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

11 In the Matter of the Accusation Against:

Case No. 4925

12 **TIFFANY ANNE SNEED**
13 **AKA TIFFANY A. WEINGART**
14 **9 B Alder Court**
Woodland, CA 95695

A C C U S A T I O N

15 **Pharmacy Technician Registration No.**
TCH 65178

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about September 22, 2005, the Board of Pharmacy issued Pharmacy Technician
23 Registration Number TCH 65178 to Tiffany Anne Sneed, also known as (aka) Tiffany A. Weingart
24 (Respondent). The Pharmacy Technician Registration was in full force and effect at all times
25 referenced herein and will expire on May 31, 2015, unless renewed.

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1 **JURISDICTION**

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

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

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

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

10 (1) Suspending judgment.

11 (2) Placing him or her upon probation.

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

13 (4) Revoking his or her license.

14 (5) Taking any other action in relation to disciplining him or her as the board in its discretion
15 may deem proper.”

16 5. Section 4300.1 of the Code states:

17 “The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation
18 of law or by order or decision of the board or a court of law, the placement of a license on a
19 retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of
20 jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding
21 against, the licensee or to render a decision suspending or revoking the license.”

22 6. Section 4301 of the Code states in pertinent part:

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

26 ...

27 “(h) The administering to oneself, of any controlled substance, or the use of any dangerous
28 drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to

1 oneself, to a person holding a license under this chapter, or to any other person or to the public, or
2 to the extent that the use impairs the ability of the person to conduct with safety to the public the
3 practice authorized by the license.

4 ...

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

22 **COST RECOVERY**

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

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1 FIRST CAUSE FOR DISCIPLINE

2 (Substantially Related Criminal Convictions)

3 8. Respondent is subject to disciplinary action under section 4301, subdivision (I), in that
4 she has been convicted of crimes substantially related to the practice of pharmacy. The
5 circumstances are as follows:

6 a. On or about January 28, 2013, in Yuba County Superior Court case entitled
7 *People v. Tiffany Anne Sneed*, case number TR-12-00329, Respondent pled no contest to
8 violating Vehicle Code section 23152, subdivision (b), in that she drove a vehicle upon a public
9 roadway with 0.08 percent or more, by weight, of alcohol in her blood. In addition, Respondent
10 was charged and pled no contest to the enhancements of refusing to take a chemical test and that
11 her blood alcohol level at the time of the offense was 0.15 percent or more, by weight, of alcohol.
12 The circumstances are that on or about June 10, 2012, at approximately 2:50 a.m., California
13 Highway Patrol Officers observed that Respondent had driven off the road and part-way up a levee
14 bank, where her vehicle was stuck in soft dirt. Respondent appeared highly intoxicated, and there
15 was an odor of alcohol about her person. Respondent stated she had been driving her vehicle and
16 deliberately drove off the road seeking individuals who had assisted her previously when she had
17 become stuck in the same soft dirt of the levee. A forced blood test was obtained, and proved that
18 Respondent's blood alcohol volume, by weight, was 0.19 percent.

19 b. On or about May 20, 2013, in Yolo County Superior Court case entitled *People*
20 *v. Tiffany Anne Sneed*, case number 12001746, Respondent pled no contest to violating Penal
21 Code section 273.5, subdivision (a), inflicting corporal injury on a spouse, a misdemeanor, and
22 Penal Code section 273a, subdivision (b), abusing or endangering the health of a child, a
23 misdemeanor. The circumstances are that Respondent and her spouse were arguing when
24 Respondent grabbed scissors and pressed them into the back of her spouse's neck. Respondent
25 broke the skin of her spouse's neck, causing him to bleed. During this argument, Respondent's
26 five (5) year old son by her spouse observed the fight and observed Respondent stabbing her
27 spouse in the back of the neck.

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SECOND CAUSE FOR DISCIPLINE

(Use of Alcohol to an Extent or in a Manner Dangerous or Injurious to Self or Others)

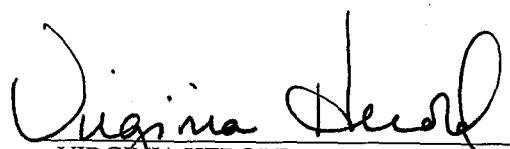
9. Respondent is subject to disciplinary action under section 4301, subdivision (h), in that on or about June 10, 2012, Respondent used alcohol to an extent or in a manner dangerous or injurious to herself or others by driving her vehicle upon a public street with a blood alcohol level of 0.19%. The circumstances are as stated in paragraph 8, subdivision (a), above.

PRAYER

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

1. Revoking or suspending Pharmacy Technician Registration Number TCH 65178, issued to Tiffany Anne Sneed, aka Tiffany A. Weingart;
2. Ordering Tiffany Anne Sneed, aka Tiffany A. Weingart, 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;
3. Taking such other and further action as deemed necessary and proper.

DATED: 11/4/13



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

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