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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:

Case No. 7579

13 **KAREN MICHELLE HERNANDEZ**  
14 **1777 Cerritos Ave, #8**  
**Long Beach, CA 90813**

**DEFAULT DECISION AND ORDER**

15 **Pharmacy Technician License No. TCH**  
16 **164552**

[Gov. Code, §11520]

17  
18 Respondent.

19  
20 **FINDINGS OF FACT**

21 1. On or about October 17, 2023, Complainant Anne Sodergren, in her official capacity  
22 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed  
23 Accusation No. 7579 against Karen Michelle Hernandez (Respondent) before the Board of  
24 Pharmacy. (Accusation attached as Exhibit A.)

25 2. On or about February 5, 2018, the Board of Pharmacy (Board) issued Pharmacy  
26 Technician License No. TCH 164552 to Respondent. The Pharmacy Technician License was in  
27 full force and effect at all times relevant to the charges brought in Accusation No. 7579, expired  
28 on February 28, 2022, and has not been renewed. This lapse in licensure, however, pursuant to

1 Business and Professions Code section 118(b) and 4300.1 does not deprive the Board of its  
2 authority to institute or continue this disciplinary proceeding.

3 3. On or about October 23, 2023, Respondent was served by Certified and First Class  
4 Mail copies of the Accusation No. 7579, Statement to Respondent, Notice of Defense, Request  
5 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
6 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
7 section 4100, is required to be reported and maintained with the Board. Respondent's address of  
8 record was and is: 1777 Cerritos Ave, #8, Long Beach, CA 90813.

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

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

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

17 6. The Board takes official notice of its records and the fact that Respondent failed to  
18 file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore  
19 waived her right to a hearing on the merits of Accusation No. 7579.

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

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

25 8. Pursuant to its authority under Government Code section 11520, the Board finds  
26 Respondent is in default. The Board will take action without further hearing and, based on the  
27 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,  
28 finds that the charges and allegations in Accusation No. 7579, 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 \$3,340.00  
as of January 31, 2024.

1 **DETERMINATION OF ISSUES**

2 1. Based on the foregoing findings of fact, Respondent Karen Michelle Hernandez has  
3 subjected her Pharmacy Technician License No. TCH 164552 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 License based upon the following violations alleged in the Accusation which are supported by the  
7 evidence contained in the Default Decision Investigatory Evidence Packet in this case:

8 a. Bus. & Prof. Code § 4301 [Unprofessional Conduct];

9 b. Bus. & Prof. Code § 4301(h) [Dangerous Use of Alcohol].  
10

11 **ORDER**

12 IT IS SO ORDERED that Pharmacy Technician License No. TCH 164552, issued to  
13 Respondent Karen Michelle Hernandez, is revoked.

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

18 This Decision shall become effective at 5:00 p.m. April 17, 2024.

19 It is so ORDERED on March 18, 2024.  
20

21 BOARD OF PHARMACY DEPARTMENT  
22 OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

23  
24 66546090.DOCX  
DOJ Matter ID:LA2023602247

By 

25 Attachment:  
26 Exhibit A: Accusation

Seung W. Oh, Pharm.D.  
Board President  
27  
28

# Exhibit A

Accusation

1 ROB BONTA  
Attorney General of California  
2 NANCY A. KAISER  
Supervising Deputy Attorney General  
3 LANGSTON M. EDWARDS  
Deputy Attorney General  
4 State Bar No. 237926  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6371  
6 Facsimile: (916) 731-2126  
*Attorneys for Complainant*  
7

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

12 In the Matter of the Accusation Against:

Case No. 7579

13 **KAREN MICHELLE HERNANDEZ**  
1777 Cerritos Ave, #8  
14 Long Beach, CA 90813

**ACCUSATION**

15 **Pharmacy Technician License No. TCH**  
16 **164552**

Respondent.

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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, Department of Consumer Affairs.

23 2. On or about February 5, 2018, the Board of Pharmacy issued Pharmacy Technician  
24 License Number TCH 164552 to Karen Michelle Hernandez (Respondent). The Pharmacy  
25 Technician License was in full force and effect at all times relevant to the charges brought herein,  
26 expired on February 28, 2022, and has not been renewed.

27 ///

28 ///

**JURISDICTION**

3. This Accusation is brought before the Board of Pharmacy (Board), under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Section 4300 of the Code states:

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

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

(1) Suspending judgment.

(2) Placing him or her upon probation.

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

(4) Revoking his or her license.

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

6. Section 4300.1 of the Code states:

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

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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 conduct shall include, but is not limited to, any of 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.

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1           14. While on the freeway, Respondent began yelling at J.R. and D.P, stating that she  
2 wanted to get out of the vehicle. Respondent then attempted to open the door of the moving  
3 vehicle but was unable to do so.

4           15. Enraged, Respondent climbed into the front seat where J.R. was seated, screamed in  
5 his ear, punched him in the head several times and placed her hands around his neck.

6           16. D.P. pulled the vehicle to the side of the road to stop the attack and provide assistance  
7 by helping to return Respondent to the back seat of the vehicle. For the remainder of the ride,  
8 Respondent continued to scream in J.R.'s ear.

9           17. Upon arrival at their residence, Respondent physically attacked J.R. and threatened to  
10 take their children and leave.

11           18. Concerned about Respondent's aggressive behavior and level of intoxication, J.R.  
12 contacted the police department. D.P. attempted to calm Respondent down but was pushed and  
13 assaulted. Respondent continued to act aggressively towards D.P. and stated, "kill me." D.P. then  
14 locked Respondent inside of a room alone but could hear Respondent "banging on the walls and  
15 break glass from inside of the room."

16           19. Respondent stated that she had no recollection of the events that occurred between  
17 leaving the karaoke bar and arriving home.

18           20. On or about March 1, 2022, a misdemeanor complaint was filed against Respondent  
19 in *The People of the State of California v. Karen Hernandez*, Los Angeles Superior Court, Case  
20 No. 2CS00368, 2022, for violating Penal Code section 273.5(a) [inflicting corporal injury on a  
21 spouse/cohabitant] and Penal Code section 242 [battery].

22           21. On or about March 8, 2023, Respondent was granted a diversion period of one year  
23 according to terms and conditions.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 22. Respondent is subject to disciplinary action pursuant to Code section 4301, in that  
4 Respondent committed acts constituting unprofessional conduct. Complainant refers to, and by  
5 this reference incorporates, the allegations set forth above in paragraphs 9 – 21, inclusive, as  
6 though set forth fully.

7  
8 **SECOND CAUSE FOR DISCIPLINE**

9 **(Dangerous Use of Alcohol)**

10 23. Respondent is subject to disciplinary action pursuant to Code section 4301,  
11 subdivision (h), in that Respondent committed acts constituting dangerous use of alcohol.  
12 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
13 paragraphs 9 – 21, inclusive, as though set forth fully.

14  
15 **PRAYER**

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

18 1. Revoking or suspending Pharmacy Technician License Number TCH 164552, issued  
19 to Karen Michelle Hernandez;

20 2. Ordering Karen Michelle Hernandez to pay the Board of Pharmacy the reasonable  
21 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
22 Code section 125.3; and,

23 3. Taking such other and further action as deemed necessary and proper.

24  
25 DATED: 10/17/2023

Sodergren,  
Anne@DCA

Digitally signed by  
Sodergren, Anne@DCA  
Date: 2023.10.17 14:31:39  
-07'00'

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

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