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7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 4950

11 **SANDRA ALLYN CORTOPASSI**
12 **22515 Charlene Way**
13 **Castro Valley, CA 94546**

A C C U S A T I O N

14 **Pharmacy Technician License No. TCH 16972**

15 Respondent.

16 Complainant alleges:

17 PARTIES

- 18 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
19 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
- 20 2. On or about September 7, 1995, the Board of Pharmacy issued Pharmacy Technician
21 License Number TCH 16972 to Sandra Allyn Cortopassi (Respondent). The Pharmacy
22 Technician License was in full force and effect at all times relevant to the charges brought herein.
23 It expired on May 31, 2015, without being renewed, and was subsequently cancelled.

24 JURISDICTION

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

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1 10. California Code of Regulations, title 16, section 1770, states:

2 “For the purpose of denial, suspension, or revocation of a personal or facility license
3 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
4 crime or act shall be considered substantially related to the qualifications, functions or duties of a
5 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
6 licensee or registrant to perform the functions authorized by her license or registration in a manner
7 consistent with the public health, safety, or welfare.”

8 FIRST CAUSE FOR DISCIPLINE

9 (Conviction of Substantially Related Crime(s))

10 11. Respondent is subject to discipline under section 4301(1) and/or section 490 of the
11 Code, by reference to California Code of Regulations, title 16, section 1770, for the conviction of
12 substantially related crime(s), in that on or about September 14, 2015, in the criminal case *People*
13 *v. Sandra Cortopassi aka Sandra Allyn Cortopassi*, Case No. 445078-6 in Alameda County
14 Superior Court, Respondent was convicted of violating Vehicle Code section 23152, subdivision
15 (b) (Driving With Blood Alcohol of 0.08% or Higher), a misdemeanor, as follows:

16 a. On or about September 10, 2012, at approximately 11:27 p.m., Alameda County
17 Sheriff's Office responded to a call regarding a suspicious person possibly trespassing inside an
18 abandoned house in Castro Valley, CA. Upon arrival, the responding officer(s) saw Respondent
19 in the driveway next to a truck. Respondent said she had driven the truck there, and the engine of
20 the truck was still warm. The responding officer(s) noticed the smell of alcohol from Respondent
21 and that she exhibited signs of being under the influence of alcohol. In response to questioning,
22 Respondent admitted that she had been drinking. The officer(s) administered Field Sobriety Tests
23 (FSTs) to Respondent. Her performance confirmed the officer(s)' suspicions of intoxication. She
24 declined to consent to a Presumptive Alcohol Screening (PAS) device screening.

25 b. On or about October 12, 2012, Respondent was charged in Case No. 252950 in
26 Alameda County Superior Court with violating (1) Vehicle Code section 23152, subdivision (a)
27 (Driving Under the Influence of Alcohol/Drugs), a misdemeanor, and (2) Vehicle Code section
28 23152, subdivision (b) (Driving With Blood Alcohol of 0.08% or Higher), a misdemeanor.

1 c. Significant time passed as Respondent pursued various legal options. On or
2 about September 14, 2015, Respondent entered a plea of nolo contendere to and was found guilty
3 of Count (2). Count (1) was dismissed. Imposition of sentence was suspended and Respondent
4 was placed on Conditional Sentence (probation) for a period of three (3) years, with certain terms
5 and conditions including two (2) days in jail (1 day CTS), with eligibility for the Weekend Work
6 Program, a 3-month Driving Under the Influence School, testing, and fines and fees.

7 SECOND CAUSE FOR DISCIPLINE

8 (Dangerous Use of Alcohol)

9 12. Respondent is subject to discipline under section 4301(h) of the Code, in that as
10 described in paragraph 11, Respondent used alcohol in a dangerous manner.

11 THIRD CAUSE FOR DISCIPLINE

12 (Unprofessional Conduct)

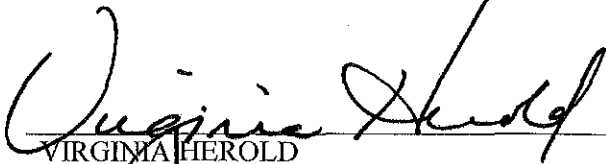
13 13. Respondent is subject to discipline under section 4301 of the Code in that, as
14 described in paragraphs 11-12 above, Respondent engaged in unprofessional conduct.

15 PRAYER

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

- 18 1. Revoking or suspending Pharmacy Technician License Number TCH 16972, issued to
19 Sandra Allyn Cortopassi (Respondent);
- 20 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
21 enforcement of this case, pursuant to Business and Professions Code section 125.3;
- 22 3. Taking such other and further action as deemed necessary and proper.

23
24 DATED: 11/3/15


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

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