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7
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. 3569

12 **BRITTON R. PARRETT**
2135 Waldon Street
13 Redding, CA 96001

ACCUSATION

14 Pharmacy Technician Registration No. TCH
61069

15
16 Respondent.

17
18 Complainant alleges:

19 PARTIES

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

23 2. On or about February 24, 2005, the Board of Pharmacy issued Pharmacy
24 Technician Registration Number TCH 61069 to Britton R. Parrett (Respondent). The license
25 will expire on April 30, 2010, unless renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board of Pharmacy (Board),
28 Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code unless otherwise indicated.

2 4. Section 4300 of the Code states, in pertinent part:

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

4 “(b) The board shall discipline the holder of any license issued by the board,
5 whose default has been entered or whose case has been heard by the board and found guilty, by
6 any of the following methods:

7 “(1) Suspending judgment.

8 “(2) Placing him or her upon probation.

9 “(3) Suspending his or her right to practice for a period not exceeding one year.

10 “(4) Revoking his or her license.

11 “(5) Taking any other action in relation to disciplining him or her as the board in
12 its discretion may deem proper.

13 5. Section 4301 of the Code states, in pertinent part:

14 “The board shall take action against any holder of a license who is guilty of
15 unprofessional conduct or whose license has been procured by fraud or misrepresentation or
16 issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the
17 following:

18 ...
19 “(f) The commission of any act involving moral turpitude, dishonesty, fraud,
20 deceit, or corruption, whether the act is committed in the course of relations as a licensee or
21 otherwise, and whether the act is a felony or misdemeanor or not.

22 ...
23 “(j) The violation of any of the statutes of this state or of the United States
24 regulating controlled substances and dangerous drugs.

25 6. Section 4060 of the Code provides, in pertinent part, that no person shall
26 possess any controlled substance, except that furnished to a person upon lawful prescription.

27 7. Section 125.3 of the Code provides, in pertinent part, that the Board may
28 request the administrative law judge to direct a licentiate found to have committed a violation or

1 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
2 and enforcement of the case.

3 8. Health and Safety Code section 11170 provides, in pertinent part, that no
4 person shall furnish a controlled substance for himself..

5 DRUGS

6 9. Hydrocodone APAP is a Schedule III controlled substance, as designated
7 by Health and Safety Code section 11056(e)(4).

8 FIRST CAUSE FOR DISCIPLINE

9 (Dishonest Acts)

10 10. Respondent is subject to disciplinary action under section 4301(f) in that
11 Respondent has committed acts of dishonesty and deceit. The circumstances are as follows:

12 11. In or about February or March 2008, while working as a pharmacy
13 technician, Respondent stole approximately three (3) bottles of 100 tablets each of
14 Hydrocodone APAP 7.5/200mg and one (1) bottle of Hydrocodone APAP 7.5/325 mg from
15 his employer, Walgreen's Pharmacy # 4243 in Redding, California.

16 SECOND CAUSE FOR DISCIPLINE

17 (Violation of Drug Laws)

18 12. Respondent is subject to disciplinary action under section 4301(j), in
19 conjunction with section 4060 and Health and Safety Code section 11170 in that without a
20 prescription, Respondent possessed and self-administered Hydrocodone tablets stolen as alleged
21 in Paragraphs 10 and 11, acts in violation of California statutes regulating controlled substances.

22 PRAYER

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

25 A. Revoking or suspending Pharmacy Technician Registration Number TCH
26 61069 issued to Respondent Britton R. Parrett;

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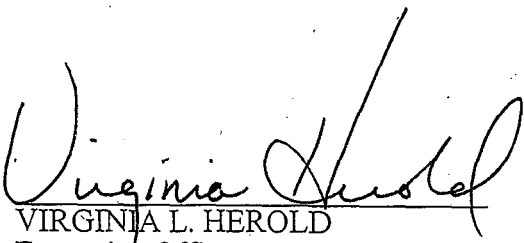
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B. Ordering Respondent Britton R. Parrett to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: 6/11/10



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

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Accusation.wpd