum is not met shall extend the period of probation by
13 one month. During any such period of insufficient employment, respondent must nonetheless
14 comply with all terms and conditions of probation, unless respondent receives a waiver in writing
15 from the Board.

16 If respondent does not practice as a Pharmacy Technician in California for the minimum
17 number of hours in any calendar month, for any reason (including vacation), respondent shall
18 notify the Board in writing within ten (10) days of the conclusion of that calendar month. This
19 notification shall include at least: the date(s), location(s), and hours of last practice; the reason(s)
20 for the interruption or reduction in practice; and the anticipated date(s) on which respondent will
21 resume practice at the required level. Respondent shall further notify the Board in writing within
22 ten (10) days following the next calendar month during which respondent practices as a Pharmacy
23 Technician in California for the minimum of hours. Any failure to timely provide such
24 notification(s) shall be considered a violation of probation.

25 It is a violation of probation for respondent's probation to be extended pursuant to the
26 provisions of this condition for a total period, counting consecutive and non-consecutive months,
27 exceeding thirty-six (36) months. The Board may post a notice of the extended probation period
28 on its website.

1 **13. Violation of Probation**

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

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. If a petition to revoke probation or an accusation is filed against respondent during
11 probation, or the preparation of an accusation or petition to revoke probation is requested from
12 the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of
13 probation shall be automatically extended until the petition to revoke probation or accusation is
14 heard and decided.

15 **14. Completion of Probation**

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

18 **15. Drug and Alcohol Testing**

19 Respondent, at his own expense, shall participate in testing as directed by the Board for the
20 detection of alcohol, controlled substances, and dangerous drugs and/or dangerous devices.
21 Testing protocols may include biological fluid testing (urine, blood), breathalyzer, hair follicle
22 testing, or other testing protocols as directed by the Board. All testing must be pursuant to an
23 observed testing protocol unless respondent is informed otherwise in writing by the Board.
24 Respondent may be required to participate in testing for the entire probation period and frequency
25 of testing will be determined by the Board.

26 By no later than thirty (30) days after the effective date of this decision, respondent shall
27 have completed all of the following tasks: enrolled and registered with an approved drug and
28 alcohol testing vendor; provided that vendor with any documentation, and any information

1 necessary for payment by respondent; commenced testing protocols, including all required
2 contacts with the testing vendor to determine testing date(s); and begun testing. At all times,
3 respondent shall fully cooperate with the testing vendor, and with the Board, with regard to
4 enrollment, registration, and payment for, and compliance with, testing. Any failure to cooperate
5 timely shall be considered a violation of probation.

6 Respondent may be required to test on any day, including weekends and holidays.
7 Respondent is required to make daily contact with the testing vendor to determine if a test is
8 required, and if a test is required must submit to testing on the same day.

9 Prior to any vacation or other period of absence from the area where the approved testing
10 vendor provides services, respondent shall seek and receive approval from the Board to use an
11 alternate testing vendor to ensure testing can occur. Upon approval, respondent shall enroll and
12 register with the approved alternate drug testing vendor and provide to that alternate vendor any
13 documentation required by the vendor, including any necessary payment by respondent. During
14 the period of absence of the area, respondent shall commence testing protocols with the alternate
15 vendor, including required daily contacts with the testing vendor to determine if testing is
16 required, and required testing. Any failure to timely seek or receive approval from the Board, or
17 to timely enroll and register with, timely commence testing protocols with, or timely undergo
18 testing with, the alternate testing vendor, shall be considered a violation of probation.

19 Upon detection of an illicit drug, controlled substance or dangerous drug, the Board may
20 require respondent to timely provide documentation from a licensed practitioner authorized to
21 prescribe the detected substance demonstrating that the substance was administered or ingested
22 pursuant to a legitimate prescription issued as a necessary part of treatment. All such
23 documentation shall be provided by respondent within ten (10) days of being requested.

24 Any of the following shall be considered a violation of probation and shall result in
25 respondent being immediately suspended from practice as a Pharmacy Technician until notified
26 by the Board in writing that he may resume practice: failure to timely complete all of the steps
27 required for enrollment/registration with the drug testing vendor, including making arrangements
28 for payment; failure to timely commence drug testing protocols; failure to contact the drug testing

1 vendor as required to determine testing date(s); failure to test as required; failure to refrain from
2 alcohol; failure to timely supply documentation demonstrating that a detected substance was
3 taken pursuant to a legitimate prescription issued as a necessary part of treatment; and/or
4 detection through testing of alcohol, or drug that contains alcohol, without a prescription, or of an
5 illicit drug, or of a controlled substance or dangerous drug absent documentation that the detected
6 substance was taken pursuant to a legitimate prescription and a necessary treatment. In the event
7 of a suspension ordered after detection through testing of alcohol, or drug that contains alcohol,
8 without a prescription, an illicit drug, or of a controlled substance or dangerous drug absent
9 documentation that the detected substance was taken pursuant to a legitimate prescription and a
10 necessary treatment, the Board shall inform respondent of the suspension and inform him to
11 immediately leave work, and shall notify respondent's employer(s) and work site monitor(s) of
12 the suspension.

13 During any such suspension, respondent shall not enter any pharmacy area or any portion of
14 any Board-licensed premises where dangerous drugs and/or dangerous devices or controlled
15 substances are maintained. Respondent shall not exercise any of the privileges conveyed by the
16 Board nor do any act involving drug selection, selection of stock, manufacturing, compounding,
17 dispensing or patient consultation; nor shall respondent manage, administer, or be a consultant to
18 any licensee of the Board, or have access to or control the ordering, distributing, manufacturing or
19 dispensing of dangerous drugs and/or dangerous devices and controlled substances.

20 During any such suspension, respondent shall not engage in any activity that requires the
21 professional judgment of and/or licensure as a Pharmacy Technician. Respondent shall not direct
22 or control any aspect of any Board-licensed premises.

23 Failure to comply with any such suspension shall be considered a violation of probation.
24 Failure to comply with any requirement or deadline stated by this term shall be considered a
25 violation of probation.

26 16. **Notification of Departure**

27 Within three (3) business days prior to leaving the probationary geographic area designated
28 by the Board for a period greater than twenty-four (24) hours, respondent shall notify the Board

1 verbally and in writing of the dates of departure and return. Failure to comply with this provision
2 shall be considered a violation of probation.

3 **17. Abstain from Drugs and Alcohol**

4 Respondent shall completely abstain from the possession or use of alcohol, controlled
5 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated
6 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a
7 necessary part of treatment. Respondent shall ensure that he is not in the same physical location
8 as individuals who are using illicit substances even if respondent is not personally ingesting the
9 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled
10 substances, or their associated paraphernalia for which a legitimate prescription has not been
11 issued as a necessary part of treatment, or any physical proximity to persons using illicit
12 substances, shall be considered a violation of probation. Respondent shall sign an
13 acknowledgement confirming receipt of a list of examples of prohibited substances.

14 **18. Prescription Coordination and Monitoring of Prescription Use**

15 Within thirty (30) days of the effective date of this decision, respondent shall submit to the
16 Board, for its prior approval, the name and qualifications of a single practitioner of respondent's
17 choice, who shall be aware of the respondent's history with the use of alcohol, illicit drugs,
18 controlled substances, and/or dangerous drugs and who will coordinate and monitor any
19 prescriptions for respondent for dangerous drugs and/or dangerous devices, controlled substances
20 or mood-altering drugs. The approved practitioner shall be provided with a copy of the Board's
21 Accusation and decision. A record of this notification must be provided to the Board upon
22 request. Respondent shall sign a release authorizing the practitioner to communicate with the
23 Board about respondent's treatment(s). The coordinating practitioner shall report to the Board on
24 a quarterly basis for the duration of probation regarding respondent's compliance with this
25 condition. If any substances considered addictive have been prescribed, the report shall identify a
26 program for the time limited use of any such substances. The Board may require that the single
27 coordinating practitioner be a specialist in addictive medicine or consult a specialist in addictive
28 medicine. Should respondent, for any reason, cease supervision by the approved practitioner,

1 respondent shall notify the Board immediately and, within thirty (30) days of ceasing supervision,
2 submit the name of a replacement practitioner of respondent's choice to the Board for its prior
3 approval. Failure to timely submit the selected practitioner or replacement practitioner to the
4 Board for approval, or to ensure the required quarterly reporting thereby, shall be considered a
5 violation of probation.

6 If at any time an approved practitioner determines that respondent is unable to practice
7 safely or independently as a Pharmacy Technician, the practitioner shall notify the Board
8 immediately by telephone and follow up by written letter or email within three (3) working days.
9 Upon notification from the Board of this determination, respondent shall be automatically
10 suspended and shall not resume practice as a Pharmacy Technician until notified by the Board
11 that practice may be resumed.

12 During suspension, respondent shall not enter any pharmacy area or any portion of any
13 Board-licensed premises where dangerous drugs and/or dangerous devices or controlled
14 substances are maintained. Respondent shall not exercise any of the privileges conveyed by the
15 Board nor do any act involving drug selection, selection of stock, manufacturing, compounding,
16 dispensing or patient consultation; nor shall respondent manage, administer, or be a consultant to
17 any licensee of the Board, or have access to or control the ordering, distributing, manufacturing or
18 dispensing of dangerous drugs and/or dangerous devices and controlled substances. Respondent
19 shall not resume practice until notified by the Board.

20 During suspension, respondent shall not engage in any activity that requires the
21 professional judgment and/or licensure as a Pharmacy Technician. Respondent shall not direct or
22 control any aspect of any Board-licensed premises.

23 Failure to comply with any requirement or deadline stated by this term shall be considered a
24 violation of probation.

25 **19. Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

26 Within thirty (30) days of the effective date of this decision, respondent shall begin regular
27 attendance at a recognized and established substance abuse recovery support group in California
28 (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved by the

1 Board. Respondent must attend the number of group meetings per week or month directed by the
2 Board, which shall typically be at least one per week. Respondent shall continue regular
3 attendance and submit signed and dated documentation confirming attendance with each quarterly
4 report for the duration of probation. Failure to attend or submit documentation thereof shall be
5 considered a violation of probation.

6 Where respondent is enrolled in the PRP, participation as required in a recovery group
7 meeting approved by the PRP shall be sufficient for satisfaction of this requirement. Any
8 deviation from participation requirements for the PRP-approved group shall be considered a
9 violation of probation.

10 **20. No Ownership or Management of Licensed Premises**

11 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,
12 administrator, member, officer, director, trustee, associate, or partner of any business, firm,
13 partnership, or corporation currently or hereinafter licensed by the Board. Respondent shall sell or
14 transfer any legal or beneficial interest in any entity licensed by the Board within ninety (90) days
15 following the effective date of this decision and shall immediately thereafter provide written
16 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide
17 documentation thereof shall be considered a violation of probation.

18 **21. Criminal Probation/Parole Reports**

19 Within ten (10) days of the effective date of this decision, or within ten (10) days of the
20 issuance or assignment/replacement of same, whichever is earlier, respondent shall provide the
21 Board in writing: a copy of the conditions of any criminal probation/parole applicable to
22 respondent; and the name and contact information of any probation, parole or similar supervisory
23 officer assigned to respondent. Respondent shall provide a copy of all criminal probation/parole
24 reports to the Board within ten (10) days after such report is issued. Failure to timely make any
25 of the submissions required hereby shall be considered a violation of probation.

26 **ACCEPTANCE**

27 I have carefully read the above Stipulated Settlement and Disciplinary Order. I understand
28 the stipulation and the effect it will have on my Pharmacy Technician license. I enter into this

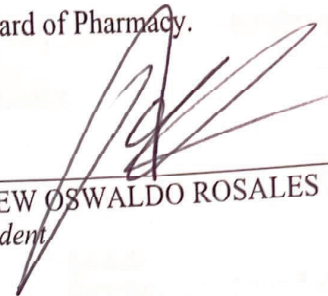
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Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____ ANDREW OSWALDO ROSALES
Respondent

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

3
4 DATED: 9/15/25



ANDREW OSWALDO ROSALES
Respondent

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ENDORSEMENT

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

DATED: _____

Respectfully submitted,
ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General

SHERONDA L. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

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

DATED: September 15, 2025.

Respectfully submitted,
ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General



SHERONDA L. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7810

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
Supervising Deputy Attorney General
3 SHAWN P. COOK
Supervising Deputy Attorney General
4 State Bar No. 117851
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6291
6 Facsimile: (916) 731-2126
Attorneys for Complainant
7

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. 7810

13 **ANDREW OSWALDO ROSALES**
21801 Roscoe Blvd., #139
14 Canoga Park, CA 91304

ACCUSATION

15 **Pharmacy Technician License No. TCH**
16 **151852**

Respondent.

17
18 **PARTIES**

19 1. Anne Sodergren (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 November 10, 2015, the Board of Pharmacy (Board) issued Pharmacy
22 Technician License Number TCH 151852 to Andrew Oswaldo Rosales (Respondent). The
23 Pharmacy Technician License was in full force and effect at all times relevant to the charges
24 brought herein and will expire on October 31, 2025, unless renewed.

25 **JURISDICTION**

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

1 8. Section 4301 of the Code states, in pertinent part:

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

4

5 (h) The administering to oneself, of any controlled substance, or the use of any
6 dangerous drug or of alcoholic beverages to the extent or in a manner as to be
7 dangerous or injurious to oneself, to a person holding a license under this chapter, or
8 to any other person or to the public, or to the extent that the use impairs the ability of
9 the person to conduct with safety to the public the practice authorized by the license.

8

9 (k) The conviction of more than one misdemeanor or any felony involving the use,
10 consumption, or self-administration of any dangerous drug or alcoholic beverage, or any
11 combination of those substances.

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

22 9. Section 4307 of the Code states, in pertinent part:

23 (a) Any person who has been denied a license or whose license has been revoked or is
24 under suspension, or who has failed to renew his or her license while it was under
25 suspension, or who has been a manager, administrator, owner, member, officer, director,
26 associate, partner, or any other person with management or control of any partnership,
27 corporation, trust, firm, or association whose application for a license has been denied or
28 revoked, is under suspension or has been placed on probation, and while acting as the
 manager, administrator, owner, member, officer, director, associate, partner, or any other
 person with management or control had knowledge of or knowingly participated in any
 conduct for which the license was denied, revoked, suspended, or placed on probation, shall
 be prohibited from serving as a manager, administrator, owner, member, officer, director,

1 associate, partner, or in any other position with management or control of a licensee as
2 follows:

3 (1) Where a probationary license is issued or where an existing license is placed on
4 probation, this prohibition shall remain in effect for a period not to exceed five years.

5 (2) Where the license is denied or revoked, the prohibition shall continue until the
6 license is issued or reinstated.

7 **REGULATORY PROVISIONS**

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

9 (a) For the purpose of denial, suspension, or revocation of a personal or facility
10 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the
11 Business and Professions Code, a crime, professional misconduct, or act shall be
12 considered substantially related to the qualifications, functions or duties of the
13 practice, profession, or occupation that may be performed under the license type
14 sought or held if to a substantial degree it evidences present or potential unfitness of
15 an applicant or licensee to perform the functions authorized by the license in a
16 manner consistent with the public health, safety, or welfare.

17 **COST RECOVERY**

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

24 **FIRST CAUSE FOR DISCIPLINE**

25 **(April 27, 2022 Criminal Conviction – DUI on September 11, 2021)**

26 12. Respondent is subject to disciplinary action under Code sections 490 and 4301,
27 subdivision (l), in conjunction with California Code of Regulations, title 16, section 1770,
28 subdivision (a), in that Respondent was convicted of a crime substantially related to the
qualifications, functions, and duties of pharmacy technician. Specifically, on or about April 27,
2022, Respondent was convicted of one (1) misdemeanor count for violating Vehicle Code
section 23152, subdivision (b) (driving while having a 0.08% or more, of alcohol by weight, in
his blood), in the criminal proceeding titled: *The People of the State of California v. Andrew*

1 *Rosales* (Super. Ct. L.A. County, 2022, No. 2VV01743). The court sentenced Respondent to
2 serve 10 days in jail and placed him on 60 months of probation, with terms and conditions.

3 13. The circumstances surrounding the conviction are that on or about September 11,
4 2021, at approximately 0148 hours, during an investigation of a traffic collision investigation with
5 injuries, an officer detected a strong odor of an alcoholic beverage emanating from Respondent's
6 breath and person. Respondent was observed to have red watery eyes, slurred speech, and was
7 swaying in place. Respondent admitted to drinking one (1) Modelo beer. Respondent failed to
8 perform the modified Field Sobriety Tests (M.F.S.T.'s), as demonstrated and explained by the
9 officer. Respondent submitted to a blood test at 0447 hours, which revealed a blood-alcohol
10 concentration (BAC) of 0.21%.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(August 24, 2017 Criminal Conviction – Driving Without a Valid Driver's License on**
13 **September 24, 2016)**

14 14. Respondent is subject to disciplinary action under Code sections 490 and 4301,
15 subdivision (l), in conjunction with California Code of Regulations, title 16, section 1770,
16 subdivision (a), in that Respondent was convicted of a crime substantially related to the
17 qualifications, functions, and duties of pharmacy technician. Specifically, on or about April 24,
18 2017, Respondent was convicted of one (1) misdemeanor count for violating Vehicle Code
19 section 12500, subdivision (a) (driving without a valid driver's license), in the criminal
20 proceeding titled: *The People of the State of California v. Andrew Rosales* (Super. Ct. L.A.
21 County, 2017, No. 6VV03945). The court placed Respondent on 12 months of probation, ordered
22 him to pay fines and restitution, with terms and conditions.

23 15. The circumstances surrounding the conviction are that on or about September 24,
24 2016, Respondent drove a motor vehicle upon a highway without a valid driver's license.

25 **THIRD CAUSE FOR DISCIPLINE**

26 **(August 2, 2016 Criminal Conviction – DUI on April 9, 2016)**

27 16. Respondent is subject to disciplinary action under Code sections 490 and 4301,
28 subdivision (l), in conjunction with California Code of Regulations, title 16, section 1770,

1 subdivision (a), in that Respondent was convicted of a crime substantially related to the
2 qualifications, functions, and duties of pharmacy technician. Specifically, on or about August 2,
3 2016, Respondent was convicted of one (1) misdemeanor count for violating Vehicle Code
4 section 23152, subdivision (b) (driving while having a 0.08% or more, of alcohol by weight, in
5 his blood), in the criminal proceeding titled: *The People of the State of California v. Andrew*
6 *Rosales* (Super. Ct. L.A. County, 2016, No. 6VV01518). The court placed Respondent on 36
7 months of probation, ordered him to pay fines and restitution, with terms and conditions.

8 17. The circumstances surrounding the conviction are that on or about April 9, 2016,
9 Respondent drove a motor vehicle upon a highway while having 0.08% or more, of alcohol by
10 weight, in his blood.

11 **FOURTH CAUSE FOR DISCIPLINE**

12 **(Dangerous Use of Alcoholic Beverages)**

13 18. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),
14 in that Respondent used alcoholic beverages to the extent or in a manner as to be dangerous or
15 injurious to himself, another person, or to the public. Complainant refers to, and by this reference
16 incorporates, the allegations above in paragraphs 12, 13, 16, and 17, inclusive, as though set forth
17 fully.

18 **FIFTH CAUSE FOR DISCIPLINE**

19 **(Conviction of More than One Misdemeanor or Any Felony Involving the Use,**
20 **Consumption, or Self-Administration of Any Dangerous Drug or Alcoholic Beverage)**

21 19. Respondent is subject to disciplinary action under Code section 4301, subdivision (k),
22 in that Respondent was convicted of more than one misdemeanor or any felony involving the use,
23 consumption, or self-administration of any dangerous drug or alcoholic beverage, or any
24 combination of those substances. Complainant refers to, and by this reference incorporates, the
25 allegations above in paragraphs 12, 13, 16, and 17, inclusive, as though set forth fully.

26 **OTHER MATTERS**

27 20. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy
28 Technician License Number TCH 151852, issued to Andrew Oswaldo Rosales, then Andrew

1 Oswaldo Rosales shall be prohibited from serving as a manager, administrator, owner, member,
2 officer, director, associate, partner, or any other person with management or control of a licensee
3 for five years if Pharmacy Technician License Number TCH 151852 is placed on probation or
4 until Pharmacy Technician License Number TCH 151852 is reinstated if it is revoked.

5 **PRAYER**

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

8 1. Revoking or suspending Pharmacy Technician License Number TCH 151852, issued
9 to Andrew Oswaldo Rosales;

10 2. Prohibiting Andrew Oswaldo Rosales from serving as a manager, administrator,
11 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
12 Technician License Number TCH 151852 is placed on probation or until Pharmacy Technician
13 License Number TCH 151852 is reinstated if it is revoked;

14 3. Ordering Andrew Oswaldo Rosales to pay the Board of Pharmacy the reasonable
15 costs of the investigation and enforcement of this case, pursuant to Business and Professions
16 Code section 125.3; and, if placed on probation, the costs of probation monitoring; and,

17 4. Taking such other and further action as deemed necessary and proper.

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21 DATED: 8/16/2024

Sodergren, Digitally signed by
Anne@DCA Sodergren, Anne@DCA
Date: 2024.08.16
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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