

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

In the Matter of the Accusation Against:

Case No. 3375

**CORIN E. RINI**  
657 Benson Way  
Thousand Oaks, CA 91360

Pharmacy Technician License No. TCH 30033  
Respondent.

**DECISION AND ORDER**

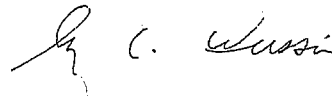
The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on January 7, 2011.

It is so ORDERED on December 8, 2010.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By



\_\_\_\_\_  
STANLEY C. WEISSER  
Board President

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
3 RENE JUDKIEWICZ  
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*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 3375

11 **CORIN E. RINI**  
12 **657 Benson Way**  
13 **Thousand Oaks, CA 91360**  
14 **Pharmacy Technician Registration No. TCH**  
**30033**

OAH No. L-2010010974

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

15 Respondent.

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 PARTIES

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

24 2. Respondent Corin E. Rini (Respondent) is represented in this proceeding by attorney  
25 Mr. Fredrick M. Ray, whose address is: Mr. Fredrick M. Ray, Attorney at Law, 770 The City  
26 Drive, Suite 8100, Orange, California 92868-6927

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28 ///

1           3.     On or about July 20, 1999, the Board issued Pharmacy Technician Registration No.  
2 TCH 30033 to Respondent. The pharmacy technician registration was in full force and effect at  
3 all times relevant to the charges brought in Accusation No. 3375 and will expire on August 31,  
4 2012, unless renewed.

5   JURISDICTION

6           4.     Accusation No. 3375 was filed before the Board, Department of Consumer Affairs,  
7 and is currently pending against Respondent. The Accusation and all other statutorily required  
8 documents were properly served on Respondent on November 16, 2009. Respondent timely filed  
9 her Notice of Defense contesting the Accusation. A copy of Accusation No. 3375 is attached as  
10 exhibit A and incorporated herein by reference.

11   ADVISEMENT AND WAIVERS

12           5.     Respondent has carefully read, fully discussed with counsel, and understands the  
13 charges and allegations in Accusation No. 3375. Respondent has also carefully read, fully  
14 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
15 Order.

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

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

25   CULPABILITY

26           8.     Respondent admits the truth of each and every charge and allegation in Accusation  
27 No. 3375.

1 9. Respondent agrees that her pharmacy technician registration is subject to discipline  
2 and she agrees to be bound by the Board’s probationary terms as set forth in the Disciplinary  
3 Order below.

4 CONTINGENCY

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

14 11. The parties understand and agree that facsimile copies of this Stipulated Settlement  
15 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
16 effect as the originals.

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

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

26 ///  
27 ///  
28 ///

**DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 30033 issued to Respondent Corin E. Rini is revoked. However, the revocation is stayed and Respondent is placed on probation for four (4) years on the following terms and conditions.

**1. Certification Prior to Resuming Work**

Respondent shall be automatically suspended from working as a pharmacy technician until she is certified as defined by Business and Professions Code section 4202, subdivision (a)(4) and provides satisfactory proof of certification to the Board. Respondent shall not resume working as a pharmacy technician until notified by the Board. Failure to achieve certification within one (1) year shall be considered a violation of probation. Respondent shall not resume working as a pharmacy technician until notified by the Board.

During suspension, Respondent shall not enter any pharmacy area or any portion of any other Board-licensed premises (wholesaler, veterinary food-animal drug retailer or any other distributor of drugs), any drug manufacturer, or any other location where dangerous drugs and devices or controlled substances are maintained. Respondent shall not do any act involving drug selection, selection of stock, manufacturing, compounding or dispensing; nor shall Respondent manage, administer, or assist any licensee of the Board. Respondent shall not have access to or control the ordering, manufacturing or dispensing of dangerous drugs and devices or controlled substances. Respondent shall not resume work until notified by the Board.

Failure to comply with this suspension shall be considered a violation of probation.

**2. Obey All Laws**

Respondent shall obey all state and federal laws and regulations.

Respondent shall report any of the following occurrences to the board, in writing, within seventy-two (72) hours of such occurrence:

- an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws;

///

- 1
- 2        a plea of guilty or nolo contendere in any state or federal criminal proceeding to any
- 3       criminal complaint, information or indictment;
- 4        a conviction of any crime; or
- 5        discipline, citation, or other administrative action filed by any state or federal agency
- 6       which involves Respondent's pharmacy technician registration or which is related to
- 7       the practice of pharmacy or the manufacturing, obtaining, handling, distributing,
- 8       billing, or charging for any drug, device or controlled substance.

9       Failure to timely report any such occurrence shall be considered a violation of probation.

10       **3. Report to the Board**

11       Respondent shall report to the Board quarterly, on a schedule as directed by the Board or its

12       designee. The report shall be made either in person or in writing, as directed. Among other

13       requirements, Respondent shall state in each report under penalty of perjury whether there has

14       been compliance with all the terms and conditions of probation. Failure to submit timely reports

15       in a form as directed shall be considered a violation of probation. Any period(s) of delinquency

16       in submission of reports as directed may be added to the total period of probation. Moreover, if

17       the final probation report is not made as directed, probation shall be automatically extended until

18       such time as the final report is made and accepted by the Board.

19       **4. Interview with the Board**

20       Upon receipt of reasonable prior notice, Respondent shall appear in person for interviews

21       with the Board or its designee, at such intervals and locations as are determined by the Board or

22       its designee. Failure to appear for any scheduled interview without prior notification to Board

23       staff, or failure to appear at two (2) or more scheduled interviews with the Board or its designee

24       during the period of probation, shall be considered a violation of probation.

25       **5. Cooperate with Board Staff**

26       Respondent shall cooperate with the Board's inspection program and with the Board's

27       monitoring and investigation of Respondent's compliance with the terms and conditions of her

28       probation. Failure to cooperate shall be considered a violation of probation.

1           6.    **Notice to Employers**

2           During the period of probation, Respondent shall notify all present and prospective  
3 employers of the decision in case number 3375 and the terms, conditions and restrictions imposed  
4 on Respondent by the decision, as follows:

5           Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
6 respondent undertaking any new employment, Respondent shall cause her direct supervisor,  
7 pharmacist-in-charge (including each new pharmacist-in-charge employed during Respondent's  
8 tenure of employment) and owner to report to the board in writing acknowledging that the listed  
9 individual(s) has/have read the decision in case number 3375 and the terms and conditions  
10 imposed thereby. It shall be Respondent's responsibility to ensure that her employer(s) and/or  
11 supervisor(s) submit timely acknowledgement(s) to the Board.

12           If Respondent works for or is employed by or through a pharmacy employment service,  
13 respondent must notify her direct supervisor, pharmacist-in-charge and owner at every pharmacy  
14 of the terms and conditions of the decision in case number 3375 in advance of the Respondent  
15 commencing work at each pharmacy. A record of this notification must be provided to the Board  
16 upon request.

17           Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
18 (15) days of Respondent undertaking any new employment by or through a pharmacy  
19 employment service, Respondent shall cause her direct supervisor with the pharmacy  
20 employment service to report to the Board in writing acknowledging that she has read the  
21 decision in case number 3375 and the terms and conditions imposed thereby. It shall be  
22 Respondent's responsibility to ensure that her employer(s) and/or supervisor(s) submit timely  
23 acknowledgment(s) to the board.

24           Failure to timely notify present or prospective employer(s) or to cause that/those  
25 employer(s) to submit timely acknowledgements to the board shall be considered a violation of  
26 probation.

27           "Employment" within the meaning of this provision shall include any full-time,  
28 part-time, temporary or relief service or pharmacy management service as a pharmacy

1 technician or in any position for which a pharmacy technician license is a requirement  
2 or criterion for employment, whether the Respondent is considered an employee,  
3 independent contractor or volunteer.

4 **7. Reimbursement of Board Costs**

5 As a condition precedent to successful completion of probation, respondent shall pay to the  
6 board its costs of investigation and prosecution in the amount of \$4,000.00. Such costs shall be  
7 payable to the Board on a schedule as directed by the Board or its designee. There shall be no  
8 deviation from this schedule absent prior written approval by the Board or its designee. Failure to  
9 pay costs by the deadline(s) as directed shall be considered a violation of probation.

10 The filing of bankruptcy by Respondent shall not relieve Respondent of her responsibility  
11 to reimburse the Board its costs of investigation and prosecution.

12 **8. Probation Monitoring Costs**

13 Respondent shall pay any costs associated with probation monitoring as determined by the  
14 Board each and every year of probation. Such costs shall be payable to the Board on a schedule  
15 as directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed  
16 shall be considered a violation of probation.

17 **9. Status of Pharmacy Technician Registration**

18 Respondent shall, at all times while on probation, maintain an active, current pharmacy  
19 technician registration with the Board, including any period during which suspension or probation  
20 is tolled. Failure to maintain an active, current registration shall be considered a violation of  
21 probation.

22 If Respondent's pharmacy technician registration expires or is cancelled by operation of  
23 law or otherwise at any time during the period of probation, including any extensions thereof due  
24 to tolling or otherwise, upon renewal or reapplication respondent's registration shall be subject to  
25 all terms and conditions of this probation not previously satisfied.

26 **10. Pharmacy Technician Registration Surrender While on Probation/Suspension**

27 Following the effective date of this decision, should Respondent cease work due to  
28 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,



1 Respondent may tender her pharmacy technician registration to the Board for surrender. The  
2 Board or its designee shall have the discretion whether to grant the request for surrender or take  
3 any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of  
4 the registration, Respondent will no longer be subject to the terms and conditions of probation.  
5 This surrender constitutes a record of discipline and shall become a part of the Respondent's  
6 license history with the Board.

7 Upon acceptance of the surrender, Respondent shall relinquish her pharmacy technician  
8 registration to the Board within ten (10) days of notification by the Board that the surrender is  
9 accepted. Respondent may not reapply for any license, permit, or registration from the board for  
10 three (3) years from the effective date of the surrender. Respondent shall meet all requirements  
11 applicable to the license sought as of the date the application for that license is submitted to the  
12 board.

13 **11. Notification of a Change in Name, Residence Address, Mailing Address or**  
14 **Employment**

15 Respondent shall notify the Board in writing within ten (10) days of any change of  
16 employment. Said notification shall include the reasons for leaving, the address of the new  
17 employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
18 shall further notify the Board in writing within ten (10) days of a change in name, residence  
19 address and mailing address, or phone number.

20 Failure to timely notify the Board of any change in employer(s), name(s), address(es), or  
21 phone number(s) shall be considered a violation of probation.

22 **12. Tolling of Probation**

23 Except during periods of suspension, Respondent shall, at all times while on probation, be  
24 employed as a pharmacy technician in California for a minimum of twenty (20) hours per  
25 calendar month. Any month during which this minimum is not met shall toll the period of  
26 probation, i.e., the period of probation shall be extended by one month for each month during  
27 which this minimum is not met. During any such period of tolling of probation, respondent must  
28 nonetheless comply with all terms and conditions of probation.

1           Should respondent, regardless of residency, for any reason (including vacation) cease  
2 working as a pharmacy technician for a minimum of twenty (20) hours per calendar month in  
3 California, Respondent must notify the Board in writing within ten (10) days of cessation of work  
4 and must further notify the board in writing within ten (10) days of the resumption of the work.  
5 Any failure to provide such notification(s) shall be considered a violation of probation.

6           It is a violation of probation for Respondent's probation to remain tolled pursuant to the  
7 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
8 exceeding thirty-six (36) months.

9           "Cessation of work" means calendar month during which respondent is not  
10 working for at least twenty (20) hours as a pharmacy technician, as defined in  
11 Business and Professions Code section 4115. "Resumption of work" means any  
12 calendar month during which respondent is working as a pharmacy technician for at  
13 least twenty (20) hours as a pharmacy technician as defined by Business and  
14 Professions Code section 4115.

### 15           13.   **Violation of Probation**

16           If Respondent has not complied with any term or condition of probation, the Board shall  
17 have continuing jurisdiction over Respondent, and probation shall automatically be extended,  
18 until all terms and conditions have been satisfied or the Board has taken other action as deemed  
19 appropriate to treat the failure to comply as a violation of probation, to terminate probation, and  
20 to impose the penalty that was stayed.

21           If Respondent violates probation in any respect, the Board, after giving Respondent notice  
22 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
23 was stayed. Notice and opportunity to be heard are not required for those provisions stating that a  
24 violation thereof may lead to automatic termination of the stay and/or revocation of the pharmacy  
25 technician registration. If a petition to revoke probation or an accusation is filed against  
26 Respondent during probation, the Board shall have continuing jurisdiction, and the period of  
27 probation shall be automatically extended until the petition to revoke probation or accusation is  
28 heard and decided.

1           **14. Completion of Probation**

2           Upon written notice by the Board indicating successful completion of probation,  
3 respondent's pharmacy technician registration will be fully restored.

4           **15. No Ownership of Licensed Premises**

5           Respondent shall not own, have any legal or beneficial interest in, or serve as a manager,  
6 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
7 partnership, or corporation currently or hereinafter licensed by the Board. Respondent shall sell  
8 or transfer any legal or beneficial interest in any entity licensed by the Board within ninety (90)  
9 days following the effective date of this decision and shall immediately thereafter provide written  
10 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide  
11 documentation thereof shall be considered a violation of probation.

12           **16. Random Drug Screening**

13           Respondent, at her own expense, shall participate in random testing, including but not  
14 limited to biological fluid testing (urine, blood), breathalyzer, hair follicle testing, or other drug  
15 screening program as directed by the board or its designee. Respondent may be required to  
16 participate in testing for the entire probation period and the frequency of testing will be  
17 determined by the Board or its designee. At all times Respondent shall fully cooperate with the  
18 Board or its designee, and shall, when directed, submit to such tests and samples for the detection  
19 of alcohol, narcotics, hypnotics, dangerous drugs or other controlled substances as the Board or  
20 its designee may direct. Failure to timely submit to testing as directed shall be considered a  
21 violation of probation. Upon request of the Board or its designee, Respondent shall provide  
22 documentation from a licensed practitioner that the prescription for a detected drug was  
23 legitimately issued and is a necessary part of the treatment of the Respondent. Failure to timely  
24 provide such documentation shall be considered a violation of probation. Any confirmed positive  
25 test for alcohol or for any drug not lawfully prescribed by a licensed practitioner as part of a  
26 documented medical treatment shall be considered a violation of probation and shall result in the  
27 automatic suspension of work by Respondent. Respondent may not resume work as a pharmacy  
28 technician until notified by the Board in writing.

1 During suspension, Respondent shall not enter any pharmacy area or any portion of or any  
2 other Board-licensed premises (wholesaler, veterinary food-animal drug retailer or any other  
3 distributor of drugs), any drug manufacturer, or any other location where dangerous drugs and  
4 devices or controlled substances are maintained. Respondent shall not do any act involving drug  
5 selection, selection of stock, manufacturing, compounding or dispensing; nor shall Respondent  
6 manage, administer, or assist any licensee of the Board. Respondent shall not have access to or  
7 control the ordering, manufacturing or dispensing of dangerous drugs and devices or controlled  
8 substances. Respondent shall not resume work until notified by the Board.

9 Respondent shall not direct, control or perform any aspect of the practice of pharmacy.  
10 Subject to the above restrictions, Respondent may continue to own or hold an interest in any  
11 licensed premises in which she holds an interest at the time this decision becomes effective unless  
12 otherwise specified in this order.

13 Failure to comply with this suspension shall be considered a violation of probation.

14 **17. Attend Substance Abuse Recovery Relapse Prevention and Support Groups if**  
15 **Test Positive on Random Drug Screening**

16 If Respondent tests positive on any of the random drug testing, within thirty (30) days of  
17 the positive test, Respondent shall be required to do the following. Respondent shall begin  
18 regular attendance at a recognized and established substance abuse recovery support group in  
19 California, (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved  
20 by the Board or its designee. Respondent must attend at least one group meeting per week unless  
21 otherwise directed by the Board or its designee. Respondent shall continue regular attendance  
22 and submit signed and dated documentation confirming attendance with each quarterly report for  
23 the duration of probation. Failure to attend or submit documentation thereof shall be considered a  
24 violation of probation.

25 **18. Work Site Monitor**

26 Within ten (10) days of the effective date of this decision, Respondent shall identify a work  
27 site monitor, for prior approval by the Board, who shall be responsible for supervising  
28 Respondent during working hours. Respondent shall be responsible for ensuring that the work

1 site monitor reports in writing to the board quarterly. Should the designated work site monitor  
2 determine at any time during the probationary period that Respondent has not maintained  
3 sobriety, she shall notify the board immediately, either orally or in writing as directed. Should  
4 respondent change employment, a new work site monitor must be designated, for prior approval  
5 by the Board, within ten (10) days of commencing new employment. Failure to identify an  
6 acceptable initial or replacement work site monitor, or to ensure quarterly reports are submitted to  
7 the Board, shall be considered a violation of probation.

8 **19. Notification of Departure**

9 Prior to leaving the probationary geographic area designated by the Board or its designee  
10 for a period greater than twenty-four (24) hours, Respondent shall notify the Board verbally and  
11 in writing of the dates of departure and return. Failure to comply with this provision shall be  
12 considered a violation of probation.

13 **20. Abstain from Drugs and Alcohol Use**

14 Respondent shall completely abstain from the possession or use of alcohol, controlled  
15 substances, dangerous drugs and their associated paraphernalia except when the drugs are  
16 lawfully prescribed by a licensed practitioner as part of a documented medical treatment. Upon  
17 request of the Board or its designee, Respondent shall provide documentation from the licensed  
18 practitioner that the prescription for the drug was legitimately issued and is a necessary part of the  
19 treatment of the Respondent. Failure to timely provide such documentation shall be considered a  
20 violation of probation. Respondent shall ensure that she is not in the same physical location as  
21 individuals who are using illicit substances even if respondent is not personally ingesting the  
22 drugs. Any possession or use of alcohol, controlled substances, or their associated paraphernalia  
23 not supported by the documentation timely provided, and/or any physical proximity to persons  
24 using illicit substances, shall be considered a violation of probation.

25 **21. Community Services Program**

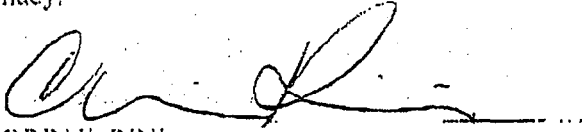
26 Within sixty (60) days of the effective date of this decision, Respondent shall submit to the  
27 Board or its designee, for prior approval, a community service program in which Respondent  
28 shall provide free health-care related services on a regular basis to a community or charitable

1 facility or agency for a total of two hundred and fifty (250) hours of community service to be  
2 completed by the end of the four-year probationary period. Within thirty (30) days of Board  
3 approval thereof, Respondent shall submit documentation to the Board demonstrating  
4 commencement of the community service program. A record of this notification must be  
5 provided to the Board upon request. Respondent shall report on progress with the community  
6 service program in the quarterly reports. Failure to timely submit, commence, or comply with the  
7 program shall be considered a violation of probation.

8 ACCEPTANCE

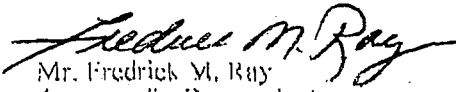
9 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
10 discussed it with my attorney, Mr. Fredrick M. Ray. I understand the stipulation and the effect it  
11 will have on my pharmacy technician registration. I enter into this Stipulated Settlement and  
12 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
13 Decision and Order of the Board of Pharmacy.

14  
15 DATE: 09/23/10

  
16 CORINE E. RINI  
Respondent

17  
18  
19 I have read and fully discussed with Respondent Corine E. Rini the terms and conditions and  
20 other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its  
21 form and content.

22 DATE: 9/23/10

  
23 Mr. Fredrick M. Ray  
Attorney for Respondent  
24  
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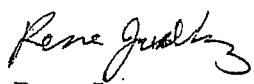
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ENDORSEMENT

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

Dated: 9/23/10

Respectfully Submitted,  
EDMUND G. BROWN JR.  
Attorney General of California  
KAREN B. CHAPPELLE  
Supervising Deputy Attorney General

  
RENE JUDKIEWICZ  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 3375**



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7

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

11 In the Matter of the Accusation Against:

Case No. 3375

12 **CORIN E. RINI**  
160 Box Canyon Road  
13 Canoga Park, CA 91304  
14 Pharmacy Technician Registration No. TCH 30033

**ACCUSATION**

Respondent.

15  
16  
17 Complainant alleges:

18 **PARTIES**

19 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity  
20 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

21 2. On or about July 20, 1999, the Board of Pharmacy (Board) issued Pharmacy  
22 Technician Registration No. TCH 30033 to Corin E. Rini (Respondent). The Pharmacy  
23 Technician Registration was in full force and effect at all times relevant to the charges brought  
24 herein and will expire on August 31, 2010, unless renewed.

25 **JURISDICTION**

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

STATUTORY PROVISIONS

1  
2       4.     Section 118, subdivision (b), provides that the suspension, expiration, surrender or  
3 cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary  
4 action during the period within which the license may be renewed, restored, reissued or  
5 reinstated.

6       5.     Section 4060 states, in pertinent part, that "[n]o person shall possess any controlled  
7 substance, except that furnished to a person upon the prescription of a physician, dentist,  
8 podiatrist, optometrist, veterinarian, or naturopathic doctor . . . ."

9       6.     Section 4300 states, in pertinent part, that "[e]very license issued may be suspended  
10 or revoked."

11       7.     Section 4301 states, in pertinent part:

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

15       . . . .

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

18       . . . .

19       "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
20 violation of or conspiring to violate any provision or term of this chapter or of the applicable  
21 federal and state laws and regulations governing pharmacy, including regulations established by  
22 the board or by any other state or federal regulatory agency. . . ."

23       8.     Health and Safety Code section 11173, subdivision (a), states:

24       "No person shall obtain or attempt to obtain controlled substances, or procure or attempt to  
25 procure the administration of or prescription for controlled substances, (1) by fraud, deceit,  
26 misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

27       ///

28       ///

1 COST RECOVERY

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

6 CONTROLLED SUBSTANCES / DANGEROUS DRUGS

7 10. Hydrocodone/Acetaminophen is a Schedule III controlled narcotic substance pursuant  
8 to Health and Safety Code section 11056(e)(4) and a dangerous drug pursuant to section 4022.

9 FIRST CAUSE FOR DISCIPLINE

10 (Violating Pharmacy Law)

11 11. Respondent is subject to disciplinary action under section 4300 for unprofessional  
12 conduct as defined in section 4301, subdivision (o), in conjunction with section 4060, in that,  
13 while employed as a pharmacy technician, she possessed controlled substances, without valid  
14 prescriptions. The circumstances are as follows:

15 a. In the six months preceding February 21, 2007, and while on duty as a pharmacy  
16 technician employed at Rite Aid Pharmacy #5787, located at 1159 E. Los Angeles Ave., Simi  
17 Valley, California 93065, Respondent, through her own written admission, would grab handfuls  
18 of tablets of hydrocodone with acetaminophen 10mg/325mg, a controlled substance and  
19 dangerous drug, without valid prescriptions, and place the tablets in her clothes pockets for  
20 concealment and exit of Rite Aid without detection.

21 SECOND CAUSE FOR DISCIPLINE

22 (Illegally Obtain/Possess Controlled Substances)

23 12. Respondent is subject to disciplinary action under section 4300 for unprofessional  
24 conduct as defined in section 4301, subdivision (j), in conjunction with Health and Safety Code  
25 section 11173, subdivision (a), when she illegally obtained and / or possessed controlled  
26 substances and dangerous drugs. Complainant refers to, and by this reference incorporates, the  
27 allegations set forth above in paragraph 11, inclusive, as though fully set forth herein.

28 ///

1 PRAYER

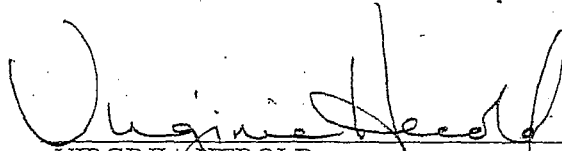
2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Board issue a decision:

4 1. Revoking or suspending Pharmacy Technician Registration No. TCH 30033, issued  
5 to Respondent;

6 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and  
7 enforcement of this case, pursuant to section 125.3; and

8 3. Taking such other and further action as deemed necessary and proper.

9  
10  
11 DATED: 11/3/09



12 VIRGINIA HEROLD  
13 Executive Officer  
14 Board of Pharmacy  
15 Department of Consumer Affairs  
16 State of California  
17 *Complainant*

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