

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

In the Matter of the Accusation Against:

WAYNE G. HAZAMA, Respondent

Pharmacy Technician Registration No. TCH 20638

Agency Case No. 7013

DECISION AND ORDER

The attached Stipulated Surrender of License 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 March 5, 2021.

It is so ORDERED on February 3, 2021

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

Greg Lippe
Board President

1 XAVIER BECERRA
Attorney General of California
2 THOMAS L. RINALDI
Supervising Deputy Attorney General
3 DIANN SOKOLOFF
Supervising Deputy Attorney General
4 MICHAEL YI
Deputy Attorney General
5 State Bar No. 217174
300 So. Spring Street, Suite 1702
6 Los Angeles, CA 90013
Telephone: (213) 269-6483
7 Facsimile: (916) 731-2126
E-mail: Michael.Yi@doj.ca.gov
8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 7013

14 **WAYNE G. HAZAMA**
15 **15851 Gledhill Street**
North Hills, CA 91343

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 **Original Pharmacy Technician Registration**
17 **No. TCH 20638**

Respondent.

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

22 **PARTIES**

23 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
24 (Board). She brought this action solely in her official capacity and is represented in this matter by
25 Xavier Becerra, Attorney General of the State of California, by Michael Yi, Deputy Attorney
26 General.

27 2. Wayne G. Hazama (Respondent) is representing himself in this proceeding and has
28 chosen not to exercise his right to be represented by counsel.

ORDER

IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 20638, issued to Respondent Wayne G. Hazama, is surrendered and accepted by the Board.

1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a pharmacy technician in California as of the effective date of the Board's Decision and Order.

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

4. Respondent may not apply, reapply, or petition for any licensure or registration of the Board for three (3) years from the effective date of the Decision and Order.

5. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 7013 shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$5,731.75 prior to issuance of a new or reinstated license.

7. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 7013 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

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

DATED: _____
WAYNE G. HAZAMA
Respondent

ENDORSEMENT

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

DATED: December 17, 2020

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
THOMAS L. RINALDI
Supervising Deputy Attorney General
DIANN SOKOLOFF
Supervising Deputy Attorney General

Michael Yi

MICHAEL YI
Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

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

DATED: 12-6-20

Wayne G Hazama

WAYNE G. HAZAMA
Respondent

ENDORSEMENT

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

DATED: December 6, 2020

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
LINDA L. SUN
Supervising Deputy Attorney General
Michael Yi
MICHAEL YI
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7013

1 XAVIER BECERRA
Attorney General of California
2 LINDA L. SUN
Supervising Deputy Attorney General
3 MICHAEL YI
Deputy Attorney General
4 State Bar No. 217174
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6483
6 Facsimile: (916) 731-2126
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11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

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13 **WAYNE G. HAZAMA**
14 **15851 Gledhill Street**
North Hills, CA 91343

ACCUSATION

15 **Original Pharmacy Technician Registration**
16 **No. TCH 20638**

17 Respondent.

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20 **PARTIES**

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

23 2. On or about November 4, 1996, the Board issued Original Pharmacy Technician
24 Registration Number TCH 20638 to Wayne G. Hazama (Respondent). The Original Pharmacy
25 Technician Registration was in full force and effect at all times relevant to the charges brought
26 herein and will expire on June 30, 2022, unless renewed.

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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 4. Section 118, subdivision (b), provides that the suspension, expiration, or forfeiture by
5 operation of law of a license shall not deprive the Board of authority or jurisdiction to institute or
6 continue with disciplinary action against the license, or to order suspension or revocation of the
7 license, during the period within which the license may be renewed, restored, reissued, or
8 reinstated.

9 5. Section 4011 provides that the Board shall administer and enforce the Pharmacy Law
10 [Bus. & Prof. Code, § 4000 *et seq.*] and the Uniform Controlled Substances Act [Health & Safety
11 Code, § 11000 *et seq.*].

12 6. Section 4300 provides that that every license issued by the Board is subject to
13 discipline, including suspension or revocation.

14 7. Section 4300.1 states: “The expiration, cancellation, forfeiture, or suspension of a
15 board-issued license by operation of law or by order or decision of the board or a court of law, the
16 placement of a license on a retired status, or the voluntary surrender of a license by a licensee
17 shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or
18 action or disciplinary proceeding against, the licensee or to render a decision suspending or
19 revoking the license.”

20 **STATUTORY PROVISIONS**

21 8. Section 4059, subdivision (a), states, in pertinent part, that: “A person may not
22 furnish any dangerous drug, except upon the prescription of a physician, dentist, podiatrist,
23 optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7. . . .”

24 9. Section 4301 states, in pertinent part, that: “The board shall take action against any
25 holder of a license who is guilty of unprofessional conduct or whose license has been issued by
26 mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

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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.

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

7”

8 **COST RECOVERY**

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

12 **DEFINITIONS**

13 11. Section 4022 defines “dangerous drug” as any drug unsafe for self-use in humans or
14 animals, and includes the following:

15 (a) Any drug that bears the legend: “Caution: federal law prohibits dispensing without
16 prescription,” “Rx only,” or words of similar import.

17 (b) Any device that bears the statement: “Caution: federal law restricts this device to sale
18 by or on the order of a _____,” “Rx only,” or words of similar import, the blank to be filled
19 in with the designation of the practitioner licensed to use or order use of the device.

20 (c) Any other drug that by federal or state law can be lawfully dispensed only on
21 prescription or furnished pursuant to Section 4006.

22 12. Metoprolol is commonly known by the trade name Toprol or Lopressor. Metoprolol
23 is a dangerous drug pursuant to section 4022.

24 **FACTUAL ALLEGATIONS**

25 13. On June 2, 2020, the Director of Pharmacy for Southern California Hospital Systems,
26 notified the Board that Respondent was terminated from his employment at Southern California
27 Hospital at Hollywood (SCH) on May 19, 2020, after he admitted to taking prescription drugs
28 from the pharmacy. During an unrelated investigation by SCH, a pharmacist reported observing

1 Respondent take medications from the pharmacy in March 2020. When asked about this
2 allegation, Respondent admitted to taking between 6 to 8 metoprolol 25 milligram (mg) tablets
3 from the pharmacy on two occasions between February and March 2020.

4 14. On June 16, 2020, Respondent told a Board inspector that he was terminated from
5 SCH because he took some “Toprol 25mg” for his blood pressure. Respondent explained that he
6 took the metoprolol because of his stressful working relationship with a pharmacist at SCH.
7 Respondent claimed that the stress caused his blood pressure to increase, which prompted him to
8 take the metoprolol. Respondent did not have a prescription for metoprolol from a healthcare
9 provider. Respondent admitted that taking the metoprolol was “wrong” and that he would not
10 likely return to work in the pharmacy field.

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Unprofessional Conduct - Furnishing Dangerous Drugs Prohibited Without Prescription)**

13 15. Respondent is subject to disciplinary action under section 4301, subdivision (j), for
14 violating section 4059, subdivision (a), in that Respondent, while working as a pharmacy
15 technician at SCH, admitted to taking 6 to 8 metoprolol 25 mg tablets on two occasions between
16 February and March 2020, without a prescription for self-use. Complainant refers to, and by this
17 reference incorporates, the allegations set forth in paragraphs 13 through 14, inclusive, as though
18 set forth fully herein.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct – Dishonest Act)**

21 16. Respondent is subject to disciplinary action under section 4301, subdivision (f), in
22 that Respondent, while working as a pharmacy technician at SCH, admitted to taking 6 to 8
23 metoprolol 25 mg tablets on two occasions between February and March 2020, without a
24 prescription for self-use. Complainant refers to, and by this reference incorporates, the
25 allegations set forth in paragraphs 13 through 14, inclusive, as though set forth fully herein.

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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 Original Pharmacy Technician Registration Number TCH 20638, issued to Wayne G. Hazama;
2. Ordering Wayne G. Hazama 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: 10/17/2020 _____

Signature on File

ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

LA2020602275