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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. 4058

12 **KARINE TADEVOSYAN**
420 Riverdale Drive, #7
13 Glendale, CA 91204

A C C U S A T I O N

14 Pharmacy Technician Registration No. TCH
24103

15 Respondent.
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21 Complainant alleges:

22 **PARTIES**

- 23 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
24 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs (Board).
- 25 2. On or about October 22, 1997, the Board issued Pharmacy Technician License No.
26 TCH 24103 to Karine Tadevosyan (Respondent). The Pharmacy Technician License was in full
27 force and effect at all times relevant to the charges brought herein and will expire on October 31,
28 2013, unless renewed.

1 **JURISDICTION**

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

4 **STATUTORY PROVISIONS**

5 4. Section 118, subdivision (b), provides that the suspension, expiration, surrender, or
6 cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary
7 action during the period within which the license may be renewed, restored, reissued or
8 reinstated.

9 5. Section 490 states:

10 "(a) In addition to any other action that a board is permitted to take against a licensee, a
11 board may suspend or revoke a license on the ground that the licensee has been convicted of a
12 crime, if the crime is substantially related to the qualifications, functions, or duties of the business
13 or profession for which the license was issued.

14 "(b) Notwithstanding any other provision of law, a board may exercise any authority to
15 discipline a licensee for conviction of a crime that is independent of the authority granted under
16 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties
17 of the business or profession for which the licensee's license was issued.

18 "(c) A conviction within the meaning of this section means a plea or verdict of guilty or a
19 conviction following a plea of nolo contendere. Any action that a board is permitted to take
20 following the establishment of a conviction may be taken when the time for appeal has elapsed, or
21 the judgment of conviction has been affirmed on appeal, or when an order granting probation is
22 made suspending the imposition of sentence, irrespective of a subsequent order under the
23 provisions of Section 1203.4 of the Penal Code."

24 6. Section 4300, subdivision (a), states that "[e]very license issued may be suspended or
25 revoked."

26 7. Section 4301 states, in pertinent part:

27 "The board shall take action against any holder of a license who is guilty of unprofessional
28 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

1 Unprofessional conduct shall include, but is not limited to, any of the following:

2

3 "(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or
4 corruption, whether the act is committed in the course of relations as a licensee or otherwise, and
5 whether the act is a felony or misdemeanor or not.

6

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

24 **REGULATORY PROVISION**

25 8. California Code of Regulations, title 16, section 1770, states:

26 "For the purpose of denial, suspension, or revocation of a personal or facility license
27 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
28 crime or act shall be considered substantially related to the qualifications, functions or duties of a

1 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
2 licensee or registrant to perform the functions authorized by his license or registration in a manner
3 consistent with the public health, safety, or welfare."

4 **COST RECOVERY**

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

9 **FIRST CAUSE FOR DISCIPLINE**

10 **(Convictions of Substantially-Related Crimes)**

11 10. Respondent is subject to disciplinary action under section 490, 4300 and 4301,
12 subdivision (I), in conjunction with California Code of Regulations, title 16, section 1770, on the
13 grounds of unprofessional conduct, in that Respondent was convicted of crimes substantially
14 related to the qualifications, functions or duties of a registered pharmacy technician which to a
15 substantial degree evidence her present or potential unfitness to perform the functions authorized
16 by her registration in a manner consistent with the public health, safety, or welfare, as follows:

17 a. On or about November 05, 2010, after pleading *nolo contendere*, Respondent was
18 convicted of one felony count of violating Penal Code section 484E, subdivision (d) [grand theft-
19 using access account information without consent]; and one felony count of violating Penal Code
20 section 484E, subdivision (d) [grand theft-using access account information without consent], in
21 the criminal proceeding entitled *The People of the State of California v. Karine Tadevosian*
22 (Super. Ct. Los Angeles County, 2010, No. GA080189). The court sentenced Respondent to 1
23 day in jail, placed her on probation for a period of 3 years, and fined her. The circumstances
24 surrounding the conviction are that on or about May 13, 2010, Burbank Police Officers assisted
25 with a federal search and arrest warrant at a property located in Burbank, California. The warrant
26 was to search for items connected to the cultivation and distribution of marijuana. At the property
27 located in Burbank, California, Respondent was identified as an individual in the property and
28 was detained by the officers. Respondent gave the officers permission to search her vehicle that

1 was parked outside on the street at the location. During the search, the officers recovered several
2 credit cards in the center of the console of the vehicle. The cards had variations of name
3 spellings, and handwritten numbers on the signature panels. The officer verified through the
4 credit card reader that all the credit cards recovered from Respondent's vehicle were not valid.
5 The officer also verified that two of the credit cards recovered from Respondent's purse were not
6 valid as well. Respondent was subsequently arrested for violating Penal Code section 484E,
7 subdivision (d).

8 b. On or about November 17, 2009, after pleading *nolo contendere*, Respondent was
9 convicted of one misdemeanor count of violating Penal Code section 666/484 [petty theft: with
10 priors], in the criminal proceeding entitled *The People of the State of California v. Karine*
11 *Tadevosian* (Super. Ct. Los Angeles County, 2009, No. 9PY03257). The court sentenced
12 Respondent to 1 day in jail, placed her on probation for a period of 36 months, and fined her. The
13 circumstances surrounding the conviction are that on or about May 15, 2009, the Bloomingdale's
14 Department Loss Prevention Agent's observed Respondent concealing merchandise in her
15 shopping bag, while in the department store. Respondent exited the store without paying for the
16 merchandise. Respondent admitted to the officers that she took the merchandise and stated to
17 them that, "it's a stupid thing." Respondent was subsequently arrested for violating Penal Code
18 section 666/484.

19 c. On or about December 12, 2005, after pleading *nolo contendere*, Respondent was
20 convicted of one misdemeanor count of violating Penal Code section 484, subdivision (a) [theft],
21 in the criminal proceeding entitled *The People of the State of California v. Karine Tadevosian*
22 (Super. Ct. Los Angeles County, 2005, No. 5GL04963). The court sentenced Respondent to 1
23 day in jail, placed her on probation for a period of 36 months, and fined her. The circumstances
24 surrounding the conviction are that on or about September 29, 2005, Respondent was observed by
25 JC Penney Loss Prevention Agent placing bracelets inside a shopping bag already containing
26 merchandise. Respondent left the JC Penney department store without paying for the bracelets.
27 The agent recovered the missing bracelets from inside one of the bags Respondent had carried out
28 of the store. Respondent admitted to the agent that she had selected and stole the bracelets from

1 JC Penney department store. The Respondent was also in possession of other clothing items from
2 other department stores in the value amount of approximately \$830.60 without current receipts or
3 tags. Respondent was subsequently convicted of violating Penal Code section 484, subdivision
4 (a) [theft].

5 **SECOND CAUSE FOR DISCIPLINE**

6 **(Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

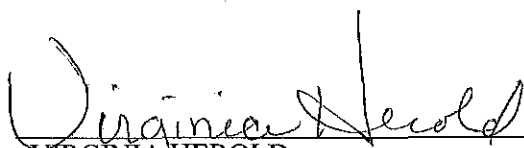
7 11. Respondent is subject to disciplinary action under sections 4300 and 4301,
8 subdivision (f), on the grounds of unprofessional conduct, in that Respondent committed acts
9 involving moral turpitude, dishonesty, fraud, deceit and / or corruption. Complainant refers to,
10 and by this reference incorporates, the allegations set forth above in paragraph 10, subparagraphs
11 (a) through (c), inclusive, as though set forth fully.

12 **PRAYER**

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

- 15 1. Revoking or suspending Pharmacy Technician License No. TCH 24103, issued to
16 Karine Tadevosyan;
- 17 2. Ordering Karine Tadevosyan to pay the Board the reasonable costs of the
18 investigation and enforcement of this case, pursuant to section 125.3; and
- 19 3. Taking such other and further action as deemed necessary and proper.

20
21 DATED: 2/12/13


22 VIRGINIA HEROLD

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

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