

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 KIMBERLEY J. BAKER-GUILLEMET
Deputy Attorney General
4 State Bar No. 242920
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2533
6 Facsimile: (213) 897-2804

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. 3821

12 **JEREMY MARK SALAZAR**
11143 Wildflower Road
13 Temple City, CA 91780

A C C U S A T I O N

14 Pharmacy Technician
15 Registration No. TCH 78868

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about October 4, 2007, the Board of Pharmacy (Board) issued Pharmacy
22 Technician Registration No. TCH 78868 to Jeremy Mark Salazar (Respondent). The Pharmacy
23 Technician Registration was in full force and effect at all times relevant to the charges brought
24 herein and will expire on November 30, 2012, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board under the authority of the following
27 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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1 **CONTROLLED SUBSTANCES**

2 11. "Vicodin 5 mg/500 mg," is the combination drug containing Hydrocodone Bitartrate
3 and Acetaminophen. It is a Schedule III controlled substance as defined in Health and Safety
4 Code section 11056, subdivision (e) and is categorized as a dangerous drug pursuant to section
5 4022.

6 12. "Vicodin ES 7.5 mg/750 mg," is the combination drug containing Hydrocodone
7 Bitartrate and Acetaminophen. It is a Schedule III controlled substance as defined in Health and
8 Safety Code section 11056, subdivision (e) and is categorized as a dangerous drug pursuant to
9 section 4022.

10 **DANGEROUS DRUG**

11 13. "Viagra," is the brand name for Sildenafil Citrate, for the treatment of erectile
12 dysfunction, and is categorized as a dangerous drug pursuant to section 4022.

13 **FIRST CAUSE FOR DISCIPLINE**

14 *(Possession of Controlled Substances and Dangerous Drugs)*

15 14. Respondent is subject to disciplinary action under section 4301, subdivisions (j) and
16 (o), for violating section 4060 and Health and Safety Code section 11350, subdivision (a), in that
17 Respondent was found to be in possession of controlled substances and dangerous drugs as
18 follows:

19 a. On or about December 10, 2009, Respondent was arrested during a narcotics
20 investigation by Monrovia Police Department officers at his residence in Temple City, California.
21 At the time of the arrest, Respondent had been employed as a pharmacy technician at CVS
22 Pharmacy #5834, in Temple City, California, for approximately two and a half years. During a
23 search of Respondent's bedroom, an officer discovered 74 Vicodin pills, which the officer
24 recognized by their markings. The pills were in three (3) separate unmarked, amber
25 pharmaceutical bottles. In addition, the officer found eight (8) miscellaneous narcotic bottles
26 with the labels scratched off, and still sealed with foil. The pills were non-narcotic. Respondent
27 admitted to the officer that the pills came from the CVS Pharmacy where Respondent worked.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 *(Furnishing Controlled Substances and Dangerous Drugs Without a Prescription)*

3 15. Respondent is subject to disciplinary action under section 4301, subdivision (j), as
4 defined in section 4059, in that on or about December 19, 2009, during an interview with Loss
5 Prevention personnel from CVS, Respondent, admitted that he had stolen between five (5) and
6 seven (7) Viagra pills from CVS pharmacy over the course of 10 months and had stolen almost
7 100 Vicodin pills from CVS pharmacy over the course of three (3) months. Respondent stated
8 that he had been selling the pills to a person who he met through his step-father for a price of
9 \$5.00 per pill for Vicodin and \$10.00 per pill for Viagara. He stated that he had used the money
10 that he had gotten in exchange for the pills to pay for the car registration on his car.

11 **THIRD CAUSE FOR DISCIPLINE**

12 *(Subverting a Board Investigation)*

13 16. Respondent is subject to disciplinary action under section 4301, subdivision (q), in
14 that on or about March 22, 2010, and April 12, 2010, the Board sent a letter requesting
15 information regarding the investigation the Board was conducting to Respondent's address of
16 record by certified and regular mail with a return receipt request form. The return receipts were
17 signed on March 24, 2010 and April 15, 2010, respectively. Respondent failed to respond to the
18 Board's questions and requests for information.

19 **FOURTH CAUSE FOR DISCIPLINE**

20 *(Dishonest Acts)*

21 17. Respondent is subject to disciplinary action under section 4301, subdivision (f), in
22 that Respondent committed dishonest acts, by stealing controlled substances and dangerous drugs
23 from his employer and selling them for a financial profit. Complainant refers to, and by this
24 reference incorporates, the allegations set forth above in paragraphs 14 and 15, inclusive, as
25 though fully set forth.

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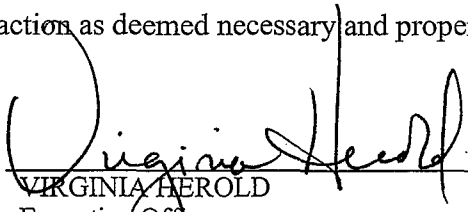
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PRAYER

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 Registration No. TCH 78868, issued to Respondent;
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 12/1/11



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

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