

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

In the Matter of the Accusation Against:

Case No. 5846

**HEATHER LYNN DIXON  
278 E. Colorado Blvd., #1616  
Pasadena, CA 91101**

**Intern Pharmacist Registration No. INT  
29781**

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 at 5:00 p.m. on June 22, 2017.

It is so ORDERED on May 23, 2017.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By \_\_\_\_\_

Amy Gutierrez, Pharm.D.  
Board President

1 XAVIER BECERRA  
Attorney General of California  
2 LINDA L. SUN  
Supervising Deputy Attorney General  
3 VINODHINI R. KELLER  
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*Attorneys for Complainant*  
7

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13 **Pasadena, CA 91101**  
14 **Intern Pharmacist Registration No. INT**  
**29781**

Case No. 5846

OAH No. 2017010450

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 Respondent.

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

20 **PARTIES**

21 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy  
22 (Board). She brought this action solely in her official capacity and is represented in this matter by  
23 Xavier Becerra, Attorney General of the State of California, by Vinodhini R. Keller, Deputy  
24 Attorney General.

25 2. Heather Lynn Dixon (Respondent) is represented in this proceeding by attorney  
26 Michael R. Kilts, whose address is: Law Offices of Michael R. Kilts, 1122 East Green Street,  
27 Pasadena, CA 91106.

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1 Respondent. This stipulation constitutes a record of the discipline and shall become a part of  
2 Respondent's license history with the Board of Pharmacy.

3 2. Respondent shall lose all rights and privileges as a Intern Pharmacist in California as  
4 of the effective date of the Board's Decision and Order.

5 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was  
6 issued, her wall certificate on or before the effective date of the Decision and Order.

7 4. If she ever applies for licensure or petitions for reinstatement in the State of  
8 California, the Board shall treat it as a new application for licensure. Respondent must comply  
9 with all the laws, regulations and procedures for licensure in effect at the time the application or  
10 petition is filed, and all of the charges and allegations contained in Accusation No. 5846 shall be  
11 deemed to be true, correct and admitted by Respondent when the Board determines whether to  
12 grant or deny the application or petition.

13 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
14 amount of \$2,597.50 within sixty (60) days of the effective date of the Decision and Order.

15 6. If Respondent should ever apply or reapply for a new license or certification, or  
16 petition for reinstatement of a license, by any other health care licensing agency in the State of  
17 California, all of the charges and allegations contained in Accusation, No. 5846 shall be deemed  
18 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any  
19 other proceeding seeking to deny or restrict licensure.

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**Exhibit A**

**Accusation No. 5846**

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA L. SUN  
Supervising Deputy Attorney General  
3 VINODHINI R. KELLER  
Deputy Attorney General  
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10 In the Matter of the Accusation Against:

Case No. 5846

11  
12 **HEATHER LYNN DIXON**  
13 **278 E. Colorado Blvd., #1616**  
**Pasadena, CA 91101**

**ACCUSATION**

14 **Intern Pharmacist Registration No. INT**  
15 **29781**

16 Respondent.

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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.

23 2. On or about July 18, 2012, the Board of Pharmacy issued Intern Pharmacist  
24 Registration Number INT 29781 to Heather Lynn Dixon (Respondent). The Intern Pharmacist  
25 Registration was in full force and effect at all times relevant to the charges brought herein and  
26 expired on June 30, 2016.

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1 order to fix the degree of discipline or to determine if the conviction is substantially related to the  
2 qualifications, functions, and duties of the licensee in question. "As used in this section, 'license'  
3 includes 'certificate,' 'permit,' 'authority,' and 'registration.'"

4 6. Section 4300 of the Code provides in pertinent part that every license issued by the  
5 Board is subject to discipline, including suspension or revocation.

6 7. Section 4300.1 states:

7 "The expiration, cancellation, forfeiture, or suspension of a board-issued license by  
8 operation of law or by order or decision of the board or a court of law, the placement of a license  
9 on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board  
10 of jurisdiction to commence or proceed with any investigation of, or action or disciplinary  
11 proceeding against, the licensee or to render a decision suspending or revoking the license."

12 8. Section 4301 of the Code states in relevant part:

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

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

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21 "(l) The conviction of a crime substantially related to the qualifications, functions, and  
22 duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13  
23 (commencing with Section 801) of Title 21 of the United States Code regulating controlled  
24 substances or of a violation of the statutes of this state regulating controlled substances or  
25 dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the  
26 record of conviction shall be conclusive evidence only of the fact that the conviction occurred.  
27 The board may inquire into the circumstances surrounding the commission of the crime, in order  
28 to fix the degree of discipline or, in the case of a conviction not involving controlled substances or

1 dangerous drugs, to determine if the conviction is of an offense substantially related to the  
2 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or  
3 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning  
4 of this provision. The board may take action when the time for appeal has elapsed, or the  
5 judgment of conviction has been affirmed on appeal or when an order granting probation is made  
6 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of  
7 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not  
8 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
9 indictment.”

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11 “(p) Actions or conduct that would have warranted denial of a license.”

12 **REGULATORY PROVISION**

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

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

20 **COST RECOVERY**

21 10. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
22 administrative law judge to direct a licentiate found to have committed a violation or violations of  
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
24 enforcement of the case.

25 **FIRST CAUSE FOR DENIAL OF APPLICATION**

26 **(Conviction of a Substantially Related Crime)**

27 11. Respondent is subject to discipline under Code sections 490, 493, 4301, subdivisions  
28 (l) and (p) in conjunction with California Code of Regulations, title 16, section 1770, in that she

1 was convicted of a crime that is substantially related to the qualifications, duties, and functions of  
2 an intern pharmacist. The circumstances are as follows:

3 a. On or about February 26, 2009 in a criminal proceeding entitled *The People of the*  
4 *State of California v. Heather Lynn Dixon* (Super. Ct., Los Angeles County, 2009, No.  
5 8PS68080), Respondent was convicted of one misdemeanor count of violating Vehicle Code  
6 section 23103, subdivision (a) [reckless driving]. Respondent was ordered to serve one day in jail  
7 and placed on 24 months summary probation, with terms and conditions. The case was dismissed  
8 on or about April 22, 2011 pursuant to Penal Code section 1203.4.

9 b. On or about December 19, 2012 in a criminal proceeding entitled *The People of the*  
10 *State of California v. Heather Lynn Dixon* (Super. Ct., Los Angeles County, 2012, No.  
11 BA398297), Respondent was convicted of one misdemeanor count for violating Vehicle Code  
12 section 14610.1, subdivision (a) [manufacture/sell ID similar to CDL]. Respondent was placed  
13 on 24 months probation. Her case was dismissed on or about March 27, 2015 pursuant to Penal  
14 Code section 1203.4. The circumstances underlying this conviction are that in 2008, Respondent  
15 began working with a friend to manufacture and distribute counterfeit driver's licenses in  
16 California and Texas. Respondent acted as the "middle-man" which involved contacting "clients"  
17 who were often underage students wanting counterfeit driver's licenses and assisting them in  
18 getting the counterfeit license.

19 **SECOND CAUSE FOR DENIAL OF APPLICATION**

20 **(Act Involving Dishonesty, Fraud, or Deceit)**

21 12. Respondent is subject to discipline under Code section 4301, subdivision (f) in  
22 that she committed an act involving dishonesty, fraud, or deceit with the intent to substantially  
23 benefit herself or another, or substantially injure another. Complainant realleges paragraph 11(b)  
24 above.

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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 Intern Pharmacist Registration Number INT 29781, issued to Heather Lynn Dixon;
- 2. Ordering Heather Lynn Dixon 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: \_\_\_\_\_

*12/5/16*

*Virginia Herold*

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

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