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8	BEFORE THE BOARD OF PHARMACY	
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	'
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11	In the Matter of the Accusation Against: Case No. 5249	
12	KAREN ELLEN FOWLER	
13	4301 1/2 Edenhurst Ave. Los Angeles, CA 90039 ACCUSATION	
14	Pharmacy Technician Registration No. TCH	
15	132244	
16	Respondent.	
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18	Complainant alleges:	
19	<u>PARTIES</u>	
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 May 16, 2013, the Board of Pharmacy issued Pharmacy Technician	
23	Registration Number TCH 132244 to Karen Ellen Fowler (Respondent). The Pharmacy	
24	Technician Registration expired on May 31, 2015, and has not been renewed.	
25	JURISDICTION	
26	3. This Accusation is brought before the Board of Pharmacy (Board), Department of	
27	Consumer Affairs, under the authority of the following laws. All section references are to the	
28	Business and Professions Code unless otherwise indicated.	
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1	(KAREN ELLEN FOWLER) ACCUSATION	4

- 4. Section 4300, subdivision (a), states that "[e]very license issued may be suspended or revoked."
 - 5. Section 4300.1 states:

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

6. Section 4301 states, in pertinent part:

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

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

"(1) The conviction of a crime substantially related to the qualifications, functions, and duties of a licensee under this chapter. . . . "

REGULATORY PROVISION

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

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

COST RECOVERY

8. Section 125.3 provides that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a

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CAUSE FOR DISCIPLINE

(Convictions of a Substantially Related Crimes)

- 9. Respondent is subject to disciplinary action under sections 4300 and 4301, subdivision (I), in conjunction with California Code of Regulations, title 16, section 1770, on the grounds of unprofessional conduct, in that Respondent committed substantially related crimes, as follows:
- a. On or about March 11, 2016, after pleading nolo contendere, Respondent was convicted of violating Penal Code section 422(a) (making terrorist threats causing fear) in the criminal proceeding entitled *The People of the State of California v. Karen Ellen Fowler* (Super. Ct. Los Angeles County, Los Angeles, No. BA434482). The Court sentenced Respondent to four years in any state prison, suspended sentence, 734 days in Los Angeles County Jail, and three years' probation, and served her with a protective order.
- b. The circumstances underlying the conviction are that on or about March 11, 2015, Los Angeles Police Department responded to a call regarding a violent female with a mental illness. A neighbor of Respondent was driving into his driveway when Respondent approached him holding a large knife in her hand. Respondent had the knife pointed at him and yelled that she was going to kill him. There was a passenger in the neighbor's car who confirmed that Respondent made verbal and physical threats.
- c. On or about January 2, 2014, after pleading nolo contendere, Respondent was convicted of one misdemeanor count of violating Penal Code section 422(a) (making terrorist threats causing fear) in the criminal proceeding entitled *People v. Karen Ellen Fowler* (Super. Ct. Los Angeles County, 2014, No. 4GN00003). The Court sentenced her to eight days in jail, three years' probation, ordered her to complete six months of psychiatric counseling, and served her with a protective order.
- d. The circumstances underlying the conviction are that on or about December 30, 2013, officers of the Glendale Police Department responded to a call from a Bank of America employee

who stated that Respondent had tried to take a bank security officer's gun and threatened him. When the officers arrived, they found Respondent fulminating about imagined threats: she 2 imagined there was an imminent nuclear attack, that others were trying to kill her, and that the 3 devil had made her kill one of her cats. She also had scratches and bruising on her arms 4 consistent with cat scratches. She and others confirmed that she also had threatened to kill the bank security guard and repeatedly tried to take his gun. PRAYER WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, 8 9 and that following the hearing, the Board of Pharmacy issue a decision: Revoking or suspending Pharmacy Technician Registration Number TCH 132244, 10 issued to Karen Ellen Fowler; 11 Ordering Karen Ellen Fowler to pay the Board of Pharmacy the reasonable costs of 12 the investigation and enforcement of this case, pursuant to Business and Professions Code section 13 125.3; and, 14 Taking such other and further action as deemed necessary and proper. 15 3. 16 17 10/6/17 18 19 Executive Officer Board of Pharmacy 20 Department of Consumer Affairs State of California 21 Complainant 22 LA2017604954 23 52627228.docx 24 25 26 27

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