

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

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

**HANNAH ELIZABETH MCFEE, Respondent**

**Intern Pharmacist License No. INT 49458**

**Agency Case No. 7820**

**DECISION AND ORDER**

The attached Stipulated Surrender of License Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on November 13, 2024.

It is so ORDERED on October 14, 2024.

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 fluid and cursive, with the first name "Seung" and last name "Oh" clearly visible.

Seung W. Oh, Pharm.D.  
Board President

1 ROB BONTA  
Attorney General of California  
2 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
3 ERIN M. SUNSERI  
Supervising Deputy Attorney General  
4 State Bar No. 207031  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9419  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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. 7820

14 **HANNAH ELIZABETH MCFEE**  
27 Crestview Dr.  
15 **Uncasville, CT 06382**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

16 **Intern Pharmacist License No. INT 49458**

17 Respondent.

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
23 (Board). She brought this action solely in her official capacity and is represented in this matter by  
24 Rob Bonta, Attorney General of the State of California, by Erin M. Sunseri, Supervising Deputy  
25 Attorney General.

26 2. Hannah Elizabeth McFee (Respondent) is representing herself in this proceeding and  
27 has chosen not to exercise her right to be represented by counsel.

28 ///

1           3.     On or about April 20, 2022, the Board issued Intern Pharmacist License No. INT  
2 49458 to Respondent. The Intern Pharmacist License was in full force and effect at all times  
3 relevant to the charges brought in Accusation No. 7820 and will expire on May 31, 2025, unless  
4 renewed.

5                                   **JURISDICTION**

6           4.     Accusation No. 7820 was filed before the Board, and is currently pending against  
7 Respondent. The Accusation and all other statutorily required documents were properly served  
8 on Respondent on June 13, 2024. Respondent timely filed her Notice of Defense contesting the  
9 Accusation. A copy of Accusation No. 7820 is attached as Exhibit A and incorporated by  
10 reference.

11                                   **ADVISEMENT AND WAIVERS**

12           5.     Respondent has carefully read, and understands the charges and allegations in  
13 Accusation No. 7820. Respondent also has carefully read, and understands the effects of this  
14 Stipulated Surrender of License and Order.

15           6.     Respondent is fully aware of her legal rights in this matter, including the right to a  
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at  
17 her own expense; the right to confront and cross-examine the witnesses against her; the right to  
18 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to  
19 compel the attendance of witnesses and the production of documents; the right to reconsideration  
20 and court review of an adverse decision; and all other rights accorded by the California  
21 Administrative Procedure Act and other applicable laws.

22           7.     Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
23 every right set forth above.

24                                   **CULPABILITY**

25           8.     Respondent admits the truth of each and every charge and allegation in Accusation  
26 No. 7820, agrees that cause exists for discipline and hereby surrenders her Intern Pharmacist  
27 License No. INT 49458 for the Board's formal acceptance.

28 ///

9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Intern Pharmacist License without further process.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Intern Pharmacist License No. INT 49458, issued to Respondent Hannah Elizabeth McFee, is surrendered and accepted by the Board.

1. The surrender of Respondent's Intern Pharmacist License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent.

1 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
2 license history with the Board.

3 2. Respondent shall lose all rights and privileges an intern pharmacist in California as of  
4 the effective date of the Board's Decision and Order.

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

7 4. If Respondent ever applies for licensure or petitions for reinstatement in the State of  
8 California, the Board shall treat it as a new application for licensure. Respondent must comply  
9 with all the laws, regulations and procedures for licensure in effect at the time the application or  
10 petition is filed, and all of the charges and allegations contained in Accusation No. 7820 shall be  
11 deemed to be true, correct and admitted by Respondent when the Board determines whether to  
12 grant or deny the application or petition.

13 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
14 amount of \$1,516.25 prior to issuance of a new or reinstated license.

15 6. If Respondent should ever apply or reapply for a new license or certification, or  
16 petition for reinstatement of a license, by any other health care licensing agency in the State of  
17 California, all of the charges and allegations contained in Accusation, No. 7820 shall be deemed  
18 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any  
19 other proceeding seeking to deny or restrict licensure.

20 7. Respondent shall not apply for or petition for reinstatement of any license before the  
21 Board for three (3) years from the effective date of this decision and order.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

**ACCEPTANCE**

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

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

HANNAH ELIZABETH MCFEE  
*Respondent*

**ENDORSEMENT**

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

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

Respectfully submitted,

ROB BONTA  
Attorney General of California  
GREGORY J. SALUTE  
Supervising Deputy Attorney General

ERIN M. SUNSERI  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

SD2024801481  
84598125.docx

**ACCEPTANCE**

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

DATED: 9/6/24



HANNAH ELIZABETH MCFEE

*Respondent*

**ENDORSEMENT**

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

DATED: 9/13/2024

Respectfully submitted,

ROB BONTA  
Attorney General of California  
GREGORY J. SALUTE  
Supervising Deputy Attorney General



ERIN M. SUNSERI  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

SD2024801481  
84598125.docx

**Exhibit A**

**Accusation No. 7820**



1 ROB BONTA  
Attorney General of California  
2 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
3 ERIN M. SUNSERI  
Supervising Deputy Attorney General  
4 State Bar No. 207031  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9419  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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. 7820

14 **HANNAH ELIZABETH MCFEE**  
15 **27 Crestview Dr.**  
**Uncasville, CT 06382**

**ACCUSATION**

16 **Intern Pharmacist License No. INT 49458**

17 Respondent.

18  
19 **PARTIES**

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

22 2. On or about April 20, 2022, the Board issued Intern Pharmacist License Number INT  
23 49458 to Hannah Elizabeth McFee (Respondent). The Intern Pharmacist License was in full  
24 force and effect at all times relevant to the charges brought herein and will expire on May 31,  
25 2025, unless renewed.

26 ///

27 ///

28 ///

## **JURISDICTION**

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

4. Section 4011 of the Code provides that the Board shall administer and enforce both the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances Act [Health & Safety Code, § 11000 et seq.].

5. Code section 4300, subdivision (a), states, “Every license issued may be suspended or revoked.”

6. Code section 4300.1 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.

## **STATUTORY PROVISIONS**

7. Code section 482 states:

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

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

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

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

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

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

....

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

1           9.     Code section 493 states:

2                 (a) Notwithstanding any other law, in a proceeding conducted by a board within  
3                 the department pursuant to law to deny an application for a license or to suspend or  
4                 revoke a license or otherwise take disciplinary action against a person who holds a

5                 license, upon the ground that the applicant or the licensee has been convicted of a crime  
6                 substantially related to the qualifications, functions, and duties of the licensee in  
7                 question, the record of conviction of the crime shall be conclusive evidence of the fact  
8                 that the conviction occurred, but only of that fact.

9                 (b) (1) Criteria for determining whether a crime is substantially related to the  
10                 qualifications, functions, or duties of the business or profession the board regulates  
11                 shall include all of the following:

12                         (A) The nature and gravity of the offense.

13                         (B) The number of years elapsed since the date of the offense.

14                         (C) The nature and duties of the profession.

15                 (2) A board shall not categorically bar an applicant based solely on the type  
16                 of conviction without considering evidence of rehabilitation.

17                 (c) As used in this section, “license” includes “certificate,” “permit,” “authority,”  
18                 and “registration.”

19                 ....

20           10.     Code section 4301 states:

21                 The board shall take action against any holder of a license who is guilty of  
22                 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  
26                 dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous  
27                 or injurious to oneself, to a person holding a license under this chapter, or to any other  
28                 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.

                    ...

                    (i) The conviction of a crime substantially related to the qualifications, functions,  
                    and duties of a licensee under this chapter. The record of conviction of a violation of  
                    Chapter 13 (commencing with Section 801) of Title 21 of the United States Code  
                    regulating controlled substances or of a violation of the statutes of this state regulating  
                    controlled substances or dangerous drugs shall be conclusive evidence of  
                    unprofessional conduct. In all other cases, the record of conviction shall be conclusive  
                    evidence only of the fact that the conviction occurred. The board may inquire into the  
                    circumstances surrounding the commission of the crime, in order to fix the degree of  
                    discipline or, in the case of a conviction not involving controlled substances or

1 dangerous drugs, to determine if the conviction is of an offense substantially related to  
2 the qualifications, functions, and duties of a licensee under this chapter. A plea or  
3 verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a  
4 conviction within the meaning of this provision. The board may take action when the  
5 time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal  
6 or when an order granting probation is made suspending the imposition of sentence,

7  
8 irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the  
9 person to withdraw their plea of guilty and to enter a plea of not guilty, or setting aside  
10 the verdict of guilty, or dismissing the accusation, information, or indictment.

11 ....

12  
13 11. Code section 4307 states:

14 (a) Any person who has been denied a license or whose license has been  
15 revoked or is under suspension, or who has failed to renew his or her license while it  
16 was under suspension, or who has been a manager, administrator, owner, member,  
17 officer, director, associate, partner, or any other person with management or control  
18 of any partnership, corporation, trust, firm, or association whose application for a  
19 license has been denied or revoked, is under suspension or has been placed on  
20 probation, and while acting as the manager, administrator, owner, member, officer,  
21 director, associate, partner, or any other person with management or control had  
22 knowledge of or knowingly participated in any conduct for which the license was  
23 denied, revoked, suspended, or placed on probation, shall be prohibited from serving  
24 as a manager, administrator, owner, member, officer, director, associate, partner, or in  
25 any other position with management or control of a licensee as follows:

26 (1) Where a probationary license is issued or where an existing license is  
27 placed on probation, this prohibition shall remain in effect for a period not to exceed  
28 five years.

(2) Where the license is denied or revoked, the prohibition shall continue  
until the license is issued or reinstated.

(b) "Manager, administrator, owner, member, officer, director, associate,  
partner, or any other person with management or control of a license" as used in this  
section and Section 4308, may refer to a pharmacist or to any other person who  
serves in such capacity in or for a licensee.

(c) The provisions of subdivision (a) may be alleged in any pleading filed  
pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of  
the Government Code. However, no order may be issued in that case except as to a  
person who is named in the caption, as to whom the pleading alleges the  
applicability of this section, and where the person has been given notice of the  
proceeding as required by Chapter 5 (commencing with Section 11500) of Part 1 of  
Division 3 of the Government Code. The authority to proceed as provided by this  
subdivision shall be in addition to the board's authority to proceed under Section  
4339 or any other provision of law.

///  
///  
///

## **REGULATORY PROVISIONS**

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

When considering the suspension or revocation of a facility or a personal license on the ground that the licensee has been convicted of a crime, the board will consider whether the licensee made a showing of rehabilitation and is presently fit for a license, if the licensee completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the board will consider the criteria in subdivisions (b)(1)(A) through (E). If the licensee has not completed the criminal sentence at issue without a violation of parole or probation or the board determines that the licensee did not make the showing of rehabilitation based on the criteria in subdivisions (b)(1)(A) through (E), the board will apply the following criteria in evaluating the licensee's rehabilitation:

(1) Nature and gravity of the act(s) or offenses.

(2) Total criminal record.

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

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

(5) The criteria in subdivisions (b)(1)(A) through (E), as applicable.

(6) Evidence, if any, of rehabilitation submitted by the licensee, including as provided in the board's Disciplinary Guidelines, identified in section 1760.

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

(a) For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime, professional misconduct, or act shall be considered substantially related to the qualifications, functions or duties of the practice, profession, or occupation that may be performed under the license type sought or held if to a substantial degree it evidences present or potential unfitness of an applicant or licensee to perform the functions authorized by the license in a manner consistent with the public health, safety, or welfare.

(b) In making the substantial relationship determination required under subdivision (a) for a crime, the board will consider the following criteria:

(1) The nature and gravity of the offense;

(2) The number of years elapsed since the date of the offense; and

(3) The nature and duties of the practice, profession, or occupation that may be performed under the license type sought or held.

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

1 ...  
2 (5) Involve a conviction for driving under the influence of drugs or  
3 alcohol.

4 **COST RECOVERY**

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

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(April 5, 2023 Criminal Conviction for DUI on May 15, 2022)**

13 15. Respondent has subjected her Intern Pharmacist License to disciplinary action under  
14 Code sections 490 and 4301, subdivision (I), because she was convicted of a crime substantially  
15 related to the qualifications, functions, and duties of an intern pharmacist license. On April 5,  
16 2023, in a criminal proceeding entitled *The People of the State of California v. Hannah McFee*, in  
17 Riverside County Superior Court, Case Number SWM2204295, Respondent was convicted of  
18 driving a vehicle while having a blood alcohol concentration (BAC) of 0.08 percent and more  
19 (Veh. Code, § 23152, subd. (b)), a misdemeanor. The Court found and Respondent admitted to  
20 the enhanced allegation of driving with a BAC of .15 percent or more, (Veh. Code, § 23578). The  
21 court certified Respondent had a BAC of .18 percent. The court placed Respondent on summary  
22 probation for thirty-six (36) months, with certain terms and conditions, including an enhanced  
23 nine-month First-Offender DUI Program, completion of 160 hours of community service, and  
24 commitment to the Riverside Sheriff for four days, with four days of credit for time served.  
25 Respondent was also ordered to pay various court fines in the amount of \$1,703.00.

26 16. The circumstances that led to the conviction are that on May 15, 2022, at about 6:11  
27 p.m., a California Highway Patrol (CHP) officer was dispatched to assist with a two vehicle  
28 collision in the City of Temecula. Upon arrival, the officer observed two vehicles with front-end

1 damage and side damage. Respondent was identified as the driver of one of the vehicles, and the  
2 officer made contact with Respondent. During questioning, the officer could smell an odor of  
3 alcoholic beverage from her breath and person. Respondent also had bloodshot eyes and slurred  
4 her speech as she spoke. Respondent attempted to perform field sobriety tests, but was unable to  
5 do so successfully. Respondent agreed to a preliminary alcohol screening which came back with  
6 a BAC of .185 percent, and she was subsequently arrested for DUI. The investigating officer  
7 concluded that Respondent failed to stop at the stop sign and collided with the other vehicle that  
8 was already in the intersection.

## 9 **SECOND CAUSE FOR DISCIPLINE**

### 10 **(Dangerous Use of Alcohol on May 15, 2022)**

11 17. Respondent has further subjected her Intern Pharmacy License to disciplinary action  
12 under Code section 4301, subdivision (h), because she used alcohol in a manner dangerous to  
13 himself and others by operating a vehicle while having a BAC of .18%, over two times the legal  
14 limit, as set forth above in paragraphs 15 and 16 above, incorporated herein by reference.

## 15 **OTHER MATTERS**

16 18. Pursuant to Code section 4307, if discipline is imposed on Intern Pharmacist License  
17 Number INT 49458, issued to Hannah Elizabeth McFee, she shall be prohibited from serving as a  
18 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for  
19 five years if Intern Pharmacist License Number INT 49458 is placed on probation or until Intern  
20 Pharmacist License Number INT 49458 is reinstated if it is revoked.

## 21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
23 and that following the hearing, the Board issue a decision:

24 1. Revoking or suspending Intern Pharmacist License Number INT 49458, issued to  
25 Hannah Elizabeth McFee;

26 2. Prohibiting Hannah Elizabeth McFee from serving as a manager, administrator,  
27 owner, member, officer, director, associate, or partner of a licensee for five years if Intern  
28

Pharmacist License Number INT 49458 is placed on probation or until the Intern Pharmacist License is reinstated, if it is revoked;

3. Ordering Hannah Elizabeth McFee to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and, if placed on probation, the costs of probation monitoring; and,

4. Taking such other and further action as deemed necessary and proper.

DATED: 6/12/2024

Sodergren,  
Anne@DCA

Digitally signed by  
Sodergren, Anne@DCA  
Date: 2024.06.12 18:53:55  
-07'00'

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

SD2024801481  
84506854.docx