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

12 In the Matter of the Accusation Against:

Case No. 3244

13 STEPHANIE ROSE BRADLEY  
14 P. O. Box 1364  
Susanville, CA. 96130  
Original Pharmacy Technician Registration No.  
TCH 44514

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

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

- 19 1. Virginia Herold (Complainant) brings this Accusation solely in her official  
20 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.  
21 2. On or about March 27, 2003, the Board of Pharmacy issued Original  
22 Pharmacy Technician Registration Number TCH 44514 to Stephanie Rose Bradley  
23 (Respondent). The Original Pharmacy Technician Registration was in full force and effect at all  
24 times relevant to the charges brought herein and will expire on January 31, 2009, unless renewed.

25 **JURISDICTION**

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

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4. Section 4300 of the Code states:

“(a) Every license issued may be suspended or revoked.”

5. 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.

.....

“(j) The violation of any of the statutes of this state, or any other state, or of the United States regulating controlled substances and dangerous drugs.

.....

“(l) The conviction of a crime substantially related to the qualifications, functions, and duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13 (commencing with Section 801) of Title 21 of the United States Code regulating controlled substances or of a violation of the statutes of this state regulating controlled substances or dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime, in order to fix the degree of discipline or, in the case of a conviction not involving controlled substances or dangerous drugs, to determine if the conviction is of an offense substantially related to the qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this provision. The board may take action when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order

1 granting probation is made suspending the imposition of sentence, irrespective of a subsequent  
2 order under Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of  
3 guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the  
4 accusation, information, or indictment.

5 6. 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 Professions  
8 Code, a crime or act shall be considered substantially related to the qualifications, functions or  
9 duties of a licensee or registrant if to a substantial degree it evidences present or potential  
10 unfitness of a licensee or registrant to perform the functions authorized by his license or  
11 registration in a manner consistent with the public health, safety, or welfare."

12 7. Section 118, subdivision (b), of the Code provides that the expiration of a  
13 license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the  
14 period within which the license may be renewed, restored, reissued or reinstated.

15 8. Section 125.3 of the Code states in pertinent part that the Board may  
16 request the administrative law judge to direct a licentiate found to have committed a violation or  
17 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
18 and enforcement of the case.

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Criminal Conviction)**

21 9. Respondent is subject to disciplinary action under section 4301(l) in that  
22 on or about April 15, 2008, in a criminal proceeding entitled *People v. Stephanie Rose Bradley*,  
23 in Lassen County Superior Court, Case Number CR 024559, Respondent was convicted by a plea  
24 of guilty of Health and Safety Code section 11377 (a) (Possession of Methamphetamine),  
25 a felony and Vehicle Code section 23152 (a) (Driving under the Influence of A Drug),  
26 a misdemeanor, which are substantially related to the qualifications, functions or duties as  
27 registrant. The circumstances are as follows:

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1 Respondent on or about April 13, 2007 was driving a vehicle while under the  
2 influence of methamphetamine and possessed unlawfully methamphetamine. Respondent was  
3 given a suspended sentence and placed on probation with sixty (60) days confinement in jail.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Acts of Moral Turpitude, Dishonesty and Corruption)**

6 10. Respondent is subject to disciplinary action under section 4301(f) by  
7 committing acts of moral turpitude, dishonesty and corruption as described in paragraph 8 above.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(Controlled Substances)**

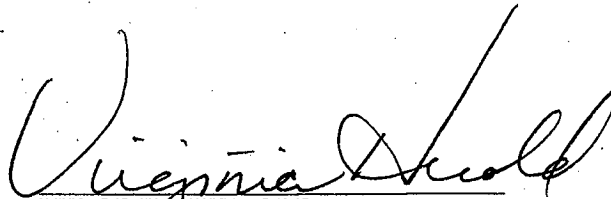
10 11. Respondent is subject to disciplinary action under section 4301(i) by  
11 violating statutes regulating controlled substances as described in paragraph 8 above.

12 **PRAYER**

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

- 15 1. Revoking or suspending Original Pharmacy Technician Registration  
16 Number TCH 44514, issued to Stephanie Rose Bradley STEPHANIE ROSE BRADLEY.
- 17 2. Ordering STEPHANIE ROSE BRADLEY to pay the Board of Pharmacy  
18 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
19 Professions Code section 125.3;
- 20 3. Taking such other and further action as deemed necessary and proper.

21  
22 DATED: 3/19/09

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25 VIRGINIA HEROLD  
26 Executive Officer  
27 Board of Pharmacy  
28 Department of Consumer Affairs  
State of California  
Complainant