

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

In the Matter of the Accusation Against:

Case No. 3941

**JORGE SALDANA VALADEZ**  
25903 Gettysburg Avenue  
Hayward, CA 94545  
Pharmacy Technician License No. TCH 87769

Respondent.

**DECISION AND ORDER**

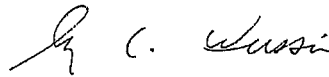
The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on November 17, 2011.

It is so ORDERED on October 18, 2011.

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 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 JOSHUA A. ROOM  
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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. 3941

11 **JORGE SALDANA VALADEZ**  
12 **25903 Gettysburg Avenue**  
13 **Hayward, CA 94545**

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

14 **Pharmacy Technician License No. TCH 87769**

15 Respondent.

16 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
17 interest and the responsibility of the Board of Pharmacy of the Department of Consumer Affairs,  
18 the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will  
19 be submitted to the Board for approval and adoption as the final disposition of the Accusation.

20  
21 PARTIES

22 1. Virginia Herold (Complainant), Executive Officer of the Board of Pharmacy, brought  
23 this action solely in her official capacity and is represented in this matter by Kamala D. Harris,  
24 Attorney General of the State of California, by Joshua A. Room, Deputy Attorney General.

25 2. Respondent Jorge Saldana Valadez (Respondent) is representing himself in this  
26 proceeding and has chosen not to exercise his right to be represented by counsel.

27 ///

28 ///

1           3.     On or about August 31, 2009, the Board of Pharmacy issued Pharmacy Technician  
2 License No. TCH 87769 to Jorge Saldana Valadez (Respondent). The Pharmacy Technician  
3 License was in full force and effect at all times relevant to the charges brought in Accusation No.  
4 3941 and will expire on September 30, 3012, unless renewed.

5  
6    JURISDICTION

7           4.     Accusation No. 3941 was filed before the Board of Pharmacy (Board) , Department  
8 of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other  
9 statutorily required documents were properly served on Respondent on June 3, 2011. Respondent  
10 timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 3941 is  
11 attached as exhibit A and incorporated herein by reference.

12  
13    ADVISEMENT AND WAIVERS

14           5.     Respondent has carefully read, and understands, the charges and allegations in  
15 Accusation No. 3941. Respondent has also carefully read, and understands the effects of, this  
16 Stipulated Settlement and Disciplinary Order.

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

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

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

1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 3941. Respondent agrees that his License is subject to discipline and agrees to be bound by  
4 the Board's probationary terms as set forth in the Disciplinary Order below.

5  
6 CONTINGENCY

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

16 10. The parties understand and agree that facsimile copies of this stipulation, including  
17 facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Pharmacy Technician License No. TCH 87769, issued to  
3 Respondent Jorge Saldana Valadez (Respondent), is revoked. However, the revocation is stayed  
4 and Respondent is placed on probation for four (4) years on the following terms and conditions.

5 **1. Certification Prior to Resuming Work**

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

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

19 Failure to comply with any such suspension shall be considered a violation of probation.

20 **2. Obey All Laws**

21 Respondent shall obey all state and federal laws and regulations.

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

- 24  an arrest or issuance of a criminal complaint for violation of any provision of the  
25 Pharmacy Law, state and federal food and drug laws, or state and federal controlled  
26 substances laws  
27  a plea of guilty or nolo contendere in any state or federal criminal proceeding to any  
28 criminal complaint, information or indictment  
 a conviction of any crime

- 1           □ discipline, citation, or other administrative action filed by any state or federal agency  
2           which involves respondent's pharmacy technician license or which is related to the  
3           practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing,  
4           or charging for any drug, device or controlled substance.

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

6           **3. Report to the Board**

7           Respondent shall report to the board quarterly, on a schedule as directed by the board or its  
8           designee. The report shall be made either in person or in writing, as directed. Among other  
9           requirements, respondent shall state in each report under penalty of perjury whether there has  
10          been compliance with all the terms and conditions of probation. Failure to submit timely reports  
11          in a form as directed shall be considered a violation of probation. Any period(s) of delinquency  
12          in submission of reports as directed may be added to the total period of probation. Moreover, if  
13          the final probation report is not made as directed, probation shall be automatically extended until  
14          such time as the final report is made and accepted by the board.

15          **4. Interview with the Board**

16          Upon receipt of reasonable prior notice, respondent shall appear in person for interviews  
17          with the board or its designee, at such intervals and locations as are determined by the board or its  
18          designee. Failure to appear for any scheduled interview without prior notification to board staff,  
19          or failure to appear at two (2) or more scheduled interviews with the board or its designee during  
20          the period of probation, shall be considered a violation of probation.

21          **5. Cooperate with Board Staff**

22          Respondent shall cooperate with the board's inspection program and with the board's  
23          monitoring and investigation of respondent's compliance with the terms and conditions of his  
24          probation. Failure to cooperate shall be considered a violation of probation.

25          **6. Notification of Change in Employment, Name, Address(es), or Phone(s)**

26          Respondent shall notify the board in writing within ten (10) days of any change of  
27          employment. Said notification shall include the reasons for leaving, the address of the new  
28          employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
29          shall further notify the board in writing within ten (10) days of a change in name, residence  
30          address, mailing address, or phone number(s).

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

3 **7. Notice to Employers**

4 During the period of probation, respondent shall notify all present and prospective  
5 employers of the decision in case number 3941 and the terms, conditions and restrictions imposed  
6 on respondent by the decision, as follows:

7 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
8 respondent undertaking any new employment, respondent shall cause his direct supervisor,  
9 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
10 tenure of employment), and owner to report to the board in writing acknowledging that the listed  
11 individual(s) has/have read the decision in case number 3941 and the terms and conditions  
12 imposed thereby. It shall be respondent's responsibility to ensure that his employer(s) and/or  
13 supervisor(s) submit timely acknowledgement(s) to the board.

14 If respondent works for or is employed by or through a pharmacy employment service,  
15 respondent must notify his direct supervisor, pharmacist-in-charge, and owner at every pharmacy  
16 of the terms and conditions of the decision in case number 3941 in advance of commencing work  
17 at each pharmacy. A record of this notification must be provided to the board upon request.

18 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
19 (15) days of respondent undertaking any new employment by or through a pharmacy employment  
20 service, respondent shall cause his direct supervisor with the pharmacy employment service to  
21 report to the board in writing acknowledging that she has read the decision in case number 3941  
22 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure  
23 that his employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

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

26 "Employment" within the meaning of this provision shall include any full-time,  
27 part-time, temporary or relief service or pharmacy management service as a pharmacy  
28 technician or in any position for which a pharmacy technician license is a requirement  
or criterion for employment, whether the respondent is considered an employee,  
independent contractor or volunteer.

1           **8. Status of License**

2           Respondent shall, at all times while on probation, maintain an active, current pharmacy  
3 technician license with the board, including any period during which suspension or probation is  
4 tolled. Failure to maintain an active, current license shall be considered a violation of probation.

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

9           **9. Community Services Program**

10          Within sixty (60) days of the effective date of this decision, respondent shall submit to the  
11 board or its designee, for prior approval, a community service program in which respondent shall  
12 provide free health-care related services on a regular basis to a community or charitable facility or  
13 agency for at least sixty (60) hours per year for the first two years of probation. Within thirty (30)  
14 days of board approval thereof, respondent shall submit documentation to the board showing the  
15 commencement of community service. Respondent shall report on progress with the community  
16 service program in the quarterly reports. Failure to timely submit, commence, comply with or  
17 document performance of the program shall be considered a violation of probation.

18          **10. No Ownership of Licensed Premises**

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

26          **11. Reimbursement of Board Costs**

27          As a condition precedent to successful completion of probation, respondent shall pay to the  
28 board its costs of investigation and prosecution in the amount of \$4,239.50.



1 Respondent shall be permitted to pay these costs in a payment plan approved by the board  
2 or its designee, so long as payment is completed no later than three (3) years after the effective  
3 date of this decision. There shall be no deviation from this schedule absent prior written approval  
4 by the board or its designee. Failure to pay costs by deadline(s) as directed shall be considered a  
5 violation of probation. The filing of bankruptcy by respondent shall not relieve respondent of his  
6 responsibility to reimburse the board its costs of investigation and prosecution.

7 **12. Probation Monitoring Costs**

8 Respondent shall pay any costs associated with probation monitoring as determined by the  
9 board each and every year of probation. Such costs shall be payable to the board on a schedule as  
10 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall  
11 be considered a violation of probation.

12 **13. Tolling of Probation**

13 Except during periods of suspension, respondent shall, at all times while on probation, be  
14 employed as a pharmacy technician in California for a minimum of twenty-five (25) hours per  
15 calendar month. Any month during which this minimum is not met shall toll the period of  
16 probation, i.e., the period of probation shall be extended by one month for each month during  
17 which this minimum is not met. During any such period of tolling of probation, respondent must  
18 nonetheless comply with all terms and conditions of probation.

19 Should respondent, regardless of residency, for any reason (including vacation) cease  
20 working as a pharmacy technician for a minimum of twenty-five (25) hours per calendar month in  
21 California, respondent must notify the board in writing within ten (10) days of cessation of work  
22 and must further notify the board in writing within ten (10) days of the resumption of the work.  
23 Any failure to provide such notification(s) shall be considered a violation of probation.

24 It is a violation of probation for respondent's probation to remain tolled pursuant to this  
25 condition for a total period, consecutive or non-consecutive, exceeding thirty-six (36) months.

26 "Cessation of work" means any calendar month during which respondent does  
27 not work for at least twenty-five (25) hours as a pharmacy technician, as defined in  
28 Business and Professions Code section 4115. "Resumption of work" means any  
calendar month during which respondent works for at least twenty-five (25) hours as  
a pharmacy technician as defined by Business and Professions Code section 4115.

1           **14. License Surrender While on Probation**

2           Following the effective date of this decision, should respondent cease work due to  
3 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
4 respondent may tender his pharmacy technician license to the board for surrender. The board or  
5 its designee shall have the discretion whether to grant the request for surrender or take any other  
6 action it deems appropriate. Upon formal acceptance of the surrender of the license, respondent  
7 will no longer be subject to the terms and conditions of probation. This surrender constitutes a  
8 record of discipline and shall become a part of the respondent's license history with the board.

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

14           **15. Violation of Probation**

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

20           If respondent violates probation in any respect, the board, after giving respondent notice  
21 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
22 was stayed. If a petition to revoke probation or an accusation is filed against respondent during  
23 probation, the board shall have continuing jurisdiction, and the period of probation shall be  
24 automatically extended until the petition to revoke probation or accusation is heard and decided.

25           **16. Completion of Probation**


26           Upon written notice by the board indicating successful completion of probation,  
27 respondent's pharmacy technician license will be fully restored.

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ACCEPTANCE

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


DATED: 8/9/2011   
JORGE SALDANA VALADEZ  
Respondent

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: 8/11/2011

Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
FRANK H. PACOE  
Supervising Deputy Attorney General

  
JOSHUA A. ROOM  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 3941**

1 KAMALA D. HARRIS  
Attorney General of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 JOSHUA A. ROOM  
Deputy Attorney General  
4 State Bar No. 214663  
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6 Facsimile: (415) 703-5480  
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12 In the Matter of the Accusation Against:

Case No. 3941

13 **JORGE SALDANA VALADEZ**  
14 **25903 Gettysburg Avenue**  
15 **Hayward, CA 94545**

**ACCUSATION**

16 **Pharmacy Technician License No. TCH 87769**

17 **Respondent.**

18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about August 31, 2009, the Board of Pharmacy issued Pharmacy Technician  
23 License No. TCH 87769 to Jorge Saldana Valadez (Respondent). The License was in full force  
24 and effect at all times relevant herein and will expire on September 30, 2012, unless renewed.

25 **JURISDICTION**

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

1           4.   Section 4011 of the Code provides that the Board shall administer and enforce both  
 2 the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances  
 3 Act [Health & Safety Code, § 11000 et seq.].

4           5.   Section 4300(a) of the Code provides that every license issued by the Board may be  
 5 suspended or revoked. Section 118(b) of the Code provides, in pertinent part, that the suspension,  
 6 expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to  
 7 proceed with a disciplinary action during the period within which the license may be renewed,  
 8 restored, reissued or reinstated. Section 4402(a) of the Code provides that any pharmacist license  
 9 that is not renewed within three years following its expiration may not be renewed, restored, or  
 10 reinstated and shall be canceled by operation of law at the end of the three-year period. Section  
 11 4402(e) of the Code provides that any other license issued by the Board may be canceled by the  
 12 Board if not renewed within 60 days after its expiration, and will require a new application.

13  
 14   STATUTORY AND REGULATORY PROVISIONS

15           6.   Section 4301 of the Code provides, in pertinent part, that the Board shall take action  
 16 against any holder of a license who is guilty of “unprofessional conduct,” defined to include, but  
 17 not be limited to, any of the following:

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

21           (g) Knowingly making or signing any certificate or other document that falsely represents  
 22 the existence or nonexistence of a state of facts.

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

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

1 7. Section 4059 of the Code, in pertinent part, prohibits furnishing of any dangerous  
2 drug or dangerous device except upon the prescription of an authorized prescriber.

3  
4 COST RECOVERY

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

8  
9 DANGEROUS DRUGS

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

11 “‘Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for self use,  
12 except veterinary drugs that are labeled as such, and includes the following:

13 “(a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing without  
14 prescription,’ ‘Rx only,’ or words of similar import.

15 ...

16 “(c) Any other drug or device that by federal or state law can be lawfully dispensed only on  
17 prescription or furnished pursuant to Section 4006.”

18 10. **Motrin** is a brand name for **ibuprofen**, a pain reliever; at 400mg strength or above it  
19 is a dangerous drug as designated by Business and Professions Code section 4022.

20 11. **TriNessa** is a combination oral contraceptive containing **norgestimate** and **ethinyl**  
21 **estradiol**. It is a dangerous drug as designated by Business and Professions Code section 4022.

22  
23 FACTUAL BACKGROUND

24 12. From an unknown start date until on or about April 14, 2010, Respondent worked as a  
25 pharmacy technician at a Walgreens Pharmacy (PHY 32349) in Oakland, CA, where by virtue of  
26 his employment he had access to controlled substances and dangerous drugs.

27 13. Respondent used his access to divert/steal dangerous drugs, including prescription-  
28 strength **Motrin/ibuprofen**, and **TriNessa**. Respondent also stole cash from the pharmacy..

1 14. The exact number of instances of diversion/theft by Respondent, and the full quantity  
2 of dangerous drugs and cash diverted/stolen, are not known, but in the course of investigations  
3 conducted by Walgreens and the Board, the following were reported:

4 a. In or about February 2010, audits or investigations by the Walgreens Pharmacy  
5 discovered cash shortages of approximately \$200.00. Further investigation revealed a suspicious  
6 transaction at a cash register conducted by Respondent on or about March 26, 2010 that resulted  
7 in a cash shortage of \$69.99, in which video evidence showed Respondent concealing the cash  
8 from the transaction, voiding the transaction, and deleting the prescription from the record.

9 b. When confronted, Respondent admitted to Walgreens investigators both orally  
10 and in writing that he had received cash from the register(s) in the pharmacy on more than one  
11 occasion, and that the total amount taken was approximately \$300.00. He further admitted that he  
12 had taken thirty (30) tablets of prescription-strength (600 mg) **Motrin/ibuprofen**, and a package  
13 containing twenty-eight (28) pills of the oral contraceptive **TriNessa**, both for his own use.

14 c. During subsequent interview(s) with Board Inspector(s), Respondent stated that  
15 he had only taken cash from the register(s) on one occasion, and that the total amount was \$50.00.

16  
17 FIRST CAUSE FOR DISCIPLINE

18 (Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit or Corruption)

19 15. Respondent is subject to discipline under section 4301(f) of the Code, in that  
20 Respondent, as described in paragraphs 12 to 14 above, committed numerous acts involving  
21 moral turpitude, dishonesty, fraud, deceit, or corruption.

22  
23 SECOND CAUSE FOR DISCIPLINE

24 (Making or Signing False Certificate/Document)

25 16. Respondent is subject to discipline under section 4301(h) of the Code, in that  
26 Respondent, as described in paragraphs 12 to 14 above, knowingly made or signed a certificate or  
27 other document falsely representing the existence or nonexistence of a state of facts.



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THIRD CAUSE FOR DISCIPLINE

(Furnishing of Dangerous Drug(s) Without Prescription)

17. Respondent is subject to discipline under section 4301(j) and/or (o) and/or section 4059 of the Code, in that Respondent, as described in paragraphs 12 to 14 above, furnished to himself or another, and/or conspired to furnish, and/or assisted or abetted furnishing of, one or more dangerous drugs, without a valid prescription.

FOURTH CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

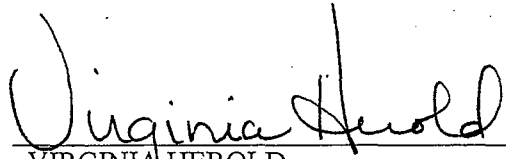
18. Respondent is subject to discipline under section 4301 of the Code in that Respondent, as described in paragraphs 12 to 17 above, engaged in unprofessional conduct.

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 License No. TCH 87769, issued to Jorge Saldana Valadez (Respondent);
- 2. Ordering Respondent to pay the Board 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 is deemed necessary and proper.

DATED: 5/27/11



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

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