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

In the Matter of the Accusation Against:

LUIS ENRIQUE OROZCO-OROZCO
23191 Ave. 196
Strathmore, CA 93267

**Pharmacy Technician License No.
TCH 113950**

Respondent.

Case No. 8010

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about August 7, 2025, Complainant Anne Sodergren, in her official capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs, filed Accusation No. 8010 against Luis Enrique Orozco-Orozco (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)
2. On or about October 17, 2011, the Board issued Pharmacy Technician License No. TCH 113950 to Respondent. The Pharmacy Technician License expired on March 31, 2023, and has not been renewed.
3. On or about August 21, 2025, Respondent was served by Certified and First Class Mail copies of the Accusation No. 8010, Statement to Respondent, Notice of Defense, Request

1 for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
2 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
3 section 4100, is required to be reported and maintained with the Board. Respondent's address of
4 record was and is:

5 23191 Ave. 196
6 Strathmore, CA 93267.

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 him of the Accusation, and therefore
17 waived his right to a hearing on the merits of Accusation No. 8010.

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 the charges and allegations in Accusation No. 8010, separately and severally, to be true and
27 correct by clear and convincing evidence.

28 9. The Board finds that the actual costs for Investigation and Enforcement are \$3,633.00
as of September 12, 2025.

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1 **DETERMINATION OF ISSUES**

2 1. Based on the foregoing findings of fact, Respondent Luis Enrique Orozco-Orozco has
3 subjected his Pharmacy Technician License No. TCH 113950 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. Business and Professions Code (Code) sections 490 and 4301, subdivision (l), in that
9 on or about August 22, 2024, Respondent was convicted of a violation of Vehicle Code section
10 23152, subdivision (b), when Respondent drove with a blood alcohol level of .12%/.12%, by
11 breath.

12 b. Code sections 490 and 4301, subdivision (l), in that on or about August 22, 2024,
13 Respondent was convicted of a violation of Vehicle Code section 23152, subdivision (b), and
14 14601.5, subdivision (a), when Respondent drove with a blood alcohol level of .14% and with a
15 revoked or suspended license for failing a blood alcohol test.

16 c. Code section 4301, subdivision (h), when Respondent used an alcoholic beverage to
17 an extent or in a manner dangerous or injurious to himself and the public as set forth in
18 subparagraphs a and b, above.

19 d. Code section 4301, subdivision (k), when Respondent was convicted of two
20 violations of Vehicle Code section 23152, subdivision (b), for driving under the influence of
21 alcohol, as set forth in subparagraphs a and b, above.

22 **ORDER**

23 IT IS SO ORDERED that Pharmacy Technician License No. TCH 113950, issued to
24 Respondent Luis Enrique Orozco-Orozco, is revoked.

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

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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 December 3, 2025.

It is so ORDERED on November 3, 2025.

FOR THE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By 

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

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DOJ Matter ID:SA2025302220

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

1 ROB BONTA
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2 KAREN R. DENVER
Supervising Deputy Attorney General
3 MALISSA N. SIEMANTEL
Deputy Attorney General
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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. 8010

13 **LUIS ENRIQUE OROZCO-OROZCO**
23191 Ave. 196
14 Strathmore, CA 93267

ACCUSATION

15 **Pharmacy Technician License No.**
TCH 113950

16 Respondent.
17

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 October 17, 2011, the Board issued Pharmacy Technician License
23 Number 113950 to Luis Enrique Orozco-Orozco (Respondent). The Pharmacy Technician
24 License expired on March 31, 2023, and has not been renewed.

25 **JURISDICTION**

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

1 4. Code section 4300 states, in pertinent part:

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

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

6 (1) Suspending judgment.

7 (2) Placing him or her upon probation.

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

9 (4) Revoking his or her license.

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

12 ...

13 5. Code section 4300.1 states:

14 The expiration, cancellation, forfeiture, or suspension of a board-issued license
15 by operation of law or by order or decision of the board or a court of law, the
16 placement of a license on a retired status, or the voluntary surrender of a license by a
17 licensee shall not deprive the board of jurisdiction to commence or proceed with any
18 investigation of, or action or disciplinary proceeding against, the licensee or to render
19 a decision suspending or revoking the license.

20 **STATUTORY PROVISIONS**

21 6. Code section 490 states:

22 (a) In addition to any other action that a board is permitted to take against a
23 licensee, a board may suspend or revoke a license on the ground that the licensee has
24 been convicted of a crime, if the crime is substantially related to the qualifications,
25 functions, or duties of the business or profession for which the license was issued.

26 (b) Notwithstanding any other provision of law, a board may exercise any
27 authority to discipline a licensee for conviction of a crime that is independent of the
28 authority granted under subdivision (a) only if the crime is substantially related to the
29 qualifications, functions, or duties of the business or profession for which the
30 licensee's license was issued.

31 (c) A conviction within the meaning of this section means a plea or verdict of
32 guilty or a conviction following a plea of nolo contendere. Any action that a board is
33 permitted to take following the establishment of a conviction may be taken when the
34 time for appeal has elapsed, or the judgment of conviction has been affirmed on
35 appeal, or when an order granting probation is made suspending the imposition of
36 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of
37 the Penal Code.

38 ///

1 (d) The Legislature hereby finds and declares that the application of this section
2 has been made unclear by the holding in *Petropoulos v. Department of Real Estate*
3 (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant
4 number of statutes and regulations in question, resulting in potential harm to the
5 consumers of California from licensees who have been convicted of crimes.
6 Therefore, the Legislature finds and declares that this section establishes an
7 independent basis for a board to impose discipline upon a licensee, and that the
8 amendments to this section made by Chapter 33 of the Statutes of 2008 do not
9 constitute a change to, but rather are declaratory of, existing law.

7. Code section 4301 states, in pertinent part:

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

9 ...

10 (h) The administering to oneself, of any controlled substance, or the use of any
11 dangerous drug or of alcoholic beverages to the extent or in a manner as to be
12 dangerous or injurious to oneself, to a person holding a license under this chapter, or
13 to any other person or to the public, or to the extent that the use impairs the ability of
14 the person to conduct with safety to the public the practice authorized by the license.

13 ...

14 (k) The conviction of more than one misdemeanor or any felony involving the
15 use, consumption, or self-administration of any dangerous drug or alcoholic beverage,
16 or any combination of those substances.

16 (l) The conviction of a crime substantially related to the qualifications,
17 functions, and duties of a licensee under this chapter. The record of conviction of a
18 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United
19 States Code regulating controlled substances or of a violation of the statutes of this
20 state regulating controlled substances or dangerous drugs shall be conclusive
21 evidence of unprofessional conduct. In all other cases, the record of conviction shall
22 be conclusive evidence only of the fact that the conviction occurred. The board may
23 inquire into the circumstances surrounding the commission of the crime, in order to
24 fix the degree of discipline or, in the case of a conviction not involving controlled
25 substances or dangerous drugs, to determine if the conviction is of an offense
26 substantially related to the qualifications, functions, and duties of a licensee under this
27 chapter. A plea or verdict of guilty or a conviction following a plea of nolo
28 contendere is deemed to be a conviction within the meaning of this provision. The
board may take action when the time for appeal has elapsed, or the judgment of
conviction has been affirmed on appeal or when an order granting probation is made
suspending the imposition of sentence, irrespective of a subsequent order under
Section 1203.4 of the Penal Code allowing the person to withdraw their plea of guilty
and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing
the accusation, information, or indictment.

26 ...

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1 8. Code section 4307 states:

2 (a) Any person who has been denied a license or whose license has been
3 revoked or is under suspension, or who has failed to renew his or her license while it
4 was under suspension, or who has been a manager, administrator, owner, member,
5 officer, director, associate, partner, or any other person with management or control
6 of any partnership, corporation, trust, firm, or association whose application for a
7 license has been denied or revoked, is under suspension or has been placed on
8 probation, and while acting as the manager, administrator, owner, member, officer,
9 director, associate, partner, or any other person with management or control had
10 knowledge of or knowingly participated in any conduct for which the license was
11 denied, revoked, suspended, or placed on probation, shall be prohibited from serving
12 as a manager, administrator, owner, member, officer, director, associate, partner, or in
13 any other position with management or control of a licensee as follows:

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

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

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

23 (c) The provisions of subdivision (a) may be alleged in any pleading filed
24 pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of
25 the Government Code. However, no order may be issued in that case except as to a
26 person who is named in the caption, as to whom the pleading alleges the applicability
27 of this section, and where the person has been given notice of the proceeding as
28 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

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

21 (a) For the purpose of denial, suspension, or revocation of a personal or facility
22 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the
23 Business and Professions Code, a crime, professional misconduct, or act shall be
24 considered substantially related to the qualifications, functions or duties of the
25 practice, profession, or occupation that may be performed under the license type
26 sought or held if to a substantial degree it evidences present or potential unfitness of
27 an applicant or licensee to perform the functions authorized by the license in a
28 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;

///
28

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

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

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

6 (1) Violate or attempt to violate, directly or indirectly, or to aid, abet or
7 conspire to violate, any provision of law of this state, or any other jurisdiction,
8 governing the practice of pharmacy.

9 (2) Violate or attempt to violate, directly or indirectly, or to aid, abet or
10 conspire to violate, any provision of Chapter 13 (commencing with Section 801) of
11 Title 21 of the United States Code regulating controlled substances or any law of this
12 state, or any other jurisdiction, relating to controlled substances or dangerous drugs.

13 (3) Violate or attempt to violate, directly or indirectly, or to aid, abet or
14 conspire to violate, any provision of law of this state, or any other jurisdiction,
15 relating to government provided or government supported healthcare.

16 (4) Involve dishonesty, fraud, deceit, or corruption related to money, items,
17 documents, or personal information.

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

19 **COST RECOVERY**

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

26 **FIRST CAUSE FOR DISCIPLINE**

27 **(Criminal Convictions)**

28 11. Respondent is subject to disciplinary action under Code sections 490 and 4301,
subdivision (l), in that on or about August 22, 2024, in the criminal proceeding entitled *People vs.*
Luis Enrique Orozco (Tulare County Super. Ct., Case No. PCM429841), Respondent was
convicted on his plea of no contest to violating Vehicle Code section 23152, subdivision (b)
(driving a vehicle with a blood alcohol level of .08% or higher), a misdemeanor, a crime
substantially related to the qualifications, functions, and duties of a pharmacy technician.

1 Respondent was sentenced to 30 days in jail and placed on 5 years of probation, to run concurrent
2 with Case No. PCM431000, referenced below, and ordered to complete an 18-month driving
3 under the influence program. The circumstances of the crime are as follows:

4 12. On or about April 11, 2022, at approximately 10:22 p.m., an officer from the Tulare
5 Police Department contacted Respondent for failing to have a front license plate. The officer
6 observed Respondent to have red, watery eyes and slurred speech. The officer requested an
7 officer from the California Highway Patrol for a Field Sobriety Evaluation. The California
8 Highway Patrol officer contacted Respondent who admitted to drinking alcohol prior to driving.
9 Respondent failed field sobriety tests, and at approximately 10:47 p.m. he had a blood alcohol
10 level of .12%/.12%, by breath.

11 13. Respondent is subject to disciplinary action under Code sections 490 and 4301,
12 subdivision (l), in that on or about August 22, 2024, in the criminal proceeding entitled *People vs.*
13 *Luis Enrique Orozco* (Tulare County Super. Ct., Case No. PCM431000), Respondent was
14 convicted on his plea of no contest to violating Vehicle Code sections 23152, subdivision (b)
15 (driving a vehicle with a blood alcohol level of .08% or higher), and 14601.5, subdivision (a)
16 (driving with a revoked or suspended license for failing blood alcohol test), both misdemeanors.
17 The crimes are substantially related to the qualifications, functions, and duties of a pharmacy
18 technician. Respondent was sentenced to 30 days in jail, 40 hours at the Tulare County Referral
19 program, ordered not to drive without an ignition interlock device for 1 year, and placed on 5
20 years of probation. The circumstances of the crimes are as follows:

21 14. On or about May 20, 2022, at approximately 9:52 p.m., an officer with the California
22 Highway Patrol observed a vehicle drift in a serpentine manner from the center of the traffic lane
23 to crossing over the solid white line that separated the traffic lane from the asphalt shoulder. The
24 officer initiated a traffic stop and contacted the driver, later identified as Respondent. The officer
25 observed Respondent to have red, watery eyes, slurred speech, and the strong odor of an alcoholic
26 beverage emitting from his breath and person. Respondent admitted to consuming two beers,
27 performed poorly on the field sobriety tests, and gave a preliminary alcohol screening result at

28 ///

1 approximately 10:03 p.m. of .14%/.12%. Respondent's blood alcohol level was .14% at
2 approximately 11:25 p.m.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Dangerous Use of Alcohol)**

5 15. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),
6 in that Respondent used an alcoholic beverage to an extent or in a manner dangerous or injurious
7 to himself and the public, as more particularly set forth above in paragraphs 11 through 14.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(Multiple Convictions Involving the Consumption of Alcohol)**

10 16. Respondent is subject to disciplinary action under Code section 4301, subdivision (k),
11 in that Respondent was convicted of more than one misdemeanor involving the use, consumption,
12 or self-administration of any alcoholic beverage, as more particularly set forth above in
13 paragraphs 11 through 14.

14 **OTHER MATTERS**

15 17. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Technician
16 License No. TCH 113950 issued to Luis Enrique Orozco-Orozco, he shall be prohibited from
17 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a
18 licensee for five years if the Pharmacy Technician License is placed on probation or until the
19 Pharmacy Technician License 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 113950, issued to
24 Luis Enrique Orozco-Orozco;

25 2. Prohibiting Luis Enrique Orozco-Orozco 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 TCH 113950 is placed on probation or until the Pharmacy Technician
28 License is reinstated, if it is revoked;

1 3. Ordering Luis Enrique Orozco-Orozco to pay the Board of Pharmacy the reasonable
2 costs of the investigation and enforcement of this case, pursuant to Business and Professions
3 Code section 125.3 and if placed on probation, the costs of probation monitoring;

4 and,

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

6
7 DATED: 8/7/2025

Sodergren, Digitally signed by
Sodergren, Anne@DCA
Anne@DCA Date: 2025.08.07
18:35:10 -07'00'

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

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