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

12 In the Matter of the Accusation Against:	Case No. 6049
13 <b>DIEDRA DYANE STIMAGE CAMPER</b>	
14 <b>aka DIEDRA DYANE CAMPER</b>	
15 <b>515 Brown Street, Apt. 8</b>	<b>A C C U S A T I O N</b>
16 <b>Napa, CA 94559</b>	
17 <b>Pharmacy Technician Registration</b>	
18 <b>No. TCH 133679</b>	
19 Respondent.	

19 Complainant alleges:

20 PARTIES

- 21 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity  
22 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
- 23 2. On or about September 18, 2013, the Board of Pharmacy issued Pharmacy Technician  
24 Registration Number TCH 133679 to Diedra Dyane Stimage Camper aka Diedra Dyane Camper  
25 (Respondent). The Pharmacy Technician Registration was in full force and effect at all times  
26 relevant to the charges brought herein and will expire on March 31, 2019, unless renewed.

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1 practice authorized by the license.

2 “... ”

3 “(k) The conviction of more than one misdemeanor or any felony involving the use,  
4 consumption, or self-administration of any dangerous drug or alcoholic beverage, or any  
5 combination of those substances.

6 “(l) The conviction of a crime substantially related to the qualifications, functions, and  
7 duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13  
8 (commencing with Section 801) of Title 21 of the United States Code regulating controlled  
9 substances or of a violation of the statutes of this state regulating controlled substances or  
10 dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the  
11 record of conviction shall be conclusive evidence only of the fact that the conviction occurred.  
12 The board may inquire into the circumstances surrounding the commission of the crime, in order  
13 to fix the degree of discipline or, in the case of a conviction not involving controlled substances or  
14 dangerous drugs, to determine if the conviction is of an offense substantially related to the  
15 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or  
16 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning  
17 of this provision. The board may take action when the time for appeal has elapsed, or the  
18 judgment of conviction has been affirmed on appeal or when an order granting probation is made  
19 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of  
20 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not  
21 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
22 indictment.

23 “... ”

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

25 “For the purpose of denial, suspension, or revocation of a personal or facility license  
26 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a  
27 crime or act shall be considered substantially related to the qualifications, functions or duties of a  
28 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a

1 licensee or registrant to perform the functions authorized by his license or registration in a manner  
2 consistent with the public health, safety, or welfare."

3 COSTS

4 10. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
5 administrative law judge to direct a licentiate found to have committed a violation or violations of  
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
7 enforcement of the case.

8 CONTROLLED SUBSTANCES / DANGEROUS DRUGS

9 11. Section 4021 of the Code states:

10 "Controlled substance' means any substance listed in Chapter 2 (commencing with Section  
11 11053) of Division 10 of the Health and Safety Code."

12 12. Section 4022 of the Code states, in pertinent part:

13 "Dangerous drug' or 'dangerous device' means any drug or device unsafe for self use,  
14 except veterinary drugs that are labeled as such, and includes the following:

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

17 ..."

18 FIRST CAUSE FOR DISCIPLINE

19 (Conviction of Substantially Related Crime)

20 13. Respondent is subject to discipline under section 4301(l) and/or section 490 of the  
21 Code, by reference to California Code of Regulations, title 16, section 1770, for the conviction of  
22 a substantially related crime, in that on or about December 14, 2016, in the criminal case *People*  
23 *of the State of California v. Diedra Dyane Camper*, Case No. CR181056, in Napa County  
24 Superior Court, Respondent was convicted of violating Vehicle Code section 23152, subdivision  
25 (a) (Driving While Under the Influence of Alcohol), a misdemeanor. The underlying  
26 circumstances are as follows:

27 14. On or about August 6, 2016, at approximately 10:12 p.m., a California Highway  
28 Patrol officer (CHP) initiated a traffic stop after observing vehicle begin to weave and cross over

1 the solid white line to the right and onto the shoulder. On approaching the driver, the officer  
2 detected the odor of an alcoholic beverage coming from within the vehicle. Respondent was  
3 identified as the driver by an out of state driver's license (New York). While talking to  
4 Respondent, the officer noted the odor of an alcoholic beverage on Respondent's breath and  
5 person and also that her eyes were watery. Respondent admitted to the officer that she consumed  
6 1 glass of wine, that she takes medications/drugs cyclobenzaprine and Percocet, and that she had  
7 taken Norco<sup>1</sup> a little while before. Respondent also admitted that she felt the effects of the Norco.  
8 Respondent performed poorly on field sobriety testing (FST) and was arrested for driving under  
9 the influence. Respondent subsequently submitted a blood sample for forensic alcohol analysis  
10 and was booked into Napa County Jail. The blood analysis results showed that Respondent had a  
11 blood alcohol content (BAC) of 0.243%.

12 15. On or about September 26, 2016, Respondent was charged in Napa County Superior  
13 Court Case No. CR 181056 with violation of Vehicle Code section 23152, subdivision (a)  
14 (Driving Under the Influence of Alcohol) in Count One of the complaint, a misdemeanor; and, in  
15 Count Two, with violation of Vehicle Code section 23152(b) (Driving While Having a 0.08% or  
16 Higher Blood Alcohol), a misdemeanor.

17 16. On or about December 14, 2016, Respondent entered a plea of Nolo Contendere and  
18 was convicted of Count One for Driving Under the Influence with an admission to a special  
19 allegation for having a BAC above .15%. Count Two and all other allegations were dismissed.  
20 Imposition of the sentence was suspended and Respondent was granted summary probation for a  
21 period of 3 (three) years under terms and conditions that include but are not limited to:  
22 immediately enroll in, pay for, and complete a 9 (nine) month Drunk Driver Program; do not  
23 operate a motor vehicle unless it is equipped with a functioning, certified, ignition interlock  
24 device for a period of no less than 1 (one) year; payment of assessed fees/fines; and to serve 5  
25 (five) days in county jail with 2 (two) days credited.

26 \_\_\_\_\_  
27 <sup>1</sup> Norco, a combination of acetaminophen and hydrocodone, is a controlled substance  
28 pursuant to Business and Professions Code (Code) section 4021 and a dangerous drug as  
designated by section 4022 of the Code. Norco is used as a pain medication.



1 Blood Alcohol greater than .15% by Weight), a misdemeanor; in Count Three with violation of  
2 Vehicle Code section 14601.5(a) (Driving While License Suspended/Revoked), a misdemeanor;  
3 and in Count Four with violation of Vehicle Code section 12500(a) (Driving Without a Valid  
4 California Driver's License), a misdemeanor.

5 20. On or about December 14, 2016, Respondent entered a negotiated plea of Nolo  
6 Contendere and was convicted of Count One for Driving Under the Influence with an admission  
7 to a special allegation for having a BAC above .15% and to priors; and convicted of Count Three  
8 for Driving While License was Suspended or Revoked. Counts Two and Four and any related  
9 allegations were dismissed. Imposition of the sentence was suspended and Respondent was  
10 granted formal probation for a period of 4 (four) years under terms and conditions that include but  
11 are not limited to: serve 10 (ten) days in jail concurrent with Respondent's sentence in Napa  
12 Superior Court Case No. CR 181056 described in paragraphs 15 through 16, above, with day for  
13 day credit; not operate a motor vehicle unless it is equipped with a functioning, certified, ignition  
14 interlock device for a period of 1 (one) year; and payment of assessed fees/fines.

15 THIRD CAUSE FOR DISCIPLINE

16 (Dangerous Use of Alcohol/Drugs)

17 21. Respondent is subject to discipline under section 4301(h) of the Code, in that as  
18 described in paragraphs 13 through 20, above, Respondent used alcohol/drugs to the extent or in a  
19 manner as to be dangerous or injurious to herself, or to any other person or to the public, or to the  
20 extent that she impaired her ability to conduct with safety to the public the practice authorized by  
21 her license.

22 FOURTH CAUSE FOR DISCIPLINE

23 (Alcohol Related Convictions)

24 22. Respondent is subject to discipline under section 4301(k) of the Code in that  
25 Respondent was convicted of more than one criminal offense involving the use, consumption, or  
26 self-administration of any dangerous drug and/or alcoholic beverage, or any combination of those  
27 substances, as set forth in paragraphs 13 through 20.

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1 DISCIPLINE CONSIDERATIONS

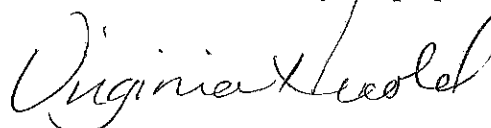
2 23. To determine the degree of discipline, if any, to be imposed on Respondent,  
3 Complainant alleges that on or about February 2, 2012, in Criminal Court of the City of New  
4 York, County of Queens, Case No. 2011QN038453, Respondent was charged and pleaded guilty  
5 to one count of Driving While Ability Impaired. On or about February 16, 2012, Respondent was  
6 sentenced to a conditional discharge of 1 (one) year, license suspension of 90 (ninety) days,  
7 Drinking Driver Program referral, and assessed \$300.00 in fees/fines.

8 PRAYER

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

- 11 1. Revoking or suspending Pharmacy Technician Registration Number TCH 133679,  
12 issued to Diedra Dyane Stimage Camper dba Diedra Dyane Camper (Respondent);  
13 2. Ordering Respondent to pay the Board of Pharmacy the reasonable costs of the  
14 investigation and enforcement of this case, pursuant to Business and Professions Code section  
15 125.3; and,  
16 3. Taking such other and further action as deemed necessary and proper.

17  
18 DATED: 7/10/17



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

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