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7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 3510

12 **CARRIE MICHELLE DEGROFF**
13 **262 W. 59th Street**
San Bernardino, CA 92407

A C C U S A T I O N

14 **Pharmacy Technician License**
15 **No. TCH 41348**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about May 31, 2002, the Board of Pharmacy (Board) issued Pharmacy
23 Technician License No. TCH 41348 to Carrie Michelle Degroff (Respondent). The Pharmacy
24 Technician License was in full force and effect at all times relevant to the charges brought herein
25 and will expire on January 31, 2012, unless renewed.

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1 licensee or registrant to perform the functions authorized by his license or registration in a manner
2 consistent with the public health, safety, or welfare."

3 **COST RECOVERY**

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

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Criminal Convictions)**

10 9. Respondent is subject to disciplinary action under sections 490 and 4301,
11 subdivision (1), of the Code, in conjunction with California Code of Regulation, title 16,
12 section 1770, in that Respondent was convicted of crimes substantially related to the
13 qualifications, functions or duties of a licensed pharmacy technician, as follows:

14 a. On or about July 14, 2008, after pleading guilty, Respondent was convicted of one
15 felony count of violating Penal Code section 475, subdivision (a) [unlawful possession and
16 passage of any forged, altered, or counterfeit item, with intent to defraud], in the criminal
17 proceeding entitled *People of the State of California v. Carrie Michelle Degroff* (Super. Ct. San
18 Diego County, 2008, No. CS220719). Respondent was sentenced to 120 days in jail with credit
19 of 66 days credit, ordered to pay fine and placed on formal probation for a period of 3 years with
20 terms and condition.

21 b. The circumstances surrounding the conviction are that on or about July 2, 2008,
22 Respondent attempted to unlawfully enter the United States through the San Ysidro Port of Entry
23 while concealing seven (7) undocumented Mexican Nationals in a stolen vehicle with fraudulent
24 plates. After she had been detained and arrested, Respondent admitted to a DMV investigator
25 during an interview that she had provided her drivers license to a smuggler on or about July 1,
26 2008.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Dishonest Acts)**

3 10. Respondent is subject to disciplinary action under section 4301, subdivision (f), on
4 the grounds of unprofessional conduct in that on or about July 2, 2008, Respondent engaged in a
5 dishonest and fraudulent act. Complainant refers to, and by this reference incorporates, the
6 allegations set forth in paragraph 9, subparagraphs (a) and (b), as though set forth fully.

7 **DISCIPLINE CONSIDERATIONS**

8 **(Dishonest Acts)**

9 11. To determine the degree of discipline, Complainant alleges that on or about June 26,
10 2000, after pleading guilty, Respondent was convicted of two misdemeanor counts of violating
11 Penal Code sections 459 [burglary] and 487, subdivision (a) [grand theft], in the criminal
12 proceeding entitled *People v. Degroff* (Super. Ct. San Bernardino County, 2000, No.
13 MSB048833). Respondent was sentenced to one (1) day in jail, probation for a period of two (2)
14 years with terms and condition including fines. The record of the criminal proceeding is
15 incorporated as though set forth fully.

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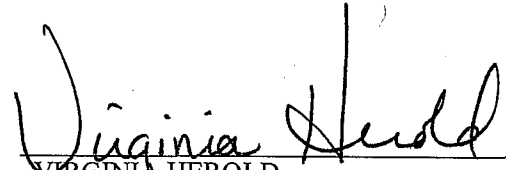
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PRAYER

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

1. Revoking or suspending Pharmacy Technician License No. TCH 41348, issued to Respondent;
2. Ordering Respondent to pay the Board 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: 5/27/11



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

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