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

11 In the Matter of the Accusation Against:

Case No. 5046

12 **LAURA ALLISON HEIMLER**
21042 Rios St.
13 Woodland Hills, CA 91364

A C C U S A T I O N

14 **Pharmacy Technician Registration No. TCH**
109325

15 Respondent.
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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 December 17, 2010, the Board of Pharmacy issued Pharmacy Technician
23 Registration Number TCH 109325 to Laura Allison Heimler (Respondent). The Pharmacy
24 Technician Registration was in full force and effect at all times relevant to the charges brought
25 herein and will expire on October 31, 2014, 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 **STATUTORY PROVISIONS**

6 4. Section 4022 of the Code states:

7 "Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in
8 humans or animals, and includes the following:

9 (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without
10 prescription," "Rx only," or words of similar import.

11 (b) Any device that bears the statement: "Caution: federal law restricts this device to sale
12 by or on the order of a _____," "Rx only," or words of similar import, the blank to be filled in with
13 the designation of the practitioner licensed to use or order use of the device.

14 (c) Any other drug or device that by federal or state law can be lawfully dispensed only on
15 prescription or furnished pursuant to Section 4006."

16 5. Section 4300.1 of the Code states:

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

22 6. Section 4301 of the Code states:

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:

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1 enforcement of the case, with failure of the licentiate to comply subjecting the license to not
2 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
3 may be included in a stipulated settlement.

4 **DANGEROUS DRUGS**

5 9. The dangerous drugs stolen by Respondent are listed below:

6 a. "Norco," is a brand name for a combination drug containing hydrocodone and
7 acetaminophen, is a schedule III controlled substance as defined in Health and Safety Code
8 section 11056(e) and is categorized as a dangerous drug according to Business and Professions
9 Code section 4022.

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Unprofessional Conduct – Stealing Controlled Substances)**

12 10. Respondent is subject to disciplinary action under section 4301, subdivision (f) on the
13 grounds of unprofessional conduct in that she committed acts involving moral turpitude,
14 dishonesty, fraud, deceit or corruption. Specifically, between approximately January through
15 February 2013, the exact dates unknown, Respondent stole approximately 50 hydrocodone/APAP
16 tablets while employed as a pharmacy technician for CVS Pharmacy. In a written statement,
17 Respondent admitted to this theft.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct – Possession of a Controlled Substance)**

20 11. Respondent is subject to disciplinary action under section 4301, subdivision (j) on the
21 grounds of unprofessional conduct for violating section 4060. Specifically, between
22 approximately January through February 2013, the exact dates unknown, Respondent admitted in
23 a signed written statement to diverting approximately 50 hydrocodone/APAP tablets while
24 working as a pharmacy technician for CVS Pharmacy.

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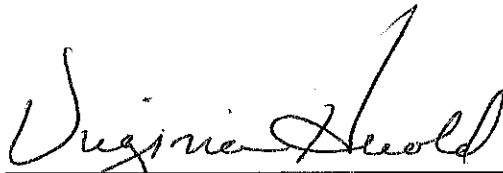
PRAYER

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

1. Revoking or suspending Pharmacy Technician Registration Number TCH 109325, issued to Respondent Laura Allison Heimler; and
2. Ordering Respondent Laura Allison Heimler 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: _____

7/11/14



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

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