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**BEFORE THE  
BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:  
**CANDICE MARIE LAMBERT**  
**109 Stirling Drive**  
**Vacaville, CA 95687**  
**Pharmacy Technician Registration No. TCH**  
**100092**  
  
Respondent.

Case No. 5490

**ACCUSATION**

Complainant alleges:

PARTIES

1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
2. On or about March 30, 2010, the Board of Pharmacy issued Pharmacy Technician Registration Number TCH 100092 to Candice Marie Lambert (Respondent). The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in this Accusation and expired on May 31, 2015.

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1 of jurisdiction to commence or proceed with any investigation of, or action or disciplinary  
2 proceeding against, the licensee or to render a decision suspending or revoking the license."

3 STATUTES

4 7. Section 4301 of the Code states, in relevant part:

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

8 ...

9 "(j) The violation of any of the statutes of this state, or any other state, or of the United  
10 States regulating controlled substances and dangerous drugs."

11 8. Section 4060 of the Code states:

12 "No person shall possess any controlled substance, except that furnished to a person upon  
13 the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor  
14 pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified  
15 nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a  
16 physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,  
17 or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of  
18 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not  
19 apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,  
20 pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified  
21 nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly  
22 labeled with the name and address of the supplier or producer.

23 "This section does not authorize a certified nurse-midwife, a nurse practitioner, a physician  
24 assistant, or a naturopathic doctor, to order his or her own stock of dangerous drugs and devices."

25 DRUGS

26 9. Code section 4021 states:

27 "'Controlled substance' means any substance listed in Chapter 2 (commencing with Section  
28 11053) of Division 10 of the Health and Safety Code."



1 **SECOND CAUSE FOR DISCIPLINE**  
2 **(Violation of Laws Relating to Controlled Substance)**  
3 **(Bus. & Prof Code § 4301, subd. (j))**

4 15. Respondent has subjected her Pharmacy Technician Registration to disciplinary  
5 action under Code section 4301, subdivision (j), in that she violated state laws relating to  
6 controlled substances, including Health and Safety Code, section 11350, subdivision (a)  
7 (possessing controlled substances), and Health and Safety Code, section 11357, subdivision (a)  
8 (possessing concentrated cannabis), when she was found in possession of heroin and concentrated  
9 cannabis on or about February 26, 2015. The circumstances are more fully explained in  
10 paragraph 13, above.

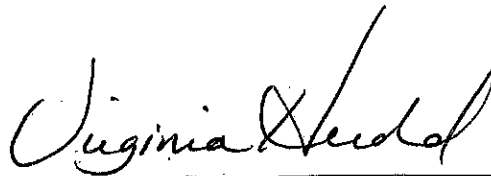
11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
13 Accusation, and that following the hearing, the Board of Pharmacy issue a decision:

- 14 1. Revoking or suspending Pharmacy Technician Registration Number TCH 100092,  
15 issued to Candice Marie Lambert;
- 16 2. Ordering Candice Marie Lambert to pay the Board of Pharmacy the reasonable costs  
17 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
18 section 125.3; and,
- 19 3. Taking such other and further action as deemed necessary and proper.

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21  
22 DATED: \_\_\_\_\_

10/14/16



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

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