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1 EDMUND G. BROWN JR.
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 GEOFFREY S. ALLEN
Deputy Attorney General
4 State Bar No. 193338
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5341
Facsimile: (916) 327-8643
7 E-mail: Geoffrey.Allen@doj.ca.gov
Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 3422

12
13 **CHASIDY T. R. WOOD A.K.A.**
CHASIDY T. ROMETTI WOOD A.K.A.
14 **CHASIDY TERRIE ROMETTI WOOD A.K.A.**
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15 **CHASSIDY WOOD A.K.A.**
CHASSIDY T. WOOD A.K.A.
16 **CHASIDY T. ROMETTI A.K.A.**
CHASSIDY T. ROMETTI A.K.A.
17 **CHASIDY TERRIE WOOD A.K.A.**
18 **CHASSIDY TERRIE WOOD**

ACCUSATION

3785 Henshaw Rd.
West Sacramento, CA 95691

20 **Pharmacy Technician Registration**
21 **No. TCH 45272**

22 Respondent.

23 Complainant alleges:

24 **PARTIES**

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

27 ///

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

3

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

23

24 (o) Violating or attempting to violate, directly or indirectly, or assisting in or
25 abetting the violation of or conspiring to violate any provision or term of this chapter
26 or of the applicable federal and state laws and regulations governing pharmacy,
27 including regulations established by the board.

28

(p) Actions or conduct that would have warranted denial of a license.

. . . .

6. Section 4022 of the Code provides, in pertinent part,

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

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

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1 7. Section 4060 of the Code states:

2 No person shall possess any controlled substance, except that furnished to a
3 person upon the prescription of a physician, dentist, podiatrist, optometrist,
4 veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished pursuant
5 to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a
6 nurse practitioner pursuant to Section 2836.1, or a physician assistant pursuant to
7 Section 3502.1, or naturopathic doctor pursuant to Section 3640.5, or a pharmacist
8 pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of
9 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section
shall not apply to the possession of any controlled substance by a manufacturer,
wholesaler, pharmacy, pharmacist, physician, podiatrist, dentist, optometrist,
veterinarian, naturopathic doctor, certified nurse-midwife, nurse practitioner, or
physician assistant, when in stock in containers correctly labeled with the name and
address of the supplier or producer.

10 Nothing in this section authorizes a certified nurse-midwife, a nurse
11 practitioner, a physician assistant, or a naturopathic doctor, to order his or her own
stock of dangerous drugs and devices.

12 COST RECOVERY

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

17 DRUGS

18 9. Methamphetamine is a Schedule II controlled substance as designated by Health and
19 Safety Code section 11055(d)(2), and is a dangerous drug within the meaning of Code section
20 4022, in that under federal law it requires a prescription.

21 FIRST CAUSE FOR DISCIPLINE

22 (Convictions of Crimes)

23 10. Respondent is subject to disciplinary action under Code section 4301, subd. (l) in that
24 Respondent was convicted of crimes substantially related to her License and her practice as a
25 pharmacy technician. The circumstances are as follows:

26 11. On or about November 21, 2008, in the Superior Court of California, County of
27 Sacramento, in the case entitled, *People of the State of California v. Chassidy T. Rometti* (Super.
28

1 Ct. Sacramento County, 2008, Case No. 08M06089), Respondent was convicted on her plea of
2 nolo contendere of violating Penal Code section 415, subd. (2), (disturbing the peace), a
3 misdemeanor. The circumstances of the crime are that on or about May 23, 2008, Respondent
4 repeatedly used profanity and fighting words towards her roommates in the presence of Deputy
5 Marko Radonjic of the Sacramento County Sheriff's Department. The Deputy repeatedly
6 admonished Respondent to stop using profanity and fighting words because she was
7 unnecessarily escalating the situation with her roommates. Respondent refused to comply with the
8 Deputy's directives and was arrested in order to protect the peace. This crime is substantially
9 related to the functions, qualifications, and duties of a pharmacy technician.

10 12. On or about June 18, 2009, in the Superior Court of California, County of
11 Sacramento, in the case entitled, *People of the State of California v. Chassidy Wood* (Super. Ct.
12 Sacramento County, 2009, Case No. 09M05971), Respondent was convicted on her plea of nolo
13 contendere of violating Health and Safety Code section 11377, subd. (a), (unlawful possession of
14 a controlled substance); and Vehicle Code section 14601.1, subd. (a) (driving with a suspended
15 license), both misdemeanors. The circumstances of the crime are that on or about June 16, 2009,
16 Respondent was stopped in her vehicle by Deputy Andrew Theodore of the Sacramento County
17 Sheriff's Department. Deputy Theodore observed Respondent blocking traffic in her vehicle on a
18 county road. The Deputy asked Respondent for identification and Respondent indicated that she
19 was driving on a suspended license. Respondent consented to a search of her vehicle.
20 Methamphetamine and a glass pipe was located in Respondent's purse. Respondent was arrested
21 for violating Health and Safety Code sections 11377, subd. (a), (unlawful possession of a
22 controlled substance) and 11364 (possession of controlled substance paraphernalia); and Vehicle
23 Code section 14601.1, subd. (a) (driving with a suspended license). These crimes are
24 substantially related to the functions, qualifications, and duties of a pharmacy technician.

25 SECOND CAUSE FOR DISCIPLINE

26 (Unlawful Possession of a Controlled Substance - Methamphetamine)

27 13. Respondent is subject to disciplinary action under Code section 4301, subs. (j) and
28 (o) in that Respondent violated the statutes of this state regulating controlled substances and

1 dangerous drugs, namely Code section 4060 and/or Health and Safety Code section 11377, subd.
2 (a), by possessing a controlled substance without a prescription. The circumstances are detailed
3 above in paragraph 12.

4 THIRD CAUSE FOR DISCIPLINE

5 (Actions Warranting Denial of License)

6 14. Respondent is subject to disciplinary action under Code section 4301, subd. (p) in that
7 Respondent engaged in conduct that would have warranted the denial of her License. The
8 circumstances are detailed above in paragraphs 12 and 13.

9 PRAYER

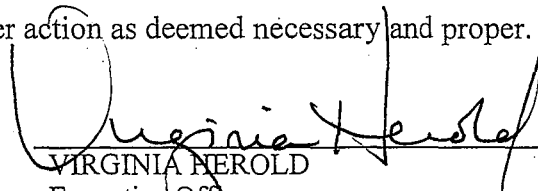
10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Board of Pharmacy issue a decision:

12 1. Revoking or suspending Pharmacy Technician Registration Number TCH 45272,
13 issued to Respondent.

14 2. Ordering Respondent to pay the Board of Pharmacy the reasonable costs of the
15 investigation and enforcement of this case, pursuant to Business and Professions Code section
16 125.3;

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

18 DATED: 2/9/10

19 
20 VIRGINIA HEROLD
21 Executive Officer
22 Board of Pharmacy
23 Department of Consumer Affairs
24 State of California
25 Complainant

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