1	XAVIER BECERRA Attorney General of California				
2	LINDA K. SCHNEIDER Senior Assistant Attorney General				
3	THOMAS L. RINALDI Supervising Deputy Attorney General				
4	State Bar No. 206911 300 So. Spring Street, Suite 1702				
5	Los Angeles, CA 90013 Telephone: (213) 897-2541 Facsimile: (213) 897-2804				
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8	Attorneys for Complainant				
9	BEFORE THE BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS				
10		CALIFORNIA			
11	In the Matter of the Accusation Against:	Case No. 5695			
12	TYLER STEPHEN BASS	ACCUSATION			
13	301 Knob Hill, #27 Redondo Beach, CA 90277				
14	Pharmacy Technician Registration				
15	No. TCH 143284				
16	Respondent.				
17					
18	Complainant alleges:				
19	PARTIES				
20	1. Virginia Herold (Complainant) brin	gs this Accusation solely in her official capacity			
21	as the Executive Officer of the Board of Pharma	acy, Department of Consumer Affairs (Board).			
22	2. On or about November 7, 2014, the	Board issued Pharmacy Technician Registration			
23	No. TCH 143284 to Tyler Stephen Bass (Respo	ndent). The Pharmacy Technician Registration			
24	was in full force and effect at all times relevant	to the charges brought herein and will expire on			
25	December 31, 2017, unless renewed.				
26		DICTION			
27	3. This Accusation is brought before the Board under the authority of the following				
28	laws. All section references are to the Business and Professions Code unless otherwise indicated.				
	1 (TYLER STEPHEN BASS) ACCUSATION				
	I	(TELEVISION CONTRACTOR CALLER DADD) ACCODATION			

4. Section 4060 states:

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2	'No person shall possess any controlled substance, except that furnished to a person upon
3	prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor
4	pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified nurse-
5	midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 28361.1, or a
6	physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,
7	or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of
8	subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not
9	apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,
10	pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified
11	nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly
12	labeled with the name and address of the supplier or producer.
13	'Nothing in this section authorizes a certified nurse-midwife, a nurse practitioner, a
14	physician assistant, or a naturopathic doctor, to order his or her own stock of dangerous drugs and
15	devices."
16	5. Section 4300 provides in pertinent part, that every license issued by the Boards is
17	subject to discipline, including suspension or revocation.
18	6. Section 4300.1 states:
19	"The expiration, cancellation, forfeiture, or suspension of a board-issued license by
20	operation of law or by order or decision of the board or a court of law, the placement of a license
21	on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board
22	of jurisdiction to commence or proceed with any investigation of, or action or disciplinary
23	proceeding against, the licensee or to render a decision suspending or revoking the license."
24	7. Section 4301 states, in pertinent part:
25	"The board shall take action against any holder of a license who is guilty of unprofessional
26	conduct or whose license has been issued by mistake. Unprofessional conduct shall include, but is
27	not limited to, any of the following:
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1	"(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or	
2	corruption, whether the act is committed in the course of relations as a licensee or otherwise, and	
3	whether the act is a felony or misdemeanor or not.	
4		
5	"(j) The violation of any of the statutes of this state, of any other state, or of the United	
6	States regulating controlled substances and dangerous drugs."	
7	REGULATORY PROVISIONS	
8	8. California Code of Regulations, title 16, section 1770, states:	
9	"For the purpose of denial, suspension, or revocation of a personal or facility license	
10	pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a	
11	crime or act shall be considered substantially related to the qualifications, functions or duties of a	
12	licensee or registrant if to a substantial degree it evidences present or potential unfitness of a	
13	licensee or registrant to perform the functions authorized by his license or registration in a manner	
14	consistent with the public health, safety, or welfare."	
15	<u>COST RECOVERY</u>	
16	9. Section 125.3 provides, in pertinent part, that the Board may request the	
17	administrative law judge to direct a licentiate found to have committed a violation or violations of	
18	the licensing act to pay a sum not to exceed the reasonable costs of the investigation and	
19	enforcement of the case, with failure of the licentiate to comply subjecting the license to not being	
20	renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be	
21	included in a stipulated settlement.	
22	CONTROLLED SUBSTANCE / DANGEROUS DRUG	
23	10. "Heroin," is a semisynthetic drug derived from morphine is a Schedule I controlled	
24	substance as designated by Health and Safety Code section 11054, subdivision (c)(11).	
25	FIRST CAUSE FOR DISCIPLINE	
26	(Illegal Possession of a Controlled Substance / Dangerous Drug)	
27	11. Respondent is subject to disciplinary action under sections 4300 and 4301,	
28	subdivision (j), in conjunction with section 4060, on the grounds of unprofessional conduct, in	
	3	
	(TYLER STEPHEN BASS) ACCUSATION	

1	that on or about June 10, 2015, Respondent was in possession of heroin, a controlled substance /		
2	dangerous drug. The circumstances surrounding the arrest are that on or about June 10, 2015, a		
3	Torrance Police Officer observed Respondent crossing the roadway causing several vehicles to		
4	brake to avoid hitting him. The officer followed Respondent to a motel where he was detained.		
5	Respondent explained to the officer that he was searching for an individual who he had sold a cell		
6	phone to and had used counterfeit money to pay him. During a search of Respondent's person,		
7	the officer found a folded up piece of foil with a black tar-like ball consistent with the appearance		
8	of heroin from his pants pocket. When asked how long he had been a heroin user, Respondent		
9	stated that he had just started again due to the stress of learning his girlfriend had developed HIV.		
10	Officers searched the room where Respondent was staying with his girlfriend and found fifty		
11	twenty dollar bills consistent with counterfeit currency. When asked who the currency belonged		
12	to, Respondent stated that the counterfeit bills belonged to him.		
13	SECOND CAUSE FOR DISCIPLINE		
14	(Acts Involving Dishonesty, Fraud, or Deceit)		
15	12. Respondent is subject to disciplinary action under section 4301, subdivision (f), in		
16	that Respondent committed acts involving dishonesty, fraud, or deceit with the intent to		
17	substantially benefit himself, or substantially injure another. Complainant refers to, and by this		
18	reference incorporates, the allegations set forth above in paragraph 11, as though set forth fully.		
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	4 (TYLER STEPHEN BASS) ACCUSATION		

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1	PRAYER		
2	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,		
3	and that following the hearing, the Board of Pharmacy issue a decision:		
4	1. Revoking or suspending Pharmacy Technician Registration No. TCH 143284, issued		
5	to Tyler Stephen Bass;		
6	2. Ordering Tyler Stephen Bass to pay the Board of Pharmacy the reasonable costs of		
7	the investigation and enforcement of this case, pursuant to Business and Professions Code section		
8	125.3; and,		
9	3. Taking such other and further action as deemed necessary and proper.		
10			
11			
12	DATED: 4/13/17 Unginia Kerdy VIRGINIA HEROLD		
13	Executive Officer Board of Pharmacy		
14	Department of Consumer Affairs State of California		
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	(TYLER STEPHEN BASS) ACCUSATION		

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