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

In the Matter of the Accusation Against: **REEM NASSER** 3121 Morning Way La Jolla, CA 92037 Original Pharmacy Technician Registration No. TCH 69031 Respondent.	Case No. 3312

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on April 29, 2010.

It is so ORDERED on March 30, 2010.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By Kenneth H. Schell

KENNETH H. SCHELL
Board President

EDMUND G. BROWN JR.
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BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **REEM TERESA NASSER** 3121 Morning Way La Jolla, CA 92037 **Pharmacy Technician Registration No. TCH 69031** Respondent.	Case No. 3312 OAH No. 2009070947 **STIPULATED SURRENDER OF LICENSE AND ORDER**

In the interest of a prompt and speedy resolution of this matter, consistent with the public interest and the responsibility of the Board of Pharmacy of the Department of Consumer Affairs the parties hereby agree to the following Stipulated Surrender of License and Order which will be submitted to the Board for approval and adoption as the final disposition of the Accusation.

PARTIES

1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy. She brought this action solely in her official capacity and is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California, by Marichelle S. Tahimic, Deputy Attorney General.

2. Reem Teresa Nasser (Respondent) is representing herself in this proceeding and has chosen not to exercise her right to be represented by counsel.

3. On or about May 2, 2006, the Board of Pharmacy issued Pharmacy Technician Registration No. TCH 69031 to Reem Teresa Nasser (Respondent). The license was in full force and effect at all times relevant to the charges brought in Accusation No. 3312 and will expire on July 31, 2011, unless renewed.

JURISDICTION

4. Accusation No. 3312 was filed before the Board of Pharmacy (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on July 2, 2009. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 3312 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 3312. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 3312, agrees that cause exists for discipline and hereby surrenders her Pharmacy Technician Registration No. TCH 69031 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Pharmacy Technician Registration without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

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13. In consideration of the foregoing admissions and stipulations, the parties agree that the (Board) may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 69031, issued to Respondent Reem Teresa Nasser is surrendered and accepted by the Board of Pharmacy.

1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a Pharmacy Technician in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board both her wall license certificate and, if one was issued, pocket license on or before the effective date of the Decision and Order.

4. Respondent may not apply, reapply or petition for any licensure or registration of the Board for three (3) years from the effective date of the Decision and Order.

5. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 3312 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

6. Should Respondent ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 3312 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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7. Respondent shall pay the Board its costs of investigation and enforcement in the amount of $5,447.25 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 1/5/10

REEM TERESA NASSER
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: January 4, 2010

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of California
LINDA K. SCHNEIDER
Supervising Deputy Attorney General

MARICHELLE S. TAHIMIC
Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____

REEM TERESA NASSER
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: January 5, 2010

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General of California
LINDA K. SCHNEIDER
Supervising Deputy Attorney General

Marichelle Tahimic

MARICHELLE S. TAHIMIC
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 3312

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Attorneys for Complainant

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

In the Matter of the Accusation Against: REEM TERESA NASSER 3121 Morning Way La Jolla, CA 92037 Pharmacy Technician Registration No. TCH 69031 Respondent.	Case No. 3312 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 May 2, 2006, the Board of Pharmacy issued Pharmacy Technician Registration Number TCH 69031 to Reem Teresa Nasser (Respondent). The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2009, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Pharmacy (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 4300 of the Code states:

"(a) Every license issued may be suspended or revoked.

"(b) The board shall discipline the holder of any license issued by the board, whose default has been entered or whose case has been heard by the board and found guilty, by any of the following methods:

"(1) Suspending judgment.

"(2) Placing him or her upon probation.

"(3) Suspending his or her right to practice for a period not exceeding one year.

"(4) Revoking his or her license.

"(5) Taking any other action in relation to disciplining him or her as the board in its discretion may deem proper.

"...."

"(d) The board may initiate disciplinary proceedings to revoke or suspend any probationary certificate of licensure for any violation of the terms and conditions of probation. Upon satisfactory completion of probation, the board shall convert the probationary certificate to a regular certificate, free of conditions.

"(e) The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board shall have all the powers granted therein. The action shall be final, except that the propriety of the action is subject to review by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure."

5. Section 118 of the Code states in part:

"(b) The suspension, expiration, or forfeiture by operation of law of a license

issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

"(c) As used in this section, 'board' includes an individual who is authorized by any provision of this code to issue, suspend, or revoke a license, and 'license' includes 'certificate,' 'registration,' and 'permit.'"

STATUTORY PROVISIONS AND REGULATIONS

6. Section 4301 of the Code states:

"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:

". . .

"(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to oneself, to a person holding a license under this chapter, or to any other person or to the public, or to the extent that the use impairs the ability of the person to conduct with safety to the public the practice authorized by the license.

". . .

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

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

"(l) The conviction of a crime substantially related to the qualifications, functions,

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

". . . ."

7. Code section 4059(a) provides:

"A person may not furnish any dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist, or veterinarian. A person any not furnish any dangerous device, except upon the prescription of a physician, dentist, podiatrist, or veterinarian."

8. Code section 4060 provides:

"No person shall possess any controlled substance, except that furnished to a person upon the prescription of a physician, dentist, podiatrist, or veterinarian, or furnished pursuant to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a physician assistant pursuant to Section 3502.1. This section shall not apply to the possession of any controlled substance by a manufacturer,

wholesaler, pharmacy, physician, podiatrist, dentist, veterinarian, certified nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly labeled with the name and address of the supplier or producer.

"Nothing in this section authorizes a certified nurse-midwife, a nurse practitioner, or a physician assistant to order his or her own stock of dangerous drugs and devices."

9. 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."

10. Section 482 of the Code states:

"Each board under the provisions of this code shall develop criteria to evaluate the rehabilitation of a person when:

"(a) Considering the denial of a license by the board under Section 480; or

"(b) Considering suspension or revocation of a license under Section 490.

"Each board shall take into account all competent evidence of rehabilitation furnished by the applicant or licensee."

11. California Code of Regulations, title 16, section 1769(b) sets forth the following criteria in evaluating the rehabilitation of a licensee:

"When considering the suspension or revocation of a facility or a personal license on the ground that the licensee or the registrant has been convicted of a crime, the board, in evaluating the rehabilitation of such person and his present eligibility for a license will consider the following criteria:

"(1) Nature and severity of the act(s) or offense(s).

"(2) Total criminal record.

"(3) The time that has elapsed since commission of the act(s) or offense(s).

"(4) Whether the licensee has complied with all terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

"(5) Evidence, if any, of rehabilitation submitted by the licensee."

DRUGS

12. **Cocaine** is a Schedule II controlled substance as designated by Health and Safety Code section 11055(b)(6), and is a dangerous drug pursuant to Business & Professions Code section 4022.

13. **Marijuana** is a Schedule I controlled substance as designated by Health and Safety Code section 11054(d)(13), and is a dangerous drug pursuant to Business & Professions Code section 4022.

14. **Triazolam** is a Schedule IV controlled substance as designated by Health and Safetcy Code section 11057(d)(30), and is a dangerous drug pursuant to Business & Professions Code section 4022.

COST RECOVERY

15. Section 125.3 of the Code states, in pertinent part, 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.

FIRST CAUSE FOR DISCIPLINE

(March 14, 2007 Conviction for DUI on December 13, 2006)

16. Respondent is subject to disciplinary action under Code sections 490 and 4301(l) for unprofessional conduct for the conviction of a crime substantially related to the qualifications. functions and duties of a registered pharmacy technician in that on March 14, 2007 in *People v. Reem Teresa Nasser*, San Diego Superior Court-North County Division Case No. CN223297, Respondent was convicted on her guilty plea of driving under the influence of alcohol with a blood alcohol content of 0.08% or greater, Vehicle Code section 23152(b).

17. The circumstances that led to the conviction were that on December 13,

2006, a California Highway Patrol officer saw that Respondent's vehicle weaving back and forth in the number two lane of northbound South Coast Highway south of Encinitas Boulevard and traveling at 37 mph in a 30-mph zone. As Respondent's vehicle continued to travel north, the officer observed that Respondent flicked ashes from a lit cigarette out her window. Her vehicle drove over the solid white line onto the right shoulder by about one foot before swerving back into lane number two. After the officer made a traffic stop, he saw a blue glass pipe and a plastic baggie containing marijuana between the two front seats. When the officer asked Respondent about the marijuana, he detected the odor of alcohol on Respondent and noticed that Respondent's eyes were red and watery and that her speech was slurred. When she exited her vehicle, Respondent was unsteady. She did not successfully complete field sobriety tests. Respondent was brought to the Vista Detention Facility where a breath sample was obtained. The breath test results were 0.16% and 0.17%. When the officer removed the glass pipe and marijuana from Respondent's car, the officer also located a green glass pipe on the right front floorboard of the vehicle.

18. Respondent was charged with driving under the influence of alcohol and a drug (Vehicle Code section 23152(a)), driving with a blood alcohol content of 0.08% or greater (Vehicle Code section 23152(b)), and possession of marijuana while driving (Vehicle Code section 23222(b)). On March 14, 2007, Respondent pled guilty to count two, driving with a blood alcohol content of 0.08% or greater (Vehicle Code section 23152(b)). The other charges were dismissed.

19. Respondent was sentenced to 3 years of summary probation. required to pay $1,800 in fines and ordered to complete a First Conviction Program.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct-Use of an Alcoholic Beverage on December 13, 2006)

20. Respondent is subject to disciplinary action under Code section 4301(h) for unprofessional conduct in that on December 13, 2006, she was driving under the influence of alcohol with a blood alcohol content of 0.08% or greater, as more fully set forth in paragraphs 16-19 above.

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THIRD CAUSE FOR DISCIPLINE

(Unlawful Possession of Marijuana on December 13, 2006)

21. Respondent is subject to disciplinary action under Code sections 4301(j) and 4060 in that on December 13, 2006, Respondent unlawfully possessed marijuana, a controlled substance, as more fully set forth in paragraphs 16-19 above.

FOURTH CAUSE FOR DISCIPLINE

(Furnishing Marijuana Without a Prescription on December 13, 2006)

22. Respondent is subject to disciplinary action under Code sections 4301(j) and 4059(a) for furnishing a controlled substance, marijuana, to herself without a prescription on December 13, 2006, as more fully set forth in paragraphs 16-19 above.

FIFTH CAUSE FOR DISCIPLINE

(April 6, 2007 Conviction for Possession of Cocaine and DUI on March 18, 2007)

23. Respondent is subject to disciplinary action under Code sections 490 and 4301(l) for unprofessional conduct for the conviction of a crime substantially related to the qualifications, functions and duties of a registered pharmacy technician in that on April 6, 2007 in *People v. Reem Teresa Nasser*, San Diego Superior Court-North County Division Case No. CN226691, Respondent was convicted on her guilty plea to possession of a controlled substance and driving under the influence of alcohol with alcohol content of 0.08% or greater, Vehicle Code section 23152(b).

24. The circumstances that led to the conviction are that on March 18, 2007, at about 0018 hours, a California Highway Patrol Officer was traveling westbound on Carlsbad Village Drive in Carlsbad, California. The officer's attention was drawn to the Respondent's vehicle behind him because its high beam headlights were shining in the officer's rear view mirror but only one of the low beam headlights was on. The officer changed lanes and allowed the Respondent's vehicle to pass him. The officer initiated a traffic stop. As Respondent's vehicle pulled over to the right, its tires struck the raised curb. As the officer approached Respondent's car, he saw Respondent shove a purse under the driver's seat. The officer smelled

the odor of alcohol and marijuana from the car. Respondent explained that her high beams were on because one of her head lights was out. She was not able to locate her driver's license and began looking around her car and moving papers around while her left hand was still shoving her purse under her seat. The officer asked Respondent if her license was in the purse partially under her seat. Respondent stated, "No, it's not in that purse. I have two purses and it's in the other one." Respondent denied having consumed any alcohol or marijuana. When the officer advised Respondent that he could smell marijuana, Respondent begged the officer to simply write a "fix-it" ticket. After Respondent exited the car, the officer noted her unsteady gait, her red eyes, the odor of burnt marijuana and her slurred speech.

25. The officer administered field sobriety tests which Respondent failed. The officer administered breath tests with results of 0.124% and 0.115%. Respondent was subsequently arrested. Respondent refused to allow the officer to place handcuffs around her wrists. Respondent twisted to her left and stiffened her arms. Other officers came to assist when Respondent continued to struggle with the arresting officers.

26. While searching Respondent, the officer found a folded piece of paper in her left rear pocket with a substance that appeared to be cocaine. Respondent screamed from the back seat of the patrol car that it was not hers. The officer found a multicolored glass marijuana pipe in the purse Respondent was trying to shove under the driver's seat. Respondent denied the pipe was hers. The officer also found a non-prescription bottle with 12 pills, later identified as Triazolam. Respondent denied the pills were hers, stating there were other girls in the car that night. The officer also located an Interim California Driver's License authorizing Respondent to drive only to and from work or to and from a treatment program. It was issued five days before, on March 13, 2007. Respondent had previously admitted she was coming from her boyfriend's house in Oceanside and was going to her friend's house in Carlsbad.

27. After chemical testing, it was determined that the folded piece of paper found in Respondent's left pocket contained cocaine. The multi-colored marijuana pipe contained some marijuana in its bowl, approximately 94.5 grams including the pipe.

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28. Respondent was charged with:

a. possession of a controlled substance, cocaine, in violation of Health and Safety Code section 11350(a), a felony;

b. driving under the influence of alcohol/drugs with a prior DUI conviction within 10 years in violation of Vehicle Code section 23152(a);

c. driving while having a blood alcohol content of 0.08% or greater with a prior DUI conviction within 10 years in violation of Vehicle Code section 23152(b);

d. resisting an officer in violation of Penal Code section 148(a)(1);

e. possession of a designated controlled substance, triazolam, in violation of Health and Safety Code section 11375(b)(2);

f. driving with a suspended license for a prior DUI conviction in violation of Vehicle Code section 14601.2(a);

g. driving with a suspended license for test refusal in violation of Vehicle Code section 14601.5(a);

h.. possession of marijuana while driving a motor vehicle in violation of Vehicle Code section 23222(b).

29. On April 6, 2007, Respondent was convicted on her plea of guilty to the first and third charges, possession of a controlled substance, cocaine, in violation of Health and Safety Code section 11350(a), and driving while having a blood alcohol content of 0.08% or greater with a prior DUI conviction within 10 years in violation of Vehicle Code section 23152(b), respectively. The other charges were dismissed.

30. Respondent was sentenced to 3 years of formal probation, required to serve 96 hours in jail, required to pay $2,929 in fines and fees, and to complete a 20-day public service program.

SIXTH CAUSE FOR DISCIPLINE

(Unprofessional Conduct-Use of Alcohol on March 18, 2007)

31. Respondent is subject to disciplinary action under Code section 4301(h)

for unprofessional conduct in that on March 18, 2007, she was driving under the influence of alcohol with a blood alcohol content of 0.08% or greater, as more fully set forth in paragraphs 23-30 above.

SEVENTH CAUSE FOR DISCIPLINE

(Unlawful Possession of Controlled Substances on March 18, 2007)

32. Respondent is subject to disciplinary action under Code sections 4301(j) and 4060 in that on March 18, 2007, Respondent unlawfully possessed marijuana, cocaine and triazolam, all controlled substances, as more fully set forth in paragraphs 23-30, above.

EIGHTH CAUSE FOR DISCIPLINE

(Furnishing Controlled Substances Without a Prescription on March 18, 2007)

33. Respondent is subject to disciplinary action under Code sections 4301(j) and 4059(a) for furnishing controlled substances to herself, specifically marijuana, cocaine and triazolam, without a prescription on March 18, 2007, as more fully set forth in paragraphs 23-30.

NINTH CAUSE FOR DISCIPLINE

(Violation of Laws on March 18, 2007)

34. Respondent is subject to disciplinary action under Code section 4301(j) for violating Health and Safety Code section 11350(a), possession of controlled a substance, cocaine, and Vehicle Code section 23152(b), driving under the influence of alcohol with a blood alcohol content of 0.08% or greater, as more fully set forth in paragraphs 23-30.

TENTH CAUSE FOR DISCIPLINE

(Unprofessional Conduct-Multiple Convictions Involving Consumption of Alcoholic Beverages)

35. Respondent is subject to disciplinary action under Code section 4301(k) for unprofessional conduct in that on March 14, 2007 and on April 6, 2007, Respondent was convicted of driving under the influence of alcohol with a blood alcohol content of 0.08% or greater.

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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 69031, issued to Reem Teresa Nasser.

2. Ordering Reem Teresa Nasser 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: 6/12/09

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

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