

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

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

**LAKESHIA N. GAMBLE, Respondent**

**Pharmacy Technician Registration No. TCH 33128**

**Agency Case No. 7319**

**OAH No. 2022110296**

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary 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 23, 2023.

It is so ORDERED on May 24, 2023.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.  
Board President

1 ROB BONTA  
Attorney General of California  
2 ERIN M. SUNSERI  
Supervising Deputy Attorney General  
3 AMIE J. FLYNN  
Deputy Attorney General  
4 State Bar No. 149600  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9337  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

14 **LAKESHIA N. GAMBLE**  
15 **171 Palomar St., #227**  
**Chula Vista, CA 91911**  
16 **Pharmacy Technician Registration No.**  
**TCH 33128**

17 Respondent.

Case No. 7319

OAH No. 2022110296

18  
19  
20 **STIPULATED SETTLEMENT AND**  
21 **DISCIPLINARY ORDER**

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

24 **PARTIES**

25 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
26 (Board). She brought this action solely in her official capacity and is represented in this matter by  
27 Rob Bonta, Attorney General of the State of California, by Amie J. Flynn, Deputy Attorney  
28 General.

2. Lakeshia N. Gamble (Respondent) is representing herself in this proceeding and has  
chosen not to exercise her right to be represented by counsel.





1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 33128 issued  
3 to Respondent. However, the revocation is stayed and Respondent is placed on probation for five  
4 (5) years on the following terms and conditions:

5 1. **Obey All Laws**

6 Respondent shall obey all state and federal laws and regulations.

7 Respondent shall report any of the following occurrences to the Board, in writing, within  
8 seventy- two (72) hours of such occurrence:

- 9
- 10 • an arrest or issuance of a criminal complaint for violation of any provision of the  
11 Pharmacy Law, state and federal food and drug laws, or state and federal controlled  
12 substances laws,
  - 13 • a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal  
14 criminal proceeding to any criminal complaint, information or indictment,
  - 15 • a conviction of any crime,
  - 16 • the filing of a disciplinary pleading, issuance of a citation, or initiation of another  
17 administrative action filed by any state or federal agency which involves  
18 Respondent’s license or which is related to the practice of pharmacy or the  
19 manufacturing, obtaining, handling, distributing, billing, or charging for any drug,  
20 device or controlled substance.

21 Failure to timely report such occurrence shall be considered a violation of probation.

22 2. **Report to the Board**

23 Respondent shall report to the Board quarterly, on a schedule as directed by the Board or its  
24 designee. The report shall be made either in person or in writing, as directed. Among other  
25 requirements, Respondent shall state in each report under penalty of perjury whether there has  
26 been compliance with all the terms and conditions of probation.

27 Failure to submit timely reports in a form as directed shall be considered a violation of  
28 probation. Any period(s) of delinquency in submission of reports as directed may be added to the  
total period of probation. Moreover, if the final probation report is not made as directed,

1 probation shall be automatically extended until such time as the final report is made and accepted  
2 by the Board.

3 **3. Interview with the Board**

4 Upon receipt of reasonable prior notice, Respondent shall appear in person for interviews  
5 with the Board or its designee, at such intervals and locations as are determined by the Board or  
6 its designee. Failure to appear for any scheduled interview without prior notification to Board  
7 staff, or failure to appear for two (2) or more scheduled interviews with the Board or its designee  
8 during the period of probation, shall be considered a violation of probation.

9 **4. Cooperate with Board Staff**

10 Respondent shall timely cooperate with the Board's inspection program and with the  
11 Board's monitoring and investigation of Respondent's compliance with the terms and conditions  
12 of probation, including but not limited to: timely responses to requests for information by Board  
13 staff; timely compliance with directives from Board staff regarding requirements of any term or  
14 condition of probation; and timely completion of documentation pertaining to a term or condition  
15 of probation. Failure to timely cooperate shall be considered a violation of probation.

16 **5. Reporting of Employment and Notice to Employers**

17 During the period of probation, Respondent shall notify all present and prospective  
18 employers of the decision in case number 7319 and the terms, conditions and restrictions imposed  
19 on Respondent by the Decision, as follows:

20 Within thirty (30) days of the effective date of this Decision, and within ten (10) days of  
21 undertaking any new employment, Respondent shall report to the Board in writing the name,  
22 physical address, and mailing address of each of her employer(s), and the name(s) and telephone  
23 number(s) of all of her direct supervisor(s), as well as any pharmacist(s)-in-charge, designated  
24 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work  
25 schedule, if known. Respondent shall also include the reason(s) for leaving the prior  
26 employment. Respondent shall sign and return to the Board a written consent authorizing the  
27 Board or its designee to communicate with all of Respondent's employer(s) and supervisor(s),  
28 and authorizing those employer(s) or supervisor(s) to communicate with the Board or its

1 designee, concerning Respondent's work status, performance, and monitoring. Failure to comply  
2 with the requirements or deadlines of this condition shall be considered a violation of probation.

3       Within thirty (30) days of the effective date of this Decision, and within fifteen (15) days of  
4 Respondent undertaking any new employment, Respondent shall cause (a) her direct supervisor,  
5 (b) her pharmacist-in-charge, designated representative-in-charge, responsible manager, or other  
6 compliance supervisor, and (c) the owner or owner representative of her employer, to report to the  
7 Board in writing acknowledging that the listed individual(s) has/have read the Decision in case  
8 number 7319, and terms and conditions imposed thereby. If one person serves in more than one  
9 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be Respondent's  
10 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the  
11 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term  
12 of probation, Respondent shall cause the person(s) taking over the role(s) to report to the Board in  
13 writing within fifteen (15) days of the change acknowledging that she has read the Decision in  
14 case number 7319, and the terms and conditions imposed thereby.

15       If Respondent works for or is employed by or through an employment service, Respondent  
16 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board  
17 of the Decision in case number 7319, and the terms and conditions imposed thereby in advance of  
18 Respondent commencing work at such licensed entity. A record of this notification must be  
19 provided to the Board upon request.

20       Furthermore, within thirty (30) days of the effective date of this Decision, and within fifteen  
21 (15) days of Respondent undertaking any new employment by or through an employment service,  
22 Respondent shall cause the person(s) described in (a), (b), and (c) above at the employment  
23 service to report to the Board in writing acknowledging that she has read the Decision in case  
24 number, and the terms and conditions imposed thereby. It shall be Respondent's responsibility to  
25 ensure that these acknowledgment(s) are timely submitted to the Board.

26       Failure to timely notify present or prospective employer(s) or failure to cause the identified  
27 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board  
28 shall be considered a violation of probation.

1 "Employment" within the meaning of this provision includes any full-time, part-time,  
2 temporary, relief, or employment/management service position as a pharmacy technician, or any  
3 position for which a pharmacy technician is a requirement or criterion for employment, whether  
4 Respondent is an employee, independent contractor or volunteer.

5 **6. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

6 Respondent shall further notify the Board in writing within ten (10) days of any change in  
7 name, residence address, mailing address, e-mail address or phone number.

8 Failure to timely notify the Board of any change in employer, name, address, or phone  
9 number shall be considered a violation of probation.

10 **7. Reimbursement of Board Costs**

11 As a condition precedent to successful completion of probation, Respondent shall pay to the  
12 Board its costs of investigation and prosecution in the amount of \$4,606.25. Respondent shall be  
13 permitted to pay these costs in a payment plan approved by the Board or its designee, so long as  
14 full payment is completed no later than one (1) year prior to the end date of probation.

15 **8. Probation Monitoring Costs**

16 Respondent shall pay any costs associated with probation monitoring as determined by the  
17 Board each and every year of probation. Such costs shall be payable to the Board on a schedule  
18 as directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed  
19 shall be considered a violation of probation.

20 **9. Status of License**

21 Respondent shall, at all times while on probation, maintain an active, current Pharmacy  
22 Technician Registration with the Board, including any period during which suspension or  
23 probation is tolled. Failure to maintain an active, current Pharmacy Technician Registration shall  
24 be considered a violation of probation.

25 If Respondent's Pharmacy Technician Registration expires or is cancelled by operation of  
26 law or otherwise at any time during the period of probation, including any extensions thereof due  
27 to tolling or otherwise, upon renewal or reapplication Respondent's license shall be subject to all  
28 terms and conditions of this probation not previously satisfied.

10. **License Surrender While on Probation/Suspension**

Following the effective date of this Decision, should Respondent cease practice due to retirement or health, or be otherwise unable to satisfy the terms and conditions of probation, Respondent may relinquish her license, including any indicia of licensure issued by the Board, along with a request to surrender the license. The Board or its designee shall have the discretion whether to accept the surrender or take any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the license, Respondent will no longer be subject to the terms and conditions of probation. This surrender constitutes a record of discipline and shall become a part of Respondent’s license history with the Board.

Upon acceptance of the surrender, Respondent shall relinquish her pocket and/or wall license, including any indicia of licensure not previously provided to the Board within ten (10) days of notification by the Board that the surrender is accepted if not already provided. Respondent may not reapply for any license from the Board for three (3) years from the effective date of the surrender. Respondent shall meet all requirements applicable to the license sought as of the date the application for that license is submitted to the Board, including any outstanding costs.

11. **Certification Prior to Resuming Work**

Respondent shall be suspended, and shall not work as a pharmacy technician, until she has been certified as defined by Business and Professions Code section 4202, subdivision (a)(4), has submitted proof of certification to the Board, and has been notified by the Board or its designee that she may begin work. Failure to achieve certification within six (6) months of the effective date shall be considered a violation of probation.

During suspension, Respondent shall not enter any pharmacy area or any portion of any other Board licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug retailer or any other distributor of drugs which is licensed by the Board, or any manufacturer, or any area where dangerous drugs and/or dangerous devices or controlled substances are maintained.

///

1 Respondent shall not do any act involving drug selection, selection of stock, manufacturing,  
2 compounding or dispensing; nor shall Respondent manage, administer, or assist any licensee of  
3 the Board. Respondent shall not have access to or control the ordering, distributing,  
4 manufacturing or dispensing of dangerous drugs and/or dangerous devices or controlled  
5 substances.

6 During this suspension, Respondent shall not engage in any activity that requires licensure  
7 as a pharmacy technician. Respondent shall not direct or control any aspect of the practice of  
8 pharmacy or of the manufacture, distribution, wholesaling, or retailing of dangerous drugs and/or  
9 dangerous devices, or controlled substances.

10 Failure to comply with any such suspension shall be considered a violation of probation.

11 **12. Practice Requirement – Extension of Probation**

12 Except during periods of suspension, Respondent shall, at all times while on probation, be  
13 employed as a pharmacy technician in California for a minimum of 100 hours per calendar  
14 month. Any month during which this minimum is not met shall extend the period of probation by  
15 one month. During any such period of insufficient employment, Respondent must nonetheless  
16 comply with all terms and conditions of probation, unless Respondent receives a waiver in  
17 writing from the Board or its designee.

18 If Respondent does not practice as a pharmacy technician in California for the minimum  
19 number of hours in any calendar month, for any reason (including vacation), Respondent shall  
20 notify the Board in writing within ten (10) days of the conclusion of that calendar month. This  
21 notification shall include at least: the date(s), location(s), and hours of last practice; the reason(s)  
22 for the interruption or reduction in practice; and the anticipated date(s) on which Respondent will  
23 resume practice at the required level. Respondent shall further notify the Board in writing within  
24 ten (10) days following the next calendar month during which Respondent practices as a  
25 pharmacy technician in California for the minimum of hours. Any failure to timely provide such  
26 notification(s) shall be considered a violation of probation.

27 It is a violation of probation for Respondent's probation to be extended pursuant to the  
28 provisions of this condition for a total period, counting consecutive and non-consecutive months,

1 exceeding thirty-six (36) months. The Board or its designee may post a notice of the extended  
2 probation period on its website.

3 **13. Violation of Probation**

4 If Respondent has not complied with any term or condition of probation, the Board shall  
5 have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent  
6 that probation shall automatically be extended, until all terms and conditions have been satisfied  
7 or the Board has taken other action as deemed appropriate to treat the failure to comply as a  
8 violation of probation, to terminate probation, and to impose the penalty that was stayed. The  
9 Board or its designee may post a notice of the extended probation period on its website.

10 If Respondent violates probation in any respect, the Board, after giving Respondent notice  
11 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
12 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during  
13 probation, or the preparation of an accusation or petition to revoke probation is requested from  
14 the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of  
15 probation shall be automatically extended until the petition to revoke probation or accusation is  
16 heard and decided.

17 **14. Completion of Probation**

18 Upon written notice by the Board or its designee indicating successful completion of  
19 probation, Respondent's license will be fully restored.

20 **15. Drug and Alcohol Testing**

21 Respondent, at her own expense, shall participate in testing as directed by the Board or its  
22 designee for the detection of alcohol, controlled substances, and dangerous drugs and/or  
23 dangerous devices. Testing protocols may include biological fluid testing (urine, blood),  
24 breathalyzer, hair follicle testing, or other testing protocols as directed by the Board or its  
25 designee. All testing must be pursuant to an observed testing protocol, unless Respondent is  
26 informed otherwise in writing by the Board or its designee. Respondent may be required to  
27 participate in testing for the entire probation period and frequency of testing will be determined  
28 by the Board or its designee.

1 By no later than thirty (30) days after the effective date of this Decision, Respondent shall  
2 have completed all of the following tasks: enrolled and registered with an approved drug and  
3 alcohol testing vendor; provided that vendor with any documentation, and any information  
4 necessary for payment by Respondent; commenced testing protocols, including all required  
5 contacts with the testing vendor to determine testing date(s); and begun testing. At all times,  
6 Respondent shall fully cooperate with the testing vendor, and with the Board or its designee, with  
7 regard to enrollment, registration, and payment for, and compliance with, testing. Any failure to  
8 cooperate timely shall be considered a violation of probation.

9 Respondent may be required to test on any day, including weekends and holidays.  
10 Respondent is required to make daily contact with the testing vendor to determine if a test is  
11 required, and if a test is required must submit to testing on the same day.

12 Prior to any vacation or other period of absence from the area where the approved testing  
13 vendor provides services, Respondent shall seek and receive approval from the Board or its  
14 designee to use an alternate testing vendor to ensure testing can occur. Upon approval,  
15 Respondent shall enroll and register with the approved alternate drug testing vendor, provide to  
16 that alternate vendor any documentation required by the vendor, including any necessary payment  
17 by Respondent. During the period of absence of the area, Respondent shall commence testing  
18 protocols with the alternate vendor, including required daily contacts with the testing vendor to  
19 determine if testing is required, and required testing. Any failure to timely seek or receive  
20 approval from the Board or its designee, or to timely enroll and register with, timely commence  
21 testing protocols with, or timely undergo testing with, the alternate testing vendor, shall be  
22 considered a violation of probation.

23 Upon detection of an illicit drug, controlled substance or dangerous drug, the Board or its  
24 designee may require Respondent to timely provide documentation from a licensed practitioner  
25 authorized to prescribe the detected substance demonstrating that the substance was administered  
26 or ingested pursuant to a legitimate prescription issued as a necessary part of treatment. All such  
27 documentation shall be provided by Respondent within ten (10) days of being requested.

28 ///

1 Any of the following shall be considered a violation of probation and shall result in  
2 Respondent being immediately suspended from practice as a pharmacy technician until notified  
3 by the Board in writing that she may resume practice: failure to timely complete all of the steps  
4 required for enrollment/registration with the drug testing vendor, including making arrangements  
5 for payment; failure to timely commence drug testing protocols; failure to contact the drug testing  
6 vendor as required to determine testing date(s); failure to test as required; failure to timely supply  
7 documentation demonstrating that a detected substance was taken pursuant to a legitimate  
8 prescription issued as a necessary part of treatment; and/or detection through testing of alcohol, or  
9 of an illicit drug, or of a controlled substance or dangerous drug absent documentation that the  
10 detected substance was taken pursuant to a legitimate prescription and a necessary treatment. In  
11 the event of a suspension ordered after detection through testing of alcohol, an illicit drug, or of a  
12 controlled substance or dangerous drug absent documentation that the detected substance was  
13 taken pursuant to a legitimate prescription and a necessary treatment, the Board or its designee  
14 shall inform Respondent of the suspension and inform her to immediately leave work, and shall  
15 notify Respondent's employer(s) and work site monitor(s) of the suspension.

16 During any such suspension, Respondent shall not enter any pharmacy area or any portion  
17 of the licensed premises of a wholesaler, third-party-logistics provider, veterinary food-animal  
18 drug retailer, or any other distributor of drugs which is licensed by the Board, or any  
19 manufacturer, or any area where dangerous drugs and/or dangerous devices or controlled  
20 substances are maintained. Respondent shall not practice pharmacy nor do any act involving drug  
21 selection, selection of stock, manufacturing, compounding, dispensing or patient consultation; nor  
22 shall Respondent manage, administer, or be a consultant to any licensee of the Board, or have  
23 access to or control the ordering, distributing, manufacturing or dispensing of dangerous drugs  
24 and/or dangerous devices and controlled substances.

25 During any such suspension, Respondent shall not engage in any activity that requires the  
26 professional judgment of and/or licensure as a pharmacy technician. Respondent shall not direct  
27 or control any aspect of the practice of pharmacy, or of the manufacturing, distributing,  
28 wholesaling, or retailing of dangerous drugs and/or dangerous devices.

1 Failure to comply with any such suspension shall be considered a violation of probation.  
2 Failure to comply with any requirement or deadline stated by this term shall be considered a  
3 violation of probation.

4 **16. Notification of Departure**

5 Prior to leaving the probationary geographic area designated by the Board or its designee  
6 for a period greater than twenty-four (24) hours, Respondent shall notify the Board verbally and  
7 in writing of the dates of departure and return. Failure to comply with this provision shall be  
8 considered a violation of probation.

9 **17. Abstain from Drugs and Alcohol**

10 Respondent shall completely abstain from the possession or use of alcohol, controlled  
11 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated  
12 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a  
13 necessary part of treatment. Respondent shall ensure that she is not in the same physical location  
14 as individuals who are using illicit substances even if Respondent is not personally ingesting the  
15 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled  
16 substances, or their associated paraphernalia for which a legitimate prescription has not been  
17 issued as a necessary part of treatment, or any physical proximity to persons using illicit  
18 substances, shall be considered a violation of probation.

19 **18. Prescription Coordination and Monitoring of Prescription Use**

20 Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the  
21 Board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,  
22 physician assistant, or psychiatrist of Respondent's choice, who shall be aware of Respondent's  
23 history with the use of alcohol, and who will coordinate and monitor any prescriptions for  
24 Respondent for dangerous drugs and/or dangerous devices, controlled substances or mood-  
25 altering drugs. The approved practitioner shall be provided with a copy of the Board's Accusation  
26 and Decision. A record of this notification must be provided to the Board or its designee upon  
27 request. Respondent shall sign a release authorizing the practitioner to communicate with the  
28 Board or its designee about Respondent's treatment(s). The coordinating physician, nurse

1 practitioner, physician assistant, or psychiatrist shall report to the Board on a quarterly basis for  
2 the duration of probation regarding Respondent's compliance with this condition. If any  
3 substances considered addictive have been prescribed, the report shall identify a program for the  
4 time limited use of any such substances. The Board or its designee may require that the single  
5 coordinating physician, nurse practitioner, physician assistant or psychiatrist be a specialist in  
6 addictive medicine, or consult a specialist in addictive medicine. Should Respondent, for any  
7 reason, cease supervision by the approved practitioner, Respondent shall notify the Board or its  
8 designee immediately and, within thirty (30) days of ceasing supervision, submit the name of a  
9 replacement physician, nurse practitioner, physician assistant, or psychiatrist of Respondent's  
10 choice to the Board or its designee for its prior approval. Failure to timely submit the selected  
11 practitioner or replacement practitioner to the Board or its designee for approval, or to ensure the  
12 required quarterly reporting thereby, shall be considered a violation of probation.

13 If at any time an approved practitioner determines that Respondent is unable to practice  
14 safely or independently as a pharmacy technician, the practitioner shall notify the Board or its  
15 designee immediately by telephone and follow up by written letter within three (3) working days.  
16 Upon notification from the Board or its designee of this determination, Respondent shall be  
17 automatically suspended and shall not resume practice as a pharmacy technician until notified by  
18 the Board or its designee that practice may be resumed.

19 During any suspension, Respondent shall not enter any pharmacy area or any portion of the  
20 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug  
21 retailer, or any other distributor of drugs which is licensed by the Board, or any manufacturer, or  
22 any area where dangerous drugs and/or dangerous devices or controlled substances are  
23 maintained. Respondent shall not practice pharmacy nor do any act involving drug selection,  
24 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall  
25 Respondent manage, administer, or be a consultant to any licensee of the Board, or have access to  
26 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or  
27 dangerous devices and controlled substances. Respondent shall not resume practice until notified  
28 by the Board.

1 During any suspension, Respondent shall not engage in any activity that requires the  
2 professional judgment and/or licensure as a pharmacy technician. Respondent shall not direct or  
3 control any aspect of the practice of pharmacy or of the manufacturing, distributing, wholesaling,  
4 or retailing of dangerous drugs and/or dangerous devices or controlled substances.

5 Failure to comply with any requirement or deadline stated by this term shall be considered a  
6 violation of probation.

7 **19. Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

8 Within thirty (30) days of the effective date of this Decision, Respondent shall begin  
9 regular attendance at a recognized and established substance abuse recovery support group in  
10 California (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved  
11 by the Board or its designee. Respondent must attend the number of group meetings per week or  
12 month directed by the Board or its designee, which shall typically be at least one per week.  
13 Respondent shall continue regular attendance and submit signed and dated documentation  
14 confirming attendance with each quarterly report for the duration of probation. Failure to attend  
15 or submit documentation thereof shall be considered a violation of probation.

16 Where Respondent is enrolled in the PRP, participation as required in a recovery group  
17 meeting approved by the PRP shall be sufficient for satisfaction of this requirement. Any  
18 deviation from participation requirements for the PRP-approved group shall be considered a  
19 violation of probation.

20 **20. No Ownership or Management of Licensed Premises**

21 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,  
22 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
23 partnership, or corporation currently or hereinafter licensed by the Board. Respondent shall sell or  
24 transfer any legal or beneficial interest in any entity licensed by the Board within ninety (90)  
25 days following the effective date of this Decision and shall immediately thereafter provide written  
26 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide  
27 documentation thereof shall be considered a violation of probation.

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ACCEPTANCE**

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

DATED: \_\_\_\_\_  
LAKESHIA N. GAMBLE  
*Respondent*

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: \_\_\_\_\_

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ERIN M. SUNSERI  
Supervising Deputy Attorney General

AMIE J. FLYNN  
Deputy Attorney General  
*Attorneys for Complainant*

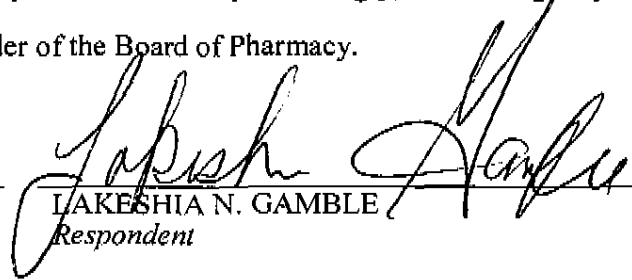
SD2022801395  
83861154.docx

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ACCEPTANCE**

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

DATED: 4-6-23

  
LAKESHIA N. GAMBLE  
*Respondent*

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: \_\_\_\_\_

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ERIN M. SUNSERI  
Supervising Deputy Attorney General

AMIE J. FLYNN  
Deputy Attorney General  
*Attorneys for Complainant*

SD2022801395  
83861154.docx

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ACCEPTANCE**

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


DATED: \_\_\_\_\_  
LAKESHIA N. GAMBLE  
*Respondent*

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: April 10, 2023

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ERIN M. SUNSERI  
Supervising Deputy Attorney General

  
AMIE J. FLYNN  
Deputy Attorney General  
*Attorneys for Complainant*

SD2022801395  
83861154.docx

**Exhibit A**

**Accusation No. 7319**

1 ROB BONTA  
Attorney General of California  
2 ERIN M. SUNSERI  
Supervising Deputy Attorney General  
3 AMIE J. FLYNN  
Deputy Attorney General  
4 State Bar No. 149600  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9337  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 7319

14 **LAKESHIA N. GAMBLE**  
15 **171 Palomar St., #227**  
**Chula Vista, CA 91911**

**ACCUSATION**

16 **Pharmacy Technician Registration**  
17 **No. TCH 33128**

Respondent.

18  
19  
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 May 1, 2000, the Board of Pharmacy issued Pharmacy Technician  
24 Registration Number TCH 33128 to Lakeshia N. Gamble (Respondent). The Pharmacy  
25 Technician Registration was in full force and effect at all times relevant to the charges brought  
26 herein and will expire on August 31, 2023, unless renewed.

27 ///

28 ///

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 (Code) unless otherwise  
4 indicated.

5 4. Section 4300 of the Code states, subdivision (a), states, “Every license issued may be  
6 suspended or revoked.”

7 5. Section 4300.1 of the Code states:

8 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
9 by operation of law or by order or decision of the board or a court of law, the  
10 placement of a license on a retired status, or the voluntary surrender of a license by a  
11 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.

12 **STATUTORY PROVISIONS**

13 6. Section 482 of the Code states:

14 (a) Each board under this code shall develop criteria to evaluate the  
15 rehabilitation of a person when doing either of the following:

16 (1) Considering the denial of a license by the board under Section 480.

17 (2) Considering suspension or revocation of a license under Section 490.

18 (b) Each board shall consider whether an applicant or licensee has made a  
showing of rehabilitation if either of the following are met:

19 (1) The applicant or licensee has completed the criminal sentence at issue  
20 without a violation of parole or probation.

21 (2) The board, applying its criteria for rehabilitation, finds that the applicant is  
rehabilitated.

22 ...

23 (d) This section shall become operative on July 1, 2020.

24  
25 7. Section 490 of the Code provides, in pertinent part, that a board may suspend or  
26 revoke a license on the ground that the licensee has been convicted of a crime substantially  
27 related to the qualifications, functions, or duties of the business or profession for which the  
28 license was issued.



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

13 ....

### 14 **REGULATORY PROVISIONS**

15 10. California Code of Regulations, title 16, section 1769, subdivision (c), states:

16 When considering the suspension or revocation of a facility or a personal  
17 license on the ground that the licensee or the registrant has been convicted of a crime,  
18 the board, in evaluating the rehabilitation of such person and his present eligibility for  
19 a license will consider the following criteria:

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

21 (2) Total criminal record.

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

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

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

26 11. California Code of Regulations, title 16, section 1770, states:

27 For the purpose of denial, suspension, or revocation of a personal or facility  
28 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.

///

///

///

///

**COST RECOVERY**

1  
2           12.     Section 125.3 of the Code provides, in pertinent part, that the Board may request  
3 the administrative law judge to direct a licentiate found to have committed a violation or  
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
5 and enforcement of the case, with failure of the licentiate to comply subjecting the license to not  
6 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs  
7 may be included in a stipulated settlement.

**FIRST CAUSE FOR DISCIPLINE**

**(February 17, 2022 Criminal Conviction for DUI on September 5, 2020)**

8  
9  
10           13.     Respondent has subjected her pharmacy technician registration to disciplinary action  
11 under Code sections 490 and 4301, subdivision (l), in that on or about February 17, 2022, in a  
12 criminal proceeding entitled *The People of the State of California v. Lakeshia N. Gamble*, in the  
13 San Diego County Superior Court, South County Division, Case No. S316294, Respondent was  
14 convicted on her plea of guilty of violating Vehicle Code section 23152, subdivision (b) (driving  
15 while under the influence of alcohol with a blood alcohol concentration of 0.08 percent or more  
16 [BAC 19%]), a misdemeanor, with an admitted enhancement allegation pursuant to Vehicle Code  
17 section 23578 of driving while under the influence of alcohol with a blood alcohol concentration  
18 of 0.15 percent or more, by weight. As a result of a plea agreement, a count for violating Vehicle  
19 Code section 23152(a) (driving under the influence of alcohol), a misdemeanor, was dismissed.  
20 Respondent was placed on three (3) years summary probation with terms and conditions that  
21 included restitution, enrollment and completion of a 3-month First Conviction Program, attending  
22 30 days AA, attending and completing a DUI Victim Impact Panel, and restricting driving  
23 without a valid driver’s license and liability insurance.

24           14.     The circumstances surrounding Respondent’s arrest are that on September 5, 2020, at  
25 approximately 11:15 a.m., Chula Vista Police Department officers were dispatched to a call of a  
26 traffic collision in the 300 block of J Street in Chula Vista, California. The reporting party  
27 informed dispatch that a female was driving and swerving, and had struck a curb. Upon the  
28 officers’ arrival at the scene, they observed a female (Respondent) inside a vehicle. The vehicle

1 was positioned westbound near the center of the roadway with the majority of the vehicle in the  
2 lane of oncoming traffic. The driver's side steering wheel airbag and the passenger side window  
3 airbag were deployed. The officers found inside Respondent's vehicle a 200 milliliter bottle  
4 containing Hennessey, 40 proof, with only one quarter of the alcoholic beverage remaining in the  
5 bottle. Respondent used profanity and flailed her arms at paramedics when they approached her  
6 to evaluate her. Respondent yelled to officers and the paramedics, "That mother f\_\_\_ is on some  
7 bullshit." Respondent exited her vehicle, approached the paramedics, pointed her finger in an  
8 aggressive manner, and again stated, "That mother f\_\_\_ is on some bullshit." Respondent  
9 demonstrated several objective signs and symptoms of alcohol intoxication. Respondent was  
10 detained for being under the influence of an alcoholic beverage. Respondent seemed to be  
11 unaware that she had been in an accident and was unable to provide her driver's license and  
12 unable to concentrate and answer why her vehicle was immobile in the middle of the street.  
13 Respondent appeared disoriented, did not listen to the officers commands to get out of the  
14 roadway, and subsequently had to be assisted out of the roadway. Witness M.M. told officers that  
15 he lives across the street and came out of his home when he heard a loud bang. M.M. observed  
16 Respondent drive across the roadway's center double yellow lines and onto oncoming traffic  
17 lanes while Respondent's driver's side and passenger's side airbags were deployed. M.M. asked  
18 Respondent if she was okay. M.M.'s wife also approached to assist the witness. While M.M.'s  
19 wife was calling 9-1-1, Respondent appeared to look over at M.M.'s wife and said, "What is that  
20 bitch doing," then attempted to drive away. By this time, the Chula Vista Fire Department had  
21 arrived on the scene and removed the keys from the ignition of Respondent's vehicle. Based on  
22 Respondent's argumentative demeanor, her lack of cooperation, and unsteady gait, as well as the  
23 strong smell of an alcoholic beverage and Respondent's objective symptoms of impairment, the  
24 officers did not attempt to conduct voluntary field sobriety tests, and placed Respondent under  
25 arrest.

26 ///

27 ///

28 ///

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Alcohol-Related Criminal Convictions)**

3 15. Respondent has subjected her pharmacy technician registration to disciplinary action  
4 under Code section 4301, subdivision (k), for unprofessional conduct, in that on February 17,  
5 2022, as more fully set forth at paragraphs 13 and 14, which are incorporated here by reference,  
6 Respondent was convicted of a misdemeanor involving the consumption of alcoholic beverages.

7 **THIRD CAUSE FOR DISCIPLINE**

8 **(Dangerous Use of Alcohol)**

9 16. Respondent has subjected her pharmacy technician registration to disciplinary action  
10 under Code section 4301, subdivision (h), for unprofessional conduct, in that on September 5,  
11 2020, as more fully set forth at paragraphs 13 and 14, which are incorporated here by reference,  
12 Respondent used alcoholic beverages to an extent or in a manner that was dangerous and  
13 injurious to herself and the public when she operated a motor vehicle while impaired by alcohol.

14 **PRAYER**

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

- 17 1. Revoking or suspending Pharmacy Technician Registration Number TCH 33128  
18 issued to Lakeshia N. Gamble;
- 19 2. Ordering Lakeshia N. Gamble to pay the Board of Pharmacy the reasonable costs of  
20 the investigation and enforcement of this case, pursuant to Business and Professions Code section  
21 125.3; and,
- 22 3. Taking such other and further action as deemed necessary and proper.

23  
24 DATED: 9/6/2022

Signature on File

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