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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. 7954

13 **DAISY MORALES**
14 **11016 Kittridge Street #6**
15 **North Hollywood, CA 91606**

DEFAULT DECISION AND ORDER

16 **Pharmacy Technician License No. TCH**
17 **175896**

[Gov. Code, §11520]

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26 Respondent.

27 **FINDINGS OF FACT**

28 1. On or about February 7, 2025, Complainant Anne Sodergren, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 7954 against Daisy Morales (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

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2. On or about January 3, 2020, the Board of Pharmacy (Board) issued Pharmacy Technician License No. TCH 175896 to Respondent. The Pharmacy Technician License was in full force and effect at all times relevant to the charges brought in Accusation No. 7954 and will expire on September 30, 2025, unless renewed.

3. On or about February 18, 2025, Respondent was served by Certified and First Class Mail copies of the Accusation No. 7954, Statement to Respondent, Notice of Defense, Request for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code section 4100, is required to be reported and maintained with the Board. Respondent's address of record was and is: 11016 Kittridge Street #6, North Hollywood, CA 91606.

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

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

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

6. The Board takes official notice of its records and the fact that Respondent failed to file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 7954.

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

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

8. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on the relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter, finds that the charges and allegations in Accusation No. 7954, are separately and severally, found to be true and correct by clear and convincing evidence.

1 9. The Board finds that the actual costs for enforcement are \$1,939.50 as of March 25,
2 2025.

3 **DETERMINATION OF ISSUES**

4 1. Based on the foregoing findings of fact, Respondent Daisy Morales has subjected her
5 Pharmacy Technician License No. TCH 175896 to discipline.

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

7 3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician
8 License based upon the following violations alleged in the Accusation which are supported by the
9 evidence contained in the Default Decision Investigatory Evidence Packet in this case: Business
10 and Professions Code sections 490 and 4301, subdivisions (h) and (l), on the grounds of
11 unprofessional conduct, in that on or about August 12, 2022, Respondent used alcoholic
12 beverages to an extent or in a manner dangerous or injurious to herself or others.

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ORDER

IT IS SO ORDERED that Pharmacy Technician License No. TCH 175896, issued to Respondent Daisy Morales, is revoked.

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

Upon revocation per this Order, under Business and Professions Code section 4307, subdivision (a), Respondent shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, partner, or serving in any other position with management or control of a licensee.

This prohibition shall continue until the license is issued or reinstated.

This Decision shall become effective at 5:00 p.m. on June 27, 2025.

It is so ORDERED on May 28, 2025.

BOARD OF PHARMACY DEPARTMENT
OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By:



Seung W. Oh, Pharm.D.
Board President

67520169.docx
DOJ Matter ID:LA2024605862
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 **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. 7954

13 **DAISY MORALES**
11016 Kittridge Street #6
North Hollywood, CA 91606

ACCUSATION

14 **Pharmacy Technician License No.**
15 **TCH 175896**

Respondent.

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18 **PARTIES**

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

21 2. On or about January 3, 2020, the Board issued Pharmacy Technician License Number
22 TCH 175896 to Daisy Morales (Respondent). The Pharmacy Technician License was in full
23 force and effect at all times relevant to the charges brought herein and will expire on September
24 30, 2025, unless renewed.

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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 4300 of the Code provides, in pertinent part, that every license issued by the Board is subject to discipline including suspension or revocation.

5. 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.

STATUTORY PROVISIONS

6. Section 490 of the Code 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.

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

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.

...

(l) 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

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 their plea of guilty
11 and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing
12 the accusation, information, or indictment.

13 . . .

14 8. Section 4307 of the Code states:

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

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

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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 **(July 5, 2024 Criminal Conviction – Wet Reckless on August 12, 2022)**

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 July
19 5, 2024, in a criminal proceeding titled *The People of the State of California vs. Daisy Morales*, in
20 Superior Court of California, County of San Bernardino, Case No. MWV23004894, Respondent
21 pled nolo contendere and was convicted of violating Vehicle Code section 23103(a) (wet
22 reckless), a misdemeanor. Respondent was sentenced to serve two days in jail, placed on
23 probation for 12 months with terms and conditions, ordered to complete a wet reckless program,
24 and pay fines and fees.

25 The circumstances surrounding the conviction are that on or about August 12, 2022, at
26 approximately 12:52 a.m., a San Bernardino County Sheriff's Department deputy initiated a
27 traffic enforcement stop involving Respondent. Upon speaking to Respondent, the deputy
28 noticed a strong odor of alcohol coming from her breath and person, red bloodshot watery eyes,

1 and that she had urinated on herself. A record check revealed Respondent was unlicensed.
2 Respondent admitted she pulled over because she was so drunk. At approximately 1:25 a.m.,
3 Respondent submitted to a blood sample that revealed a blood alcohol concentration of 0.189%.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Dangerous Use of Alcohol)**

6 12. Respondent is subject to disciplinary action under Code section 4301(h), on the
7 grounds of unprofessional conduct, in that Respondent used alcoholic beverages to the extent or
8 in a manner as to be dangerous or injurious to herself or others, as alleged above in paragraph 11.

9 **OTHER MATTERS**

10 13. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Technician
11 License Number TCH 175896 issued to Daisy Morales, Daisy Morales shall be prohibited from
12 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a
13 licensee for five years if Pharmacy Technician License Number TCH 175896 is placed on
14 probation or until Pharmacy Technician License Number TCH 175896 is reinstated if it is
15 revoked.

16 **PRAYER**

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

19 1. Revoking or suspending Pharmacy Technician License Number TCH 175896, issued
20 to Daisy Morales;

21 2. Prohibiting Daisy Morales from serving as a manager, administrator, owner, member,
22 officer, director, associate, or partner of a licensee for five years if Pharmacy Technician License
23 Number TCH 175896 is placed on probation or until Pharmacy Technician License Number TCH
24 175896 is reinstated if it is revoked;

25 3. Ordering Daisy Morales to pay the Board of Pharmacy the reasonable costs of the
26 investigation and enforcement of this case, pursuant to Business and Professions Code section
27 125.3 and if placed on probation, the costs of probation monitoring; and,

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

DATED: 2/7/2025

Sodergren,
Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2025.02.07 16:09:00
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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