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

In the Matter of the Accusation Against:

**BLAIRE KIMBERLEY RELF, AKA
BLAIRE KIMBERLY RELF, AKA BLAIR
KIMBERLEY RELF, AKA MIA
LAURIEZEN**
480 Harrison Ave.
Claremont, CA 91711

Pharmacy Technician Registration
No. TCH 142186

Respondent.

Case No. 5640

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about January 11, 2017, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 5640 against Blaire Kimberley Relf, aka Blaire Kimberly Relf, aka Blair Kimberley Relf, aka Mia Lauriezen (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about August 26, 2014, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 142186 to Respondent. The Pharmacy Technician Registration expired on March 31, 2016, was not renewed, and has since been cancelled. This lapse in

1 licensure, however, pursuant to Business and Professions Code sections 118(b) and 4300.1 does
2 not deprive the Board of its authority to institute or continue this disciplinary proceeding.

3 3. On or about January 18, 2017, Respondent was served by Certified and First Class
4 Mail copies of the Accusation No. 5640, Statement to Respondent, Notice of Defense, Request
5 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
6 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
7 section 4100, is required to be reported and maintained with the Board. Respondent's address of
8 record was and is: 480 Harrison Ave., Claremont, CA 91711.

9 4. Service of the Accusation was effective as a matter of law under the provisions of
10 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
11 124.

12 5. On or about January 23, 2017, the U.S. Postal Service returned delivery information
13 for certified mail, signed by Respondent on January 21, 2017, as receiving the aforementioned
14 documents at Respondent's address of record.

15 6. Government Code section 11506(c) states, in pertinent part:

16 (c) The respondent shall be entitled to a hearing on the merits if the respondent
17 files a notice of defense . . . and the notice shall be deemed a specific denial of all
18 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
19 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
20 discretion may nevertheless grant a hearing.

21 7. Respondent failed to file a Notice of Defense within 15 days after service upon her of
22 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 5640.

23 8. California Government Code section 11520(a) states, in pertinent part:

24 (a) If the respondent either fails to file a notice of defense . . . or to appear at
25 the hearing, the agency may take action based upon the respondent's express
26 admissions or upon other evidence and affidavits may be used as evidence without
27 any notice to respondent...

28 9. Pursuant to its authority under Government Code section 11520, the Board finds
Respondent is in default. The Board will take action without further hearing and, based on the
relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
taking official notice of all the investigatory reports, exhibits and statements contained therein on

1 file at the Board's offices regarding the allegations contained in Accusation No. 5640, finds that
2 the charges and allegations in Accusation No. 5640, are separately and severally, found to be true
3 and correct by clear and convincing evidence.

4 10. Taking official notice of its own internal records, pursuant to Business and
5 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
6 and Enforcement is \$2,967.50 as of March 23, 2017.

7 **DETERMINATION OF ISSUES**

8 1. Based on the foregoing findings of fact, Respondent Blaire Kimberley Relf, also
9 known as Blaire Kimberly Relf, Blair Kimberley Relf, and Mia Lauriezen has subjected her
10 Pharmacy Technician Registration No. TCH 142186 to discipline.

11 2. The agency has jurisdiction to adjudicate this case by default.

12 3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician
13 Registration based upon the following violations alleged in the Accusation which are supported
14 by the evidence contained in the Default Decision Evidence Packet in this case.

15 (a) Business and Professions Code section 4301, subdivision (l) and 490, in conjunction
16 with California Code of Regulations, title 16, section 1770, in that Respondent was convicted of
17 crimes substantially related to the qualifications, functions or duties of a pharmacy technician, as
18 follows:

19 (i) On or about May 27, 2016, Respondent was convicted of one misdemeanor count
20 of violating Health and Safety Code section 11350(a) [possession of a controlled substance], one
21 misdemeanor count of violating Penal Code section 148.9(a)(1) [resisting public or peace officer],
22 and one misdemeanor count of violating Penal Code section 135 [destroying or concealing
23 evidence] in the criminal proceeding entitled *The People of the State of California v. Blaire*
24 *Kimberly Relf* (Super. Ct. Orange County, 2016, No. 16WM05610 M A).

25 (ii) On or about May 27, 2016, Respondent was convicted of one misdemeanor count
26 of violating Health and Safety Code section 11550(a) [use and under the influence of a controlled
27 substance] in the criminal proceeding entitled *The People of the State of California v. Blaire*
28 *Kimberly Relf* (Super. Ct. Orange County, 2016, No. 16WM02041 M A).

1 (iii) On or about November 13, 2015, Respondent was convicted of one
2 misdemeanor count of violating Health and Safety Code section 11550(a) [under the influence or
3 use of a controlled substance], and one misdemeanor count of violating Penal Code section
4 148(a)(1) [resisting public or peace officer] in the criminal proceeding entitled *The People of the*
5 *State of California v. Blaire Kimberly Relf* (Super. Ct. Orange County, 2015, No. 15WM15166).

6 (iv) On or about November 13, 2015, Respondent was convicted of one
7 misdemeanor count of violating Health and Safety Code section 11377(a) [unlawful possession of
8 a controlled substance], and one misdemeanor count of violating Penal Code section 148.9(a)
9 [falsely representing self to peace officer] in the criminal proceeding entitled *The People of the*
10 *State of California v. Blaire Kimberly Relf* (Super. Ct. Orange County, 2015, No. 15NM13104).

11 (v) On or about April 23, 2015, Respondent was convicted of one misdemeanor
12 count of violating Penal Code sections 470(a) [forgery], and one misdemeanor count of violating
13 Penal Code section 473(b) [forgery of an instrument that does not exceed nine hundred fifty
14 dollars (\$950)], in the criminal proceeding entitled *The People of the State of California v. Blaire*
15 *Kimberly Relf* (Super. Ct. Los Angeles County, 2015, No. 5PK01030).

16 (b) Business and Professions Code section 4301, subdivision (h), in that Respondent used
17 and/or was under the influence of a controlled substance.

18 (c) Business and Professions Code sections 4300, and 4301, subdivision (o), on the
19 grounds of unprofessional conduct, as defined in section 4060, in that Respondent illegally
20 obtained or possessed a controlled substance.

21 (d) Business and Professions Code sections 4300, and 4301, subdivision (j), on the
22 grounds of unprofessional conduct, in that Respondent violated statutes regulating controlled
23 substances and dangerous drugs.

24 (e) Business and Professions Code sections 4300 and 4301, subdivision (f), on the
25 grounds of unprofessional conduct, in that Respondent committed acts involving moral turpitude,
26 dishonesty, fraud, deceit, or corruption.

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ORDER

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 142186, heretofore issued to Respondent Blaire Kimberley Relf, also known as Blaire Kimberly Relf, Blair Kimberley Relf, aka Mia Lauriezen, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective at 5:00 p.m. on September 27, 2017.

It is so ORDERED on August 28, 2017.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

Amy Gutierrez, Pharm.D.
Board President

52444676.DOCX
DOJ Matter ID:LA2016600061

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA L. SUN
Supervising Deputy Attorney General
3 KEVIN J. RIGLEY
Deputy Attorney General
4 State Bar No. 131800
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 620-2558
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

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

11 In the Matter of the Accusation Against:

Case No. 5640

12 **BLAIRE KIMBERLEY RELF,**
13 **aka BLAIRE KIMBERLY RELF, aka**
BLAIR KIMBERLEY RELF, aka MIA
14 **LAURIEZEN**
480 Harrison Ave
Claremont, CA 91711

A C C U S A T I O N

15
16 Pharmacy Technician Registration Number
TCH 142186

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
22 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs (Board).
23 2. On or about August 26, 2014, the Board issued Pharmacy Technician Registration
24 No. TCH 142186 to Blaire Kimberley Relf, aka Blaire Kimberly Relf, Blair Kimberley Relf, Mia
25 Lauriezen (Respondent). The Pharmacy Technician license, which was in full force and effect at
26 all times relevant to the charges brought herein, expired on March 31, 2016, and has since been
27 cancelled.

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JURISDICTION

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

STATUTORY PROVISIONS

4. Section 493 states:

"Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question.

As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,' and 'registration.'"

5. Section 4300, subdivision (a), of the Code provides that every license issued by the Board may be suspended or revoked.

6. Section 4300.1 provides that the expiration, cancellation, forfeiture, or suspension of a board-issued license by operation of law or by order or decision of the board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding against, the licensee or to render a decision suspending or revoking the license.

7. Section 4301 states, in pertinent part:

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:

...

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

4 ...

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

10 ...

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

13 ...

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

1 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
2 indictment.

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

8 (p) Actions or conduct that would have warranted denial of a license."

9 8. Section 4060 states, in pertinent part:

10 "No person shall possess any controlled substance, except that furnished to a person upon
11 the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor
12 pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified
13 nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a
14 physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,
15 or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of
16 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not
17 apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,
18 pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified
19 nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly
20 labeled with the name and address of the supplier or producer."

21

REGULATORY PROVISION

22

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

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"For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5
(commencing with Section 475) of the Business and Professions Code, a crime or act shall be
considered to be substantially related to the qualifications, functions or duties of a licensed
psychiatric technician if to a substantial degree it evidences present or potential unfitness of a
licensed psychiatric technician to perform the functions authorized by his license in a manner
consistent with the public health, safety, or welfare. . . ."

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CONTROLLED SUBSTANCES / DANGEROUS DRUGS

10. "Methamphetamine" is a Schedule II controlled substance as designated by Health and Safety Code section 11055, subdivision (d)(2), and is categorized as a dangerous drug pursuant to section 4022.

11. "Heroin", a semisynthetic drug derived from morphine, is a Schedule I controlled substance as designated by Health and Safety Code section 11054(c)(11).

COST RECOVERY

12. Section 125.3 provides that a 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

(Convictions of Substantially Related Crimes)

13. Respondent is subject to disciplinary action under sections 4301, subdivision (l) and 490, in conjunction with California Code of Regulations, title 16, section 1770, in that Respondent has been convicted of crimes substantially related to the qualifications, functions or duties of a pharmacy technician, as follows:

a. On or about May 27, 2016, after pleading guilty, Respondent was convicted of one misdemeanor count of violating Health and Safety Code section 11350(a) [possession of a controlled substance], one misdemeanor count of violating Penal Code section 148.9(a)(1) [resisting public or peace officer], and one misdemeanor count of violating Penal Code section 135 [destroying or concealing evidence]in the criminal proceeding entitled *The People of the State of California v. Blaire Kimberly Relf* (Super. Ct. Orange County, 2016, No. 16WM05610 M A). The Court sentenced Respondent to 30 days in jail, and payment of fines and fees in the amount of \$535.00.

b. The circumstances surrounding the conviction are that on or about March 16, 2016, Respondent was arrested and found to be in unlawful possession of a controlled substance, to wit: Heroin, at which time she also destroyed or concealed evidence and unlawfully resisted her arrest.

1 c. On or about May 27, 2016, after pleading guilty, Respondent was convicted of
2 one misdemeanor count of violating Health and Safety Code section 11550(a) [use and under the
3 influence of a controlled substance] in the criminal proceeding entitled *The People of the State of*
4 *California v. Blaire Kimberly Relf* (Super. Ct. Orange County, 2015, No. 16WM02041 M A).
5 The Court sentenced Respondent to 30 days in jail (to be served concurrently with sentence
6 imposed for conviction in paragraph 12(a) above), and payment of fines and fees in the amount of
7 \$535.00.

8 d. The circumstances surrounding the conviction are that on or about September
9 21, 2015, Respondent was arrested for possessing and being under the influence of a controlled
10 substance, to wit: Methamphetamine.

11 e. On or about November 13, 2015, after pleading guilty, Respondent was
12 convicted of one misdemeanor count of violating Health and Safety Code section 11550(a) [under
13 the influence of a controlled substance] possession of a controlled substance] and one
14 misdemeanor count of violating Penal Code section 148.(a)(1) [resisting public or peace officer]
15 in the criminal proceeding entitled *The People of the State of California v. Blaire Kimberly Relf*
16 (Super. Ct. Orange County, 2015, No. 15WM15166). The Court sentenced Respondent to 30
17 days in jail.

18 f. The circumstances surrounding the conviction are that on or about November
19 11, 2015, officers were dispatched to do a welfare check in the City of Costa Mesa. Respondent
20 was observed behaving in a manner consistent with being under the influence of a controlled
21 substance. Respondent, while repeatedly refusing to comply with an officer's instructions,
22 kicked and struggled with them before being handcuffed and placed in a Hobble restraint. The
23 officers transported Respondent to Hoag Hospital, where a blood sample was taken from
24 Respondent which resulted in a determination that Respondent was under the influence of a
25 controlled substance.

26 g. On or about November 13, 2015, after pleading guilty, Respondent was
27 convicted of one misdemeanor count of violating Health and Safety Code section 11377(a)
28 [unlawful possession of a controlled substance] possession of a controlled substance] and one

1 misdemeanor count of violating Penal Code section 148.9(a) [falsely representing self to peace
2 officer] in the criminal proceeding entitled *The People of the State of California v. Blaire*
3 *Kimberly Relf* (Super. Ct. Orange County, 2015, No. 15NM13104). The Court sentenced
4 Respondent to 30 days in jail.

5 h. The circumstances surrounding the conviction are that on or about September 3,
6 2015, Respondent was arrested for unlawful possession of a controlled substance, at which time
7 she also falsely represented herself to the arresting officer.

8 i. On or about April 23, 2015, after pleading nolo contendere, Respondent was
9 convicted of one misdemeanor count of violating Penal Code sections 470(a) [forgery], and one
10 misdemeanor count of violating Penal Code section 473(b) [forgery of an instrument that does not
11 exceed nine hundred fifty dollars (\$950)], in the criminal proceeding entitled *The People of the*
12 *State of California v. Blaire Kimberly Relf* (Super. Ct. Los Angeles County, 2015,
13 No. 5PK01030). The Court placed Respondent on summary probation for 3 years with terms and
14 conditions, including one (1) day in the Los Angeles County jail, payment of fines and fees, and
15 10 days of community service. Respondent was also ordered to stay away from the victim.

16 j. The circumstances surrounding the conviction are that on or about on or about
17 January 31, 2015 she removed two checks from the victim's check book without permission.
18 Respondent, with the intent to defraud, forged the victim's signature on two checks made payable
19 to Respondent. One of these checks was in the amount of \$150.00; the other was for \$200.00.
20 Both checks were then cashed by Respondent.

21 **SECOND CAUSE FOR DISCIPLINE**

22 (Use/Under the Influence of a Controlled Substance)

23 14. Respondent is subject to disciplinary action under section 4301, subdivision (h), in
24 that Respondent used and/or was under the influence of a controlled substance. Complainant
25 refers to, and by this reference incorporates, the allegations set forth above in paragraph 13(c)
26 through (f), as though set forth fully.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Obtained or Possessed Controlled Substance)**

3 15. Respondent is subject to disciplinary action under sections 4300, and 4301,
4 subdivision (o), on the grounds of unprofessional conduct, as defined in section 4060; in that
5 Respondent illegally obtained or possessed a controlled substance. Complainant refers to, and by
6 this reference incorporates, the allegations set forth above in paragraph 13(a), (b), (g) and (h) as
7 though set forth fully.

8 **FOURTH CAUSE FOR DISCIPLINE**

9 **(Violation of Statutes Regulating Controlled Substances/Dangerous Drugs)**

10 16. Respondent is subject to disciplinary action under sections 4300, and 4301,
11 subdivision (j), on the grounds of unprofessional conduct, in that Respondent violated statutes
12 regulating controlled substances and dangerous drugs. Complainant refers to, and by this
13 reference incorporates, the allegations set forth above in paragraph 13, as though set forth fully.

14 **FIFTH CAUSE FOR DISCIPLINE**

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

16 17. Respondent is subject to disciplinary action under sections 4300 and 4301,
17 subdivision (f), on the grounds of unprofessional conduct, in that Respondent committed acts
18 involving moral turpitude, dishonesty, fraud, deceit, or corruption. Complainant refers to and by
19 this reference incorporates the allegations set forth above in paragraphs 13(i) and (j), as though
20 set forth fully.

21 **PRAYER**

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

24 1. Revoking or suspending Pharmacy Technician Registration No. TCH 142186, issued
25 to Blaire Kimberley Relf;

26 2. Blaire Kimberly Relf to pay the Board the reasonable costs of the investigation and
27 enforcement of this case, pursuant to section 125.3; and

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

DATED: 1/11/17

Virginia Herold

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