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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. 3775

12 **ANMARIE SCHEEPERS**
13 **19307 Titleist Way**
Redding, CA 96003

A C C U S A T I O N

14 **Pharmacy Technician License No. TCH**
15 **90857**

16 Respondent.

17
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 6, 2009, the Board of Pharmacy issued Pharmacy Technician
23 License Number TCH 90857 to Anmarie Scheepers (Respondent). The Pharmacy Technician
24 License was in full force and effect at all times relevant to the charges brought herein and will
25 expire on January 31, 2011, unless renewed.

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1 guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
2 dismissing the accusation, information, or indictment.

3 6. Health and Safety Code section 11350 states, in part:

4 (a) Except as otherwise provided in this division, every person who possesses
5 (1) any controlled substance specified in . . . subdivision (b) or (c) of Section 11055,
6 . . . shall be punished by imprisonment in the state prison.

7 **CONTROLLED SUBSTANCES AT ISSUE**

8 7. **OxyContin**, a brand of Oxycodone, is a Schedule II controlled substance as
9 designated by Health and Safety Code section 11055, subdivision (b)(1)(N).

10 **COST RECOVERY**

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

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Criminal Conviction)**

17 9. Respondent is subject to disciplinary action under section 4301, subsection (l) in that
18 on or about March 23, 2010, in the case entitled *People vs. Anmarie Scheepers*, (Shasta County
19 Superior Court, case number 09F7751), Respondent was convicted on her plea of guilty to
20 violating penal code section 487(a) (grand theft of personal property), a felony. Such criminal
21 conviction is substantially related to the qualifications, functions, and duties of this licensee.
22 The circumstances are as follows:

23 On or about July 9, 2009, Redding Police Department was dispatched to Rite Aid Pharmacy
24 in Redding on a report of theft of prescription medication. In May 2009, the Rite Aid Pharmacy
25 District Manager (who is also Respondent's father) notified the Rite Aid Loss Prevention
26 Manager of 111 missing OxyContin pills. In June 2009, the Rite Aid Pharmacy District Manager
27 notified the Rite Aid Loss Prevention Manager of another 117 missing OxyContin pills from a
28 different Rite Aid Pharmacy site. Respondent was the only individual who worked at both sites
and who had access to the OxyContin. On or about July 2, 2009, Respondent admitted stealing

1 the OxyContin to the Loss Prevention Manager and wrote a statement apologizing for her theft.
2 Respondent was subsequently terminated, and arrested.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Dishonest Acts)**

5 10. Respondent is subject to disciplinary action under section 4301, subsection (f) in that
6 on or about March 23, 2010, Respondent was convicted of grand theft, an act involving moral
7 turpitude, dishonesty, fraud, deceit, or corruption, as more fully set forth in paragraph 9, above.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(Possession of Controlled Substances)**

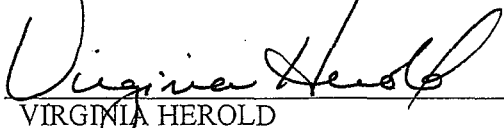
10 11. Respondent is subject to disciplinary action under section 4301, subsection (j) for
11 violating Health and Safety Code section 11350, subdivision (a) (unlawfully possessing a
12 controlled substance), as more fully set forth in paragraph 9, above.

13 **PRAYER**

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

- 16 1. Revoking or suspending Pharmacy Technician License Number TCH 90857, issued
17 to Anmarie Scheepers
18 2. Ordering Anmarie Scheepers to pay the Board of Pharmacy the reasonable costs of
19 the investigation and enforcement of this case, pursuant to Business and Professions Code section
20 125.3;
21 3. Taking such other and further action as deemed necessary and proper.

22 DATED: 11/2/10

23 
24 VIRGINIA HEROLD
25 Executive Officer
26 Board of Pharmacy
27 Department of Consumer Affairs
28 State of California
Complainant

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