

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

In the Matter of the Accusation Against:

Case No. 3557

**JESSICA MONIQUE JACKSON AKA
JESSICE ANNE JACKSON
17129 Billings Drive
Carson, CA 90746**

**Pharmacy Technician Registration No.
TCH 61921**

Respondent.

DECISION AND ORDER

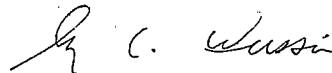
The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on March 16, 2012.

It is so ORDERED on February 15, 2012.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



STANLEY C. WEISSER
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
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Attorneys for Complainant
7

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9 **STATE OF CALIFORNIA**

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12 **JESSICA ANNE JACKSON**
13 **17129 Billings Drive**
Carson, CA 90746
14 **Pharmacy Technician Registration No. TCH**
61921
15 Respondent.

Case No. 3557

OAH No. L-2011020236

STIPULATED SURRENDER OF
LICENSE AND ORDER

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17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
19 proceeding that the following matters are true:

20 **PARTIES**

21 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.
22 She brought this action solely in her official capacity and is represented in this matter by Kamala
23 D. Harris, Attorney General of the State of California, by Kimberley J. Baker-Guillemet, Deputy
24 Attorney General.

25 2. Jessica Monique Jackson aka Jessica Anne Jackson (Respondent) is representing
26 herself in this proceeding and has chosen not to exercise her right to be represented by counsel.

27 3. On or about April 6, 2005, the Board of Pharmacy issued Pharmacy Technician
28 Registration No. TCH 61921 to Jessica Monique Jackson aka Jessica Anne Jackson

1 (Respondent). The Pharmacy Technician Registration was in full force and effect at all times
2 relevant to the charges brought in Accusation No. 3557 and will expire on September 30, 2012,
3 unless renewed.

4 **JURISDICTION**

5 4. Accusation No. 3557 was filed before the Board of Pharmacy (Board), Department of
6 Consumer Affairs, and is currently pending against Respondent. The Accusation and all other
7 statutorily required documents were properly served on Respondent on October 5, 2010.
8 Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation
9 No. 3557 is attached as Exhibit A and incorporated by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, and understands the charges and allegations in
12 Accusation No. 3557. Respondent also has carefully read, and understands the effects of this
13 Stipulated Surrender of License and Order.

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

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

23 **CULPABILITY**

24 8. Respondent admits the truth of each and every charge and allegation in Accusation
25 No. 3557, agrees that cause exists for discipline and hereby surrenders her Pharmacy Technician
26 Registration No. TCH 61921 for the Board's formal acceptance.

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

4 **CONTINGENCY**

5 10. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
6 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
7 communicate directly with the Board regarding this stipulation and surrender, without notice to or
8 participation by Respondent. By signing the stipulation, Respondent understands and agrees that
9 she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board
10 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
11 the Stipulated Surrender 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 Surrender of
15 License and Order, including facsimile signatures thereto, shall have the same force and effect as
16 the originals.

17 12. This Stipulated Surrender of License and 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 Surrender of License and Order
21 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
22 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 Order:

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ORDER

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2 IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 61921, issued
3 to Respondent Jessica Monique Jackson aka Jessica Anne Jackson, is surrendered and accepted
4 by the Board of Pharmacy.

5 1. Respondent surrenders pharmacy technician license number TCH 61921 as of the
6 effective date of this decision. Respondent shall relinquish his or her pharmacy technician license
7 to the board within ten (10) days of the effective date of this decision.

8 2. The surrender of respondent's license and the acceptance of the surrendered license by
9 the board shall constitute the imposition of discipline against respondent. This decision
10 constitutes a record of discipline and shall become a part of respondent's license history with the
11 board.

12 3. Respondent understands and agrees that if he or she ever files an application for
13 licensure or a petition for reinstatement in the State of California, the board shall treat it as a new
14 application for licensure.

15 4. Respondent may not apply for any license, permit, or registration from the board for
16 three (3) years from the effective date of this decision. Respondent stipulates that should he or she
17 apply for any license from the board on or after the effective date of this decision, all allegations
18 set forth in the accusation shall be deemed to be true, correct and admitted by respondent when
19 the board determines whether to grant or deny the application. Respondent shall satisfy all
20 requirements applicable to that license as of the date the application is submitted to the board,
21 including, but not limited to certification by a nationally recognized body prior to the issuance of
22 a new license. Respondent is required to report this surrender as disciplinary action.


23 5. Respondent further stipulates that he or she shall reimburse the board for its costs of
24 investigation and prosecution in the amount of five thousand eight hundred dollars and five cents
25 (\$5,805.00) prior to issuance of a new or reinstated license.

26 6. If Respondent should ever apply or reapply for a new license or certification, or
27 petition for reinstatement of a license, by any other health care licensing agency in the State of
28 California, all of the charges and allegations contained in Accusation, No. 3557 shall be deemed

1 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
2 other proceeding seeking to deny or restrict licensure.


3 ACCEPTANCE

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

8
9 DATED: 12/5/2011 
10 JESSICA MONIQUE JACKSON AKA JESSICA
11 ANNE JACKSON
12 Respondent

12 ENDORSEMENT

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

15 Dated: 12/6/11 Respectfully submitted,
16
17 KAMALA D. HARRIS
18 Attorney General of California
19 MARC D. GREENBAUM
20 Supervising Deputy Attorney General
21
22 
23 KIMBERLEY J. BAKER-GUILLEMET
24 Deputy Attorney General
25 Attorneys for Complainant

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25 51043050.doc

Exhibit A

Accusation No. 3557

1 EDMUND G. BROWN JR.
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 BRIAN G. WALSH
Deputy Attorney General
4 State Bar No. 207621
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2535
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

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14 17129 Billings Drive
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15 **Pharmacy Technician Registration No. TCH 61921**

A C C U S A T I O N

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

- 20 1. Virginia K. Herold (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Officer of the Board of Pharmacy.
- 22 2. On or about April 6, 2005, the Board of Pharmacy (Board) issued Pharmacy
23 Technician Registration Number TCH 61921 to Jessica Monique Jackson (Respondent). The
24 Pharmacy Technician Registration was in full force and effect at all times relevant to the charges
25 brought herein and will expire on September 30, 2010, unless renewed.

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

1 JURISDICTION

2 3. This Accusation is brought before the Board under the authority of the following
3 laws. All section references are to the Business and Professions Code unless otherwise indicated.

4 STATUTORY PROVISIONS

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

9 5. Section 4300 permits the Board to take disciplinary action to suspend or revoke a
10 license issued by the Board."

11 6. Section 4301 states:

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 "(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or
17 corruption, whether the act is committed in the course of relations as a licensee or otherwise, and
18 whether the act is a felony or misdemeanor or not.

19 REGULATORY PROVISION

20 7. California Code of Regulations, title 16, section 1770, states:

21 "For the purpose of denial, suspension, or revocation of a personal or facility license
22 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
23 crime or act shall be considered substantially related to the qualifications, functions or duties of a
24 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
25 licensee or registrant to perform the functions authorized by his license or registration in a manner
26 consistent with the public health, safety, or welfare."

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1 COST RECOVERY PROVISION

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

5 FIRST CAUSE FOR DISCIPLINE

6 (Committing Dishonest and Fraudulent Acts)

7 9. Respondent has subjected her license to disciplinary action under section 4301,
8 subdivision (f), in that Respondent has committed dishonest and fraudulent acts: On or about
9 September 17, 2009, officers of the Long Beach Police Department responded to a call regarding
10 a female trying to use a falsified prescription at a CVS Pharmacy. Although Respondent knew
11 that the prescription was not legitimate, she asked a friend of hers to fill it for her. When the
12 officers questioned Respondent, she claimed that she had found the prescription on the street, but
13 admitted knowing that it was wrong to try to fill this prescription. When Respondent's vehicle
14 was subsequently searched, several additional filled-out prescription forms were found hidden
15 behind Respondent's in-dash radio, along with a piece of paper listing addresses to several other
16 CVS Pharmacy stores. Respondent was arrested and charged with violating Health and Safety
17 Code section 11173, subdivision (a) [fraudulently obtaining a controlled substance], Health and
18 Safety Code section 11368 [forging a prescription], and Penal Code section 182, subdivision
19 (a)(1) [criminal conspiracy].¹

20 PRAYER

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

23 1. Revoking or suspending Pharmacy Technician Registration Number TCH 61921,
24 issued to Respondent;

25 ///

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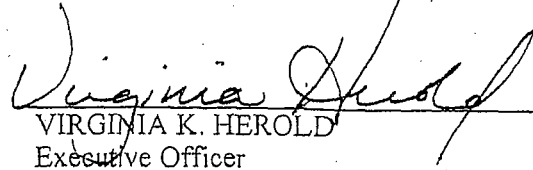
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28 ¹ Criminal charges were not filed.

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

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

4
5 DATED: _____

9/23/10



VIRGINIA K. HEROLD
Executive Officer
Board of Pharmacy
State of California
Complainant

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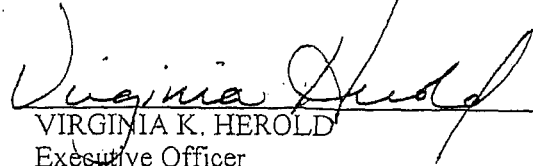
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