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

12 In the Matter of the Accusation Against:

13 **SOPHIA VALERIE HUERTA**

14 732 Terrance Rd  
San Bernardino, CA 92410

15 Pharmacy Technician Registration No. TCH  
107625

16 Respondent.  
17

Case No. 7185

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

18  
19 **FINDINGS OF FACT**

20 1. On or about October 11, 2021, Complainant Anne Sodergren, in her official capacity  
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed  
22 Accusation No. 7185 against Sophia Valerie Huerta (Respondent) before the Board of Pharmacy.  
23 (Accusation attached as Exhibit A.)

24 2. On or about April 6, 2020, the Board of Pharmacy (Board) issued Pharmacy  
25 Technician Registration No. TCH 107625 to Respondent. The Pharmacy Technician Registration  
26 was in full force and effect at all times relevant to the charges brought in Accusation No. 7185  
27 and will expire on January 1, 2022, unless renewed.

28 ///

1           3.     On or about October 18, 2021, Respondent was served by Certified and First Class  
2 Mail copies of the Accusation No. 7185, Statement to Respondent, Notice of Defense, Request  
3 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
4 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
5 section 4100, is required to be reported and maintained with the Board. Respondent's address of  
6 record was and is: 732 Terrance Rd, San Bernardino, CA 92410.

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

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

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

15           6.     The Board takes official notice of its records and the fact that Respondent failed to  
16 file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore  
17 waived her right to a hearing on the merits of Accusation No. 7185.

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

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

23           8.     Pursuant to its authority under Government Code section 11520, the Board finds  
24 Respondent is in default. The Board will take action without further hearing and, based on the  
25 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,  
26 as well as taking official notice of all the investigatory reports, exhibits and statements contained  
27 therein on file at the Board's offices regarding the allegations contained in Accusation No. 7185,  
28 finds that the charges and allegations in Accusation No. 7185, are separately and severally, found  
to be true and correct by clear and convincing evidence.

          9.     The Board finds that the actual costs for Investigation and Enforcement are \$1,395.00  
as of December 9, 2021.

1 **DETERMINATION OF ISSUES**

2 1. Based on the foregoing findings of fact, Respondent Sophia Valerie Huerta has  
3 subjected her Pharmacy Technician Registration No. TCH 107625 to discipline.

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

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

8 a. Business and Professions Code section 4301, subdivision (f), in that Respondent  
9 committed acts involving moral turpitude, dishonesty, fraud, deceit, or corruption.

10 b. Business and Professions Code section 4301, subdivision (q) in that Respondent  
11 subverted or attempted to subvert an investigation of the Board

12 **ORDER**

13 IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 107625, issued to  
14 Respondent Sophia Valerie Huerta, is revoked.

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

19 This Decision shall become effective at 5:00 p.m. on February 24, 2022.

20 It is so ORDERED on January 25, 2022.

21 

22 \_\_\_\_\_  
23 Seung W. Oh, Pharm.D.  
24 Board President  
25 FOR THE BOARD OF PHARMACY  
26 DEPARTMENT OF CONSUMER AFFAIRS

24 64741314.DOCX  
25 DOJ Matter ID:LA2021603276

25 Attachment:  
26 Exhibit A: Accusation

# Exhibit A

Accusation

(SOPHIA VALERIE HUERTA)

1 ROB BONTA  
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2 THOMAS L. RINALDI  
Supervising Deputy Attorney General  
3 State Bar No. 206911  
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*Attorneys for Complainant*  
6

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

11 In the Matter of the Accusation Against:

Case No. 7185

12 **SOPHIA VALERIE HUERTA**  
732 Terrance Rd  
San Bernardino, CA 92410

**ACCUSATION**

13 Pharmacy Technician Registration No. TCH  
14 107625

15 Respondent.

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17  
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 (Board), Department of Consumer Affairs.

21 2. On or about April 6, 2020, the Board issued Pharmacy Technician Registration  
22 Number TCH 107625 to Sophia Valerie Huerta (Respondent). The Pharmacy Technician  
23 Registration was in full force and effect at all times relevant to the charges brought herein and  
24 expired on September 1, 2021, and had not been 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 unless otherwise indicated.

1           4.     Section 4300 states:

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                   (c) The board may refuse a license to any applicant guilty of unprofessional  
12                   conduct. The board may, in its sole discretion, issue a probationary license to any  
13                   applicant for a license who is guilty of unprofessional conduct and who has met all  
                    other requirements for licensure. The board may issue the license subject to any  
                    terms or conditions not contrary to public policy, including, but not limited to, the  
                    following:

14                           (1) Medical or psychiatric evaluation.

15                           (2) Continuing medical or psychiatric treatment.

16                           (3) Restriction of type or circumstances of practice.

17                           (4) Continuing participation in a board-approved rehabilitation program.

18                           (5) Abstention from the use of alcohol or drugs.

19                           (6) Random fluid testing for alcohol or drugs.

20                           (7) Compliance with laws and regulations governing the practice of pharmacy.

21                   (d) The board may initiate disciplinary proceedings to revoke or suspend any  
22                   probationary certificate of licensure for any violation of the terms and conditions of  
23                   probation. Upon satisfactory completion of probation, the board shall convert the  
                    probationary certificate to a regular certificate, free of conditions.

24                   (e) The proceedings under this article shall be conducted in accordance with  
25                   Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the  
26                   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  
                    superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

27           5.     Section 4300.1 states:

28                   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

1 placement of a license on a retired status, or the voluntary surrender of a license by a  
2 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.

### 3 **STATUTORY PROVISIONS**

4 6. Section 4301 states, in pertinent part:

5 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  
6 conduct shall include, but is not limited to, any of the following:

7 . . . .

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

10 . . . .

11 (q) Engaging in any conduct that subverts or attempts to subvert an  
12 investigation of the board.

### 13 **REGULATORY PROVISIONS**

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

15 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  
16 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  
17 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  
18 public health, safety, or welfare.

### 19 **COST RECOVERY**

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

### 24 **FIRST CAUSE FOR DISCIPLINE**

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

26 9. Respondent is subject to disciplinary action under section 4301, subdivision (f), in  
27 that Respondent committed acts involving moral turpitude, dishonesty, fraud, deceit, or  
28 corruption. The circumstances are that in that on or about August 14, 2020, officers responded to

1 a domestic disturbance. When they arrived at the residence, the victim indicated that she was  
2 asleep when her daughter, the Respondent, assaulted her with a broom causing visible injury.  
3 Respondent was subsequently taken into custody and transported to the central detention center  
4 where she was cited and released. Later that day, officers responded to the residence after  
5 receiving another domestic disturbance call. When officers arrived, Respondent's parents  
6 indicated that Respondent had returned to the residence, knocked on the door and told her father  
7 she had just broken the window to their vehicle. In fear that she would continue to damage their  
8 property they allowed her to come inside despite the fact that they had previously obtained a  
9 restraining order against her. Respondent was subsequently placed under arrest by the officers.

## 10 **SECOND CAUSE FOR DISCIPLINE**

### 11 **(Subvert or Attempt to Subvert an Investigation)**

12 10. Respondent is subject to disciplinary action under section 4301, subdivision (q) in  
13 that Respondent subverted or attempted to subvert an investigation of the Board when she failed  
14 to respond to the Board's request for a written explanation of the facts and circumstances  
15 surrounding her two arrests, the name and addresses of her current place of employment, and  
16 evidence of personal and/or professional development.

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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 Number TCH 107625, issued to Sophia Valerie Huerta;
2. Ordering Sophia Valerie Huerta 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: 10/11/2021

Signature on File

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

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