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**BEFORE THE  
BOARD OF PHARMACY**

**DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**RAQUEL NOHEMY ARAYA CHICAS**  
4505 Santa Ana St., #A  
Cudahy, CA 90201

**Pharmacy Technician License No. TCH  
167243**

Respondent.

Case No. 7842

OAH No.

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

**FINDINGS OF FACT**

1. On or about August 20, 2024, Complainant Anne Sodergren, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 7842 against Raquel Nohemy Araya Chicas (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about June 21, 2018, the Board of Pharmacy (Board) issued Pharmacy Technician License No. TCH 167243 to Respondent. The Pharmacy Technician License was in full force and effect at all times relevant to the charges brought in Accusation No. 7842 and will expire on September 30, 2025, unless renewed.

1           3.     On or about September 5, 2024, Respondent was served by Certified and First Class  
2 Mail copies of the Accusation No. 7842, 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: 4505 Santa Ana St., #A, Cudahy, CA 90201.

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. 7842.

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 finds that the charges and allegations in Accusation No. 7842, are separately and severally, found  
27 to be true and correct by clear and convincing evidence.

28           9.     The Board finds that the actual costs for Investigation and Enforcement are \$1,797.25  
as of October 21, 2024.

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1 **DETERMINATION OF ISSUES**

2 1. Based on the foregoing findings of fact, Respondent Raquel Nohemy Araya Chicas  
3 has subjected her Pharmacy Technician License No. TCH 167243 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. and Prof. Code sections 490 and 4301(l) – substantially related conviction

9 b. Bus. and Prof. Code sections 490 and 4301(f) - an act involving moral turpitude,  
10 dishonesty, fraud, deceit, or corruption

11 **ORDER**

12 IT IS SO ORDERED that Pharmacy Technician License No. TCH 167243, issued to  
13 Respondent Raquel Nohemy Araya Chicas, is revoked.

14 IT IS SO ORDERED that pursuant to Code section 4307, Raquel Nohemy Araya Chicas  
15 shall be prohibited from serving as a manager, administrator, owner, member, officer, director,  
16 associate, or partner of a licensee until Pharmacy Technician License Number TCH 167243 is  
17 reinstated.

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

22 This Decision shall become effective at 5:00 p.m. on January 16, 2025.

23 It is so ORDERED on December 17, 2024.

24 BOARD OF PHARMACY DEPARTMENT OF  
25 CONSUMER AFFAIRS  
STATE OF CALIFORNIA

26  
27 By



28 Seung W. Oh, Pharm.D.

Attachment:  
Exhibit A: Accusation

# Exhibit A

Accusation

1 ROB BONTA  
Attorney General of California  
2 THOMAS L. RINALDI  
Supervising Deputy Attorney General  
3 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
4 State Bar No. 225325  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6322  
6 Facsimile: (916) 731-2126  
E-mail: Armando.Zambrano@doj.ca.gov  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 7842

13 **RAQUEL NOHEMY ARAYA CHICAS**

**ACCUSATION**

14 4505 Santa Ana St., #A  
Cudahy, CA 90201

15 **Pharmacy Technician License No.**  
**TCH 167243**

16 Respondent.  
17

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 June 21, 2018, the Board issued Pharmacy Technician License Number  
24 TCH 167243 to Raquel Nohemy Araya Chicas (Respondent). The Pharmacy Technician License  
25 was in full force and effect at all times relevant to the charges brought herein and will expire on  
26 September 30, 2025, unless renewed.

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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 provides, in pertinent part, that every license issued by the  
6 Board is subject to discipline including suspension or revocation.

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

17 7. Section 4301 of the Code states, in pertinent part:

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

20 . . .

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

23 . . .

24 (l) The conviction of a crime substantially related to the qualifications,  
25 functions, and duties of a licensee under this chapter. The record of conviction of a  
26 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  
27 state regulating controlled substances or dangerous drugs shall be conclusive  
evidence of unprofessional conduct. In all other cases, the record of conviction shall  
28 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

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

11 ...

12 8. Section 4307 of the Code states:

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

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

28 (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.

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1 **REGULATORY PROVISIONS**

2 9. California Code of Regulations, title 16, section 1770(a) states:

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

8 **COST RECOVERY**

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

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(April 16, 2024 Criminal Conviction - Burglary on December 9, 2021)**

17 11. Respondent is subject to disciplinary action under Code sections 490 and 4301(l), in  
18 conjunction with California Code of Regulations, title 16, section 1770(a), in that on or about  
19 April 16, 2024, in a criminal proceeding entitled *The People of the State of California vs. Joshua*  
20 *Araya Chicas, aka Raquel Araya, aka Raquel Nohemy Araya Chicas*, in Superior Court of  
21 California, County of Los Angeles, Case No. VA157346, Respondent pled nolo contendere and  
22 was convicted of violating Penal Code section 459 (first degree residential burglary with person  
23 present), a serious felony. Respondent was sentenced to serve 12 days in jail, placed on probation  
24 for two years with terms and conditions, ordered to obey protective order, and pay fines and fees.

25 The circumstances surrounding the conviction are that on or about December 9, 2021, at  
26 approximately 3:53 a.m., a Downey Police Department officer was dispatched to a possible  
27 burglary in progress involving Respondent. Respondent entered an apartment and told the victim  
28 she was there to kill her girlfriend A.F. The victim did not know Respondent and did not give her

1 permission to enter his apartment, but recognized A.F.'s name as his downstairs neighbor. The  
2 victim was scared because Respondent kept her hands concealed in her pockets. The officer  
3 recovered a three-inch pocket knife from Respondent's shorts pocket. Upon speaking to  
4 Respondent, the officer noticed sweating, rapid speech, white crust on her tongue, and dilated  
5 pupils. Respondent admitted to smoking methamphetamine at approximately 5:00 p.m. The  
6 officer recovered a jar with a white crystal like substance resembling methamphetamine and a  
7 smoking pipe from Respondent's vehicle. A narcotics test revealed methamphetamine.

### 8 **SECOND CAUSE FOR DISCIPLINE**

#### 9 **(Act Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

10 12. Respondent is subject to disciplinary action under Code section 4301(f), in that on or  
11 about December 9, 2021, Respondent committed an act involving moral turpitude, dishonesty,  
12 fraud, deceit, or corruption, as alleged above in paragraph 11.

### 13 **OTHER MATTERS**

14 13. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Technician  
15 License Number TCH 167243 issued to Raquel Nohemy Araya Chicas, Raquel Nohemy Araya  
16 Chicas shall be prohibited from serving as a manager, administrator, owner, member, officer,  
17 director, associate, or partner of a licensee for five years if Pharmacy Technician License Number  
18 TCH 167243 is placed on probation or until Pharmacy Technician License Number TCH 167243  
19 is reinstated if it is revoked.

### 20 **PRAYER**

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

23 1. Revoking or suspending Pharmacy Technician License Number TCH 167243, issued  
24 to Raquel Nohemy Araya Chicas;

25 2. Prohibiting Raquel Nohemy Araya Chicas from serving as a manager, administrator,  
26 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy  
27 Technician License Number TCH 167243 is placed on probation or until Pharmacy Technician  
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License Number TCH 167243 is reinstated if Pharmacy Technician License Number TCH 193563 issued to Raquel Nohemy Araya Chicas is revoked;

3. Ordering Raquel Nohemy Araya Chicas 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, if placed on probation, the costs of probation monitoring; and,

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

DATED: 8/20/2024

**Sodergren,** Digitally signed by  
**Anne@DCA** Sodergren, Anne@DCA  
Date: 2024.08.20  
14:09:55 -07'00'

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

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