

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

**In the Matter of the Accusation Against:**

**SORIN STEFAN MANGEAC, Respondent**

**Pharmacy Technician License No. TCH 160854**

**Agency Case No. 7068**

**OAH No. 2021050843**

**DECISION AFTER REJECTION OF PROPOSED DECISION**

Pursuant to Government Code section 11517, on August 6, 2021, the California State Board of Pharmacy ("Board") issued an Order rejecting the July 15, 2021, Proposed Decision of the Administrative Law Judge in the above-entitled matter, ordering up the transcript, and notifying the parties of their opportunity to submit written argument.

On February 23, 2022, the parties were notified that the transcript had been received and the deadline for the parties to submit written argument was set for March 25, 2022. The Board indicated in this order that it was particularly interested in argument directed to the question whether the discipline imposed in the proposed decision was appropriate under the circumstances. Written argument was timely received from both parties.

The Board, having reviewed and considered the entire record, including the transcript, exhibits and written argument of both parties, now issues this decision.

The July 15, 2021 Proposed Decision is adopted in its entirety as the Board's decision in this matter.

This Decision shall become effective at 5:00 p.m. on June 9, 2022.

It is so ORDERED on May 10, 2022.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By

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Seung W. Oh, Pharm.D.  
Board President

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

**In the Matter of the Accusation Against:**

**SORIN STEFAN MANGEAC, Respondent**

**Pharmacy Technician Registration No. TCH 160854**

**Respondent**

**Agency Case No. 7068**

**OAH No. 2021050843**

**ORDER SETTING DATE FOR SUBMISSION OF WRITTEN ARGUMENT**

The administrative record of the hearing in the above-entitled matter having now become available, the parties are hereby notified of the opportunity to submit written argument in accordance with the Order Rejecting the Proposed Decision dated August 6, 2021. In addition to any arguments the parties may wish to submit, the board is particularly interested in arguments directed to the question whether the discipline is appropriate under the circumstances. No new evidence may be submitted.

Written argument shall be filed with the Board of Pharmacy, Attn. Susan Cappello, 2720 Gateway Oaks Drive, Suite 100, Sacramento, California, 95833, or [susan.cappello@dca.ca.gov](mailto:susan.cappello@dca.ca.gov) on or before **March 25, 2022**.

It is so ORDERED on February 23, 2022.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

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Seung W. Oh, Pharm.D.  
Board President

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

**In the Matter of the Accusation Against:**

**SORIN STEFAN MANGEAC, Respondent**

**Pharmacy Technician Registration No. TCH 160854**

**Respondent**

**Agency Case No. 7068**

**OAH No. 2021050843**

**ORDER REJECTING PROPOSED DECISION**

Pursuant to section 11517 of the Government Code, the Proposed Decision of the Administrative Law Judge in the above-entitled matter is rejected. The California State Board of Pharmacy (hereinafter "board") will decide the case upon the record, including the transcript(s) of the hearing, and upon such written argument as the parties may wish to submit.

Although the right of the parties to submit argument is not limited, the board is particularly interested in arguments directed to the question whether the discipline is appropriate under the circumstances. The parties will be notified of the date for submission of such argument when the transcript of the above-mentioned hearing becomes available.

The parties will be notified of the date for submission of such argument when the transcript of the above-mentioned hearing becomes available.

It is so ORDERED on August 6, 2021.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is written in a cursive style with a large, sweeping initial "S".

Seung W. Oh, Pharm.D.  
Board President

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

**In the Matter of the Accusation Against:**

**SORIN STEFAN MANGEAC, Respondent**

**Case No. 7068**

**OAH No. 2021050843**

**PROPOSED DECISION**

Jessica Wall, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, heard this matter by video conference on July 6, 2021, in Sacramento, California.

Kristina T. Jarvis, Deputy Attorney General, represented complainant Anne Sodergren (Complainant), Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs.

Respondent Sorin Stefan Mangeac appeared at the hearing and represented himself.

Evidence was received at the hearing. The record was held open for complainant to submit a certification of prosecution costs and for respondent to submit a response to those costs. On July 6, 2021, complainant submitted a

certification of costs that was marked as Exhibit 6. On July 8, 2021, respondent filed a response to the certification of costs, that was marked as Exhibit F. The record was closed and the matter was submitted for decision on July 9, 2021.

## **FACTUAL FINDINGS**

### **Jurisdictional Matters**

1. On or about September 7, 2017, the Board issued to respondent Pharmacy Technician Registration Number TCH 160854 (license). His license will expire on October 31, 2022, unless renewed or revoked.

2. On April 15, 2021, complainant, acting solely in her official capacity, signed and filed the Accusation. Complainant seeks to discipline respondent's license based upon his multiple criminal convictions for driving while under the influence of alcohol.

3. Respondent timely filed a Notice of Defense, pursuant to Government Code section 11506. The matter was set for an evidentiary hearing before an Administrative Law Judge of the OAH, an independent adjudicative agency of the State of California, pursuant to Government Code section 11500 et seq.

### **Criminal Convictions**

4. On June 30, 2020, Respondent was convicted by Placer County Superior Court on his nolo contendere plea of (1) reckless driving while under the influence of alcohol, in violation of Vehicle Code sections 23103 and 23103.5, a misdemeanor; and (2) driving while under the influence of alcohol ("DUI"), in violation of Vehicle Code section 23152, subdivision (a), a misdemeanor, with an enhancement for having had

another DUI conviction within the prior ten years under Vehicle Code section 23540, subdivision (a). The court sentenced respondent to five years of formal probation, six months of outpatient treatment for alcohol, attendance at a Victim Impact Panel, and two years of having an ignition interlock device installed in his car.

5. The facts underlying respondent's conviction began on the night of August 11, 2019. Shortly before midnight, a City of Roseville police officer responded to the report of a single vehicle collision, where an empty truck had been abandoned with cold, unopened beer inside. An officer went to the address of the registered owner, respondent's brother, Silviu. After speaking with Silviu, the officer requested that Silviu call respondent and request he come home from driving to the airport to pick up family.

When respondent arrived home in his sedan, the officer noticed that respondent's eyes were red and watery, he walked with an unsteady gait, and he smelled like alcohol. Respondent told the officer that he was driving alone in his brother's truck when a tire blow-out caused him to crash into a fence. Respondent stated that he was unaware there was alcohol in the truck at the time of the crash, but later admitted to purchasing beer on his way to the airport before he crashed. Initially, respondent claimed he had walked home from where the truck crashed, but later said his brother picked him up in respondent's sedan. Respondent also told officers that he knew he was not supposed to leave an accident scene and that he was "going to jail."

After respondent failed a series of field sobriety tests, the officer placed respondent under arrest. Initially, respondent refused breath or blood tests; however, he opted for a breath test when the consequences of refusal were explained. Respondent said he had consumed two 12-ounce beers eight hours prior, but his

breath tests for alcohol registered 0.28 percent and 0.29 percent blood alcohol concentration ("BAC").

6. Respondent was previously convicted of driving while under the influence of alcohol, a misdemeanor violation of Vehicle Code section 23152, subdivision (a), on June 26, 2013 in Sacramento County Superior Court. In that instance, respondent's blood alcohol concentration at the time of his arrest was 0.27 percent.

### **Complainant's Evidence**

7. Dr. Brandon Mutrux has been an inspector with the Board since 2012. He currently works on the drug diversion and fraud team, where his duties include inspecting licensees and licensed facilities on behalf of the Board to ensure compliance with the laws and regulations. Additionally, he investigates consumer complaints regarding licensees and facilities, including complaints related to drug diversion, fraud, and theft. Prior to working for the Board, he was employed as a pharmacist for several years.

8. Dr. Mutrux testified about his experience supervising pharmacy technicians during his time as a pharmacist and investigating pharmacy technicians during his employment with the Board. He stated the role of pharmacy technicians is to fill and type prescriptions, keep records, and answer phones. To do these duties well, according to Dr. Mutrux, a pharmacy technician must have integrity and good judgment.

## **Respondent's Evidence**

9. Respondent is 28 years old. He stated that the night of the collision, he had been "drinking a little too much," but the incident served as a "wake-up call." He is upset that he ever put himself in that position. During his testimony, respondent minimized the severity of his conduct, asserting that he only hit a fence, rather than recognizing the potentially fatal consequences of driving while severely impaired by alcohol.

10. Respondent does not consider himself to be an alcoholic and does not believe that he ever had a "bad" drinking problem. Although he previously binge drank on the weekends, he stated that he never drank at work. Respondent has not consumed alcohol since September 9, 2019 and plans to "pretty much" abstain from alcohol for the rest of his life. He attended Alcoholics Anonymous meetings multiple times each week from October 2019 to June 2020. While he did not complete the 12-step program, respondent found value in hearing other attendees' stories. Respondent testified that "[he] guess[es]" that sobriety has improved his life because he is less tired.

11. Respondent has complied with the terms of his sentence over the past year and has four more years of formal probation to complete. He stated that he hopes to have his probation changed from formal to informal at some point in the future. Additionally, respondent attended a drunk driving victim impact panel, enrolled in the Roseville Multiple Offender DUI program, completed outpatient treatment, and will have an ignition interlock device installed in his car for the next two years. He has complied with the requirements to submit to alcohol testing and home inspection by his probation officer.

12. Since his conviction, respondent furthered his education by going back to school to study engineering at Sierra College. He plans to transfer to California State University Sacramento to earn his Bachelor of Science in a few years. He currently attends church with his family each Sunday and exercises in his spare time. While Respondent does not seek support from his spiritual community in connection with his conviction, he does speak with his parents and brother about it "all the time."

13. Keeping his license is important to respondent because he loves his job, is good at it, and wants to keep it. He promised that he will not get into any more trouble.

14. Respondent submitted a document providing his monthly expenses and income in response to complainant's request for costs. At present, he earns about \$1,400 each month and incurs monthly expenses of about \$1,200.

## **Analysis**

15. The determination whether to discipline a license should be made only after consideration of the conduct of the licensee and consideration of any factors introduced in justification, mitigation, aggravation, and rehabilitation. The licensee "should be permitted to introduce evidence of extenuating circumstances by way of mitigation or explanation, as well as any evidence of rehabilitation." (*Arneson v. Fox* (1980) 28 Cal.3d 440, 449; *Brandt v. Fox* (1979) 90 Cal.App.3d 737, 747.) In California Code of Regulations, title 16, section 1769, subdivision (c), the Board set forth the following criteria for evaluating the rehabilitation of a licensee when considering the suspension or revocation of a license based upon a conviction:

- (1) Nature and severity of the act(s) or offense(s).

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

(4) Whether the licensee has complied with any or all terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

(5) Evidence, if any, of rehabilitation submitted by the licensee.

16. Applying the rehabilitation criteria, respondent was convicted of a serious crime: driving recklessly with a BAC three times the legal limit. Although he enjoys his job and stated that he would not reoffend, respondent's testimony did not evince an understanding of the severity of his offense or genuine remorse for his misconduct. Respondent's choices illustrate poor judgment. Having already been convicted of a DUI six years earlier, respondent again drove while severely impaired by alcohol, crashed the car, and then chose to get in a different car and continue driving under the influence. His statements to officers about having only consumed two beers eight hours before his 0.28 percent BAC breath test demonstrate a lack of integrity. He was sentenced one year ago and has four more years of probation to complete. While respondent has complied with his sentence over the past year, he has not shown a sustained period of compliance and rehabilitation. (*In re Gossage* (2000) 23 Cal.4th 1080, 1099 [little weight is given to a person's good behavior while on probation because such conduct is expected].)

17. The Board and the public expect a pharmacy technician to act with good judgment, responsibility, and integrity. When all the evidence is considered in light of

the criteria set forth in California Code of Regulations, title 16, section 1769, subdivision (c), respondent has not established that he has engaged in sufficient rehabilitation since his conviction to maintain his pharmacy technician license.

## **Costs**

18. Complainant has requested reimbursement for costs incurred by the Board in connection with the enforcement and prosecution of this matter, in the total amount of \$3,563.75. Under Business and Professions Code section 125.3, subdivision (c), "A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case." Here, the certification of prosecution costs submitted by complainant's designated representative was unsigned. Accordingly, costs cannot be granted under Business and Professions Code section 125.3, subdivision (c).

## **LEGAL CONCLUSIONS**

1. The standard of proof in an administrative disciplinary action seeking the suspension or revocation of a professional license is "clear and convincing evidence." (*Ettinger v. Board of Medical Quality Assurance* (1982) 135 Cal.App.3d 853.) "Clear and convincing evidence" requires a finding of high probability. It must be sufficiently strong to command the unhesitating assent of every reasonable mind. (*In re David C.* (1984) 152 Cal.App.3d 1189.) Complainant must meet this burden of proof for each cause for discipline alleged in the Accusation.

2. Under Business and Professions Code section 490, the Board may "suspend or revoke a license on the ground that the licensee has been convicted of a

crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.”

3. Business and Professions Code section 4300 provides that the Board may suspend, revoke, or place any license on probation.

4. Business and Professions Code section 4301 provides that the Board shall take action against any holder of a license who is guilty of unprofessional conduct, including the following:

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

[¶] . . . [¶]

(k) The conviction of more than one misdemeanor or any felony involving the use, consumption, or self-administration of any dangerous drug or alcoholic beverage, or any combination of those substances.

(l) The conviction of a crime substantially related to the qualifications, functions, and duties of a licensee under this chapter.

[¶] . . . [¶]

5. California Code of Regulations, title 16, section 1770, provides in pertinent part that:

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

[¶] . . . [¶]

(c) For purposes of subdivision (a), substantially related crimes, professional misconduct, or acts shall include, but are not limited to, those which:

[¶] . . . [¶]

(5) Involve a conviction for driving under the influence of drugs or alcohol.

## **Cause for Discipline**

6. As set forth in Factual Findings 4 and 5, cause to discipline respondent's license exists under Business and Professions Code sections 490 and 4301, subdivision (l). June 30, 2020, respondent was convicted of reckless driving while under the influence of alcohol, a violation of Vehicle Code sections 23103 and 23103.5, and DUI, a violation of Vehicle Code section 23152, subdivision (a), with an enhancement under Vehicle Code section 23540, subdivision (a).

7. As set forth in Factual Findings 4 and 5, cause to discipline respondent's license exists under Business and Professions Code section 4301, subdivision (k). Respondent was convicted of misdemeanors involving the use, consumption, or self-administration of an alcoholic beverage.

8. As set forth in Factual Findings 4 and 5, cause to discipline respondent's license exists under Business and Professions Code section 4301, subdivision (h). On August 11, 2019, respondent used alcoholic beverages to the extent or in a manner as to be dangerous or injurious to himself and the public.

## **Costs**

9. Pursuant to Business and Professions Code section 125.3, a licensee found to have violated a licensing act may be ordered to pay the reasonable costs of investigation and prosecution of a case. Subdivision (c), however, requires that a certified copy of the costs be signed by complainant or her representative to establish evidence of the reasonable costs of investigation and prosecution. (Bus. & Prof. Code, § 125.3, subd. (c).) Because the certification was unsigned, costs are denied.

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## ORDER

Pharmacy Technician Registration Number TCH 160854 issued to respondent Sorin Stefan Mangeac is REVOKED.

DATE: July 15, 2021

*Jessica Wall*  
Jessica Wall (Jul 15, 2021 08:49 PDT)

JESSICA WALL

Administrative Law Judge

Office of Administrative Hearings

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

12 In the Matter of the Accusation Against:

Case No. 7068

13 **SORIN STEFAN MANGEAC**  
14 **7032 Ludlow Dr.**  
**Roseville, CA 95747**

**ACCUSATION**

15 **Pharmacy Technician License No. TCH**  
16 **160854**

17 Respondent.

18 **PARTIES**

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

21 2. On or about September 7, 2017, the Board of Pharmacy issued Pharmacy Technician  
22 License Number TCH 160854 to Sorin Stefan Mangeac (Respondent). The Pharmacy Technician  
23 License was in full force and effect at all times relevant to the charges brought herein and will  
24 expire on October 31, 2022, 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 4300 of the Code states in pertinent part:

2 (a) Every license issued may be suspended or revoked.

3 (b) The board shall discipline the holder of any license issued by the board,  
4 whose default has been entered or whose case has been heard by the board and found  
guilty, by any of the following methods:

5 (1) Suspending judgment.

6 (2) Placing him or her upon probation.

7 (3) Suspending his or her right to practice for a period not exceeding one year.

8 (4) Revoking his or her license.

9 (5) Taking any other action in relation to disciplining him or her as the board in  
10 its discretion may deem proper.

11 ...

12 (e) The proceedings under this article shall be conducted in accordance with  
Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the  
13 Government Code, and the board shall have all the powers granted therein. The  
action shall be final, except that the propriety of the action is subject to review by the  
14 superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

15 5. Section 4300.1 of the Code states:

16 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
17 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  
18 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  
19 a decision suspending or revoking the license.

### 20 **STATUTORY PROVISIONS**

21 6. Section 4301 of the Code states in pertinent part:

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

24 ...

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

28 ...

1 (k) The conviction of more than one misdemeanor or any felony involving the  
2 use, consumption, or self-administration of any dangerous drug or alcoholic beverage,  
or any combination of those substances.

3 (l) The conviction of a crime substantially related to the qualifications,  
4 functions, and duties of a licensee under this chapter. The record of conviction of a  
5 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United  
6 States Code regulating controlled substances or of a violation of the statutes of this  
7 state regulating controlled substances or dangerous drugs shall be conclusive  
8 evidence of unprofessional conduct. In all other cases, the record of conviction shall  
9 be conclusive evidence only of the fact that the conviction occurred. The board may  
10 inquire into the circumstances surrounding the commission of the crime, in order to  
11 fix the degree of discipline or, in the case of a conviction not involving controlled  
12 substances or dangerous drugs, to determine if the conviction is of an offense  
substantially related to the qualifications, functions, and duties of a licensee under this  
chapter. A plea or verdict of guilty or a conviction following a plea of nolo  
contendere is deemed to be a conviction within the meaning of this provision. The  
board may take action when the time for appeal has elapsed, or the judgment of  
conviction has been affirmed on appeal or when an order granting probation is made  
suspending the imposition of sentence, irrespective of a subsequent order under  
Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of  
guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or  
dismissing the accusation, information, or indictment.

13 ...

14 7. Section 490 of the Code states:

15 (a) In addition to any other action that a board is permitted to take against a  
16 licensee, a board may suspend or revoke a license on the ground that the licensee has  
17 been convicted of a crime, if the crime is substantially related to the qualifications,  
functions, or duties of the business or profession for which the license was issued.

18 (b) Notwithstanding any other provision of law, a board may exercise any  
19 authority to discipline a licensee for conviction of a crime that is independent of the  
authority granted under subdivision (a) only if the crime is substantially related to the  
20 qualifications, functions, or duties of the business or profession for which the  
licensee's license was issued.

21 (c) A conviction within the meaning of this section means a plea or verdict of  
22 guilty or a conviction following a plea of nolo contendere. Any action that a board is  
23 permitted to take following the establishment of a conviction may be taken when the  
24 time for appeal has elapsed, or the judgment of conviction has been affirmed on  
appeal, or when an order granting probation is made suspending the imposition of  
sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of  
the Penal Code.

25 (d) The Legislature hereby finds and declares that the application of this section  
26 has been made unclear by the holding in *Petropoulos v. Department of Real Estate*  
(2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant  
27 number of statutes and regulations in question, resulting in potential harm to the  
consumers of California from licensees who have been convicted of crimes.  
28 Therefore, the Legislature finds and declares that this section establishes an  
independent basis for a board to impose discipline upon a licensee, and that the

1 amendments to this section made by Chapter 33 of the Statutes of 2008 do not  
2 constitute a change to, but rather are declaratory of, existing law.

3 **REGULATORY PROVISIONS**

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

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

11 **COST RECOVERY**

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

16 **FIRST CAUSE FOR DISCIPLINE**

17 **(Substantially Related Criminal Conviction)**

18 10. Respondent is subject to disciplinary action for unprofessional conduct pursuant to  
19 Code sections 4301, subdivision (l), and 490, subdivision (a), in that Respondent has been  
20 convicted of a crime substantially related to the qualifications, functions, and duties of a  
21 pharmacy technician, as follows:

22 11. On or about June 30, 2020, in a criminal proceeding entitled *People v. Sorin Stefan*  
23 *Mangeac* (Placer County Super. Ct., Case No. 62-168656) Respondent was convicted by the  
24 Court after his plea of *nolo contendere* of violating Vehicle Code sections 23103/23103.5  
25 reckless driving while under the influence of alcohol, a misdemeanor, Vehicle Code section  
26 23152, subdivision (a), driving while under the influence of alcohol, a misdemeanor, and  
27 admitted an enhancement pursuant to Vehicle Code section 23540, subdivision (a), having had

28 ///

1 another conviction for driving while under the influence of alcohol within the prior ten years.

2 The circumstances of the crime are as follows:

3 a. On or about August 11, 2019, at approximately 11:27 p.m., a Roseville Police  
4 Officer was dispatched to the scene of a single vehicle collision. At the scene, a pickup truck was  
5 found with an unopened cold can of beer inside. There was no driver present. The Officer  
6 obtained the address of the registered owner of the vehicle (Owner) and went to that address  
7 where he contacted Owner. Owner, who was intoxicated, stated that his brother, Respondent, was  
8 driving the truck to the airport to pick up family members when he crashed. Owner had then  
9 driven Respondent's vehicle while intoxicated to pick up the Respondent, after which Respondent  
10 dropped Owner off at the house and continued to the airport to pick up the family members.  
11 Owner called Respondent and had him come to the house. The Officer observed Respondent  
12 drive his vehicle into the driveway of the home. The Officer had Respondent perform field  
13 sobriety tests, which he failed, and the Officer then arrested Respondent and had him do two  
14 breath tests for alcohol. Respondent's blood alcohol content was 0.28% and 0.29%.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Multiple Convictions Involving the Use of Alcohol)**

17 12. Respondent is subject to disciplinary action for unprofessional conduct pursuant to  
18 Code section 4301, subdivision (k), in that Respondent has been convicted of more than one  
19 misdemeanor involving the use, consumption, or self-administration of any dangerous drug or  
20 alcoholic beverage. The circumstances are as set forth in paragraph 11, above, and as follows:

21 13. On or about June 26, 2013, in a criminal proceeding entitled *People v. Sorin Stefan*  
22 *Mangeac* (Sacramento County Super. Ct., Case No. 13TO1984), Respondent was convicted by  
23 the Court after his plea of No Contest of violating Vehicle Code section 23152, subdivision (a),  
24 driving while under the influence of alcohol, a misdemeanor. Respondent's blood alcohol content  
25 at the time of his arrest was 0.27%.

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**THIRD CAUSE FOR DISCIPLINE**

**(Use of Alcohol to an Extent or in a Manner to be Unsafe to Self or Others)**

14. Respondent is subject to disciplinary action for unprofessional conduct pursuant to Code section 4301, subdivision (h), in that Respondent used alcohol to an extent or in a manner as to be dangerous to himself, to any other person, or to the public. The circumstances are as set forth in paragraphs 11 and 13, above.

**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 Number TCH 160854, issued to Sorin Stefan Mangeac;
- 2. Ordering Sorin Stefan Mangeac 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: 4/15/2021

Signature on File  
 \_\_\_\_\_  
 ANNE SODERGREN  
 Executive Officer  
 Board of Pharmacy  
 Department of Consumer Affairs  
 State of California  
*Complainant*