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

In the Matter of the Accusation Against:

TYLER STEPHEN BASS
301 Knob Hill, #27
Redondo Beach, CA 90277
Pharmacy Technician Registration
No. TCH 143284

Respondent.

Case No. 5695

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about April 13, 2017, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 5695 against Tyler Stephen Bass (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about November 7, 2014, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 143284 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 5695 and will expire on December 31, 2017, unless renewed.

///

1 3. On or about May 1, 2017, Respondent was served by Certified and First Class Mail
2 copies of the Accusation No. 5695, Statement to Respondent, Notice of Defense, Request for
3 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at
4 Respondent's address of record which, pursuant to Business and Professions Code section 4100,
5 is required to be reported and maintained with the Board. Respondent's address of record was
6 and is: 301 Knob Hill, #27, Redondo Beach, CA 90277.

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

10 5. Government Code section 11506(c) states, in pertinent part:

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

16 6. The Board takes official notice of its records and the fact that Respondent failed to
17 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
18 waived his right to a hearing on the merits of Accusation No. 5695.

19 7. California Government Code section 11520(a) states, in pertinent part:

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

24 8. Pursuant to its authority under Government Code section 11520, the Board finds
25 Respondent is in default. The Board will take action without further hearing and, based on the
26 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
27 taking official notice of all the investigatory reports, exhibits and statements contained therein on
28 file at the Board's offices regarding the allegations contained in Accusation No. 5695, finds that
the charges and allegations in Accusation No. 5695, are separately and severally, found to be true
and correct by clear and convincing evidence.

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ORDER

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 143284, heretofore issued to Respondent Tyler Stephen Bass, 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

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DOJ Matter ID:LA2017603592

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

(TYLER STEPHEN BASS)

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6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 5695

13 **TYLER STEPHEN BASS**
301 Knob Hill, #27
Redondo Beach, CA 90277

A C C U S A T I O N

14 Pharmacy Technician Registration
No. TCH 143284

15 Respondent.

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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 (Board).

22 2. On or about November 7, 2014, the Board issued Pharmacy Technician Registration
23 No. TCH 143284 to Tyler Stephen Bass (Respondent). The Pharmacy Technician Registration
24 was in full force and effect at all times relevant to the charges brought herein and will expire on
25 December 31, 2017, unless renewed.

26 **JURISDICTION**

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

1 4. Section 4060 states:

2 “No person shall possess any controlled substance, except that furnished to a person upon
3 prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor
4 pursuant to Section 3640.7; or furnished pursuant to a drug order issued by a certified nurse-
5 midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 28361.1, or a
6 physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,
7 or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of
8 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section shall not
9 apply to the possession of any controlled substance by a manufacturer, wholesaler, pharmacy,
10 pharmacist, physician, podiatrist, dentist, optometrist, veterinarian, naturopathic doctor, certified
11 nurse-midwife, nurse practitioner, or physician assistant, when in stock in containers correctly
12 labeled with the name and address of the supplier or producer.

13 “Nothing in this section authorizes a certified nurse-midwife, a nurse practitioner, a
14 physician assistant, or a naturopathic doctor, to order his or her own stock of dangerous drugs and
15 devices.”

16 5. Section 4300 provides in pertinent part, that every license issued by the Boards is
17 subject to discipline, including suspension or revocation.

18 6. Section 4300.1 states:

19 “The expiration, cancellation, forfeiture, or suspension of a board-issued license by
20 operation of law or by order or decision of the board or a court of law, the placement of a license
21 on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board
22 of jurisdiction to commence or proceed with any investigation of, or action or disciplinary
23 proceeding against, the licensee or to render a decision suspending or revoking the license.”

24 7. Section 4301 states, in pertinent part:

25 “The board shall take action against any holder of a license who is guilty of unprofessional
26 conduct or whose license has been issued by mistake. Unprofessional conduct shall include, but is
27 not limited to, any of the following:

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1 that on or about June 10, 2015, Respondent was in possession of heroin, a controlled substance /
2 dangerous drug. The circumstances surrounding the arrest are that on or about June 10, 2015, a
3 Torrance Police Officer observed Respondent crossing the roadway causing several vehicles to
4 brake to avoid hitting him. The officer followed Respondent to a motel where he was detained.
5 Respondent explained to the officer that he was searching for an individual who he had sold a cell
6 phone to and had used counterfeit money to pay him. During a search of Respondent's person,
7 the officer found a folded up piece of foil with a black tar-like ball consistent with the appearance
8 of heroin from his pants pocket. When asked how long he had been a heroin user, Respondent
9 stated that he had just started again due to the stress of learning his girlfriend had developed HIV.
10 Officers searched the room where Respondent was staying with his girlfriend and found fifty
11 twenty dollar bills consistent with counterfeit currency. When asked who the currency belonged
12 to, Respondent stated that the counterfeit bills belonged to him.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Acts Involving Dishonesty, Fraud, or Deceit)**

15 12. Respondent is subject to disciplinary action under section 4301, subdivision (f), in
16 that Respondent committed acts involving dishonesty, fraud, or deceit with the intent to
17 substantially benefit himself, or substantially injure another. Complainant refers to, and by this
18 reference incorporates, the allegations set forth above in paragraph 11, as though set forth fully.

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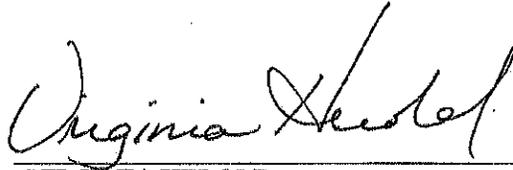
PRAYER

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

1. Revoking or suspending Pharmacy Technician Registration No. TCH 143284, issued to Tyler Stephen Bass;
2. Ordering Tyler Stephen Bass to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: _____

4/13/17



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

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