



California State Board of Pharmacy  
 2720 Gateway Oaks Drive, Suite 100  
 Sacramento, CA 95833  
 Phone: (916) 518-3100 Fax: (916) 574-8614  
 www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency  
 Department of Consumer Affairs  
 Gavin Newsom, Governor



**APPLICATION FOR VOLUNTARY SURRENDER OF PHARMACY TECHNICIAN LICENSE**

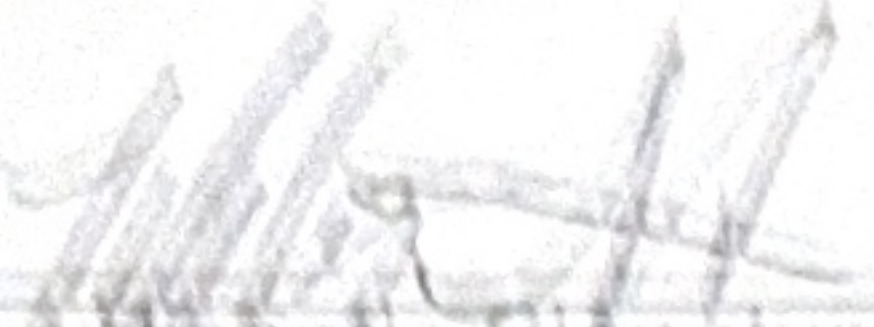
**PLEASE PRINT IN BLACK OR BLUE INK OR TYPE YOUR RESPONSES:**

|  |                         |
|--|-------------------------|
| Name of Licensee: <u>Tiffany Nicole Muniz</u>  | Case No. <u>SI 7912</u> |
| Address of Record:<br><u>1318 Massachusetts Ave unit B</u><br><u>Beaumont CA 92223</u> |                         |

Pursuant to the terms and conditions of my probation with the California State Board of Pharmacy (Board) in Case No. SI 7912, I hereby request to surrender my pharmacy technician license, License No. TC# 1996661. The Board or its designee shall have the discretion whether to grant the request for surrender or take any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the license, I will no longer be subject to the terms and conditions of probation. I understand that this surrender constitutes a record of discipline and shall become a part of my license history with the Board.

Upon the acceptance of the surrender, I shall relinquish my pharmacy technician license to the Board within ten (10) days of notification by the Board that the surrender is accepted. I understand that I may not reapply for any license, permit, or registration from the board for three (3) years from the effective date of the surrender. I further understand that I shall meet all requirements applicable to the license sought as of the date the application for that license is submitted to the Board, including any outstanding costs.

PLEASE BE ADVISED THAT YOU ARE NOT RELIEVED OF THE REQUIREMENTS OF YOUR PROBATION UNLESS THE BOARD NOTIFIES YOU THAT YOUR REQUEST TO SURRENDER YOUR LICENSE HAS BEEN ACCEPTED.

  
Applicant's Signature

4-3-25  
Date

TERRANJ NICOLE MUNIZ  
Applicant's Printed Name

TCH199661  
Applicant's License Number

\_\_\_\_\_  
Executive Officer's Approval

\_\_\_\_\_  
Date

All items on this application are mandatory in accordance with your probationary order and the Board's Disciplinary Guidelines as authorized by Title 16, California Code of Regulations section 1760. Failure to provide any of the requested information or providing unreadable information will result in the application being rejected as incomplete. The information provided on this form will be used to determine eligibility for surrender. The official responsible for information maintenance is the Executive Officer, telephone (916) 518-3100, 2720 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833. The information you provide may also be disclosed in the following circumstances: (1) in response to a Public Records Act request; (2) to another government agency as required by state or federal law; or, (3) in response to a court or administrative order, a subpoena, or a search warrant. Each individual has the right to review the files or records maintained on them by our agency, unless the records are identified as confidential information and exempted by Section 1798.40 of the Civil Code.

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

**In the Matter of the Statement of Issues Against:**

**TIFFANY NICOLE MUNIZ, Respondent**

**Agency Case No. 7912**

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary 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 January 8, 2025.

It is so ORDERED on December 9, 2024.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.  
Board President

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8 *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 Statement of Issues  
14 Against:

15 **TIFFANY NICOLE MUNIZ**

16 **Pharmacy Technician Applicant**

17 Respondent.

Case No. 7912

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

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 Nicole R. Trama, Deputy Attorney  
25 General.

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

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Respondent Tiffany Nicole Muniz be issued a Pharmacy  
3 Technician License upon successful completion of all licensing requirements; however, the  
4 Pharmacy Technician License shall be immediately revoked, the revocation stayed, and  
5 Respondent placed on three (3) year’s probation on the following terms and conditions:

6 **1. Obey All Laws**

7 Respondent shall obey all state and federal laws and regulations.

8 Respondent shall report any of the following occurrences to the Board, in writing, within  
9 seventy- two (72) hours of such occurrence:

- 10 • an arrest or issuance of a criminal complaint for violation of any provision of  
11 the Pharmacy Law, state and federal food and drug laws, or state and federal  
12 controlled substances laws
- 13 • a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal  
14 criminal proceeding to any criminal complaint, information or indictment
- 15 • a conviction of any crime
- 16 • the filing of a disciplinary pleading, issuance of a citation, or initiation of another  
17 administrative action filed by any state or federal agency which involves  
18 Respondent’s license or which is related to the practice of pharmacy or the  
19 manufacturing, obtaining, handling, distributing, billing, or charging for any drug,  
20 device or controlled substance.

21 Failure to timely report such occurrence shall be considered a violation of probation.

22 **2. Report to the Board**

23 Respondent shall report to the Board quarterly, on a schedule as directed by the Board or its  
24 designee. The report shall be made either in person or in writing, as directed. Among other  
25 requirements, Respondent shall state in each report under penalty of perjury whether there has  
26 been compliance with all the terms and conditions of probation.

27 Failure to submit timely reports in a form as directed shall be considered a violation of  
28 probation. Any period(s) of delinquency in submission of reports as directed may be added to the

1 total period of probation. Moreover, if the final probation report is not made as directed,  
2 probation shall be automatically extended until such time as the final report is made and accepted  
3 by the Board.

4 **3. Interview with the Board**

5 Upon receipt of reasonable prior notice, Respondent shall appear in person for interviews  
6 with the Board or its designee, at such intervals and locations as are determined by the Board or  
7 its designee. Failure to appear for any scheduled interview without prior notification to Board  
8 staff, or failure to appear for two (2) or more scheduled interviews with the Board or its designee  
9 during the period of probation, shall be considered a violation of probation.

10 **4. Cooperate with Board Staff**

11 Respondent shall timely cooperate with the Board's inspection program and with the  
12 Board's monitoring and investigation of Respondent's compliance with the terms and conditions  
13 of her probation, including but not limited to timely responses to requests for information by  
14 Board staff; timely compliance with directives from Board staff regarding requirements of any  
15 term or condition of probation; and timely completion of documentation pertaining to a term or  
16 condition of probation. Failure to timely cooperate shall be considered a violation of probation.

17 **5. Reporting of Employment and Notice to Employers**

18 During the period of probation, Respondent shall notify all present and prospective  
19 employers of the Decision in Case Number 7912 and the terms, conditions and restrictions  
20 imposed on Respondent by the Decision, as follows:

21 Within thirty (30) days of the effective date of this Decision, and within ten (10) days of  
22 undertaking any new employment, Respondent shall report to the Board in writing the name,  
23 physical address, and mailing address of each of her employer(s), and the name(s) and telephone  
24 number(s) of all of her direct supervisor(s), as well as any pharmacist(s)-in-charge, designated  
25 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work  
26 schedule, if known. Respondent shall also include the reason(s) for leaving the prior  
27 employment. Respondent shall sign and return to the Board a written consent authorizing the  
28 Board or its designee to communicate with all of Respondent's employer(s) and supervisor(s),

1 and authorizing those employer(s) or supervisor(s) to communicate with the Board or its  
2 designee, concerning Respondent's work status, performance, and monitoring. Failure to comply  
3 with the requirements or deadlines of this condition shall be considered a violation of probation.

4       Within thirty (30) days of the effective date of this Decision, and within fifteen (15) days of  
5 Respondent undertaking any new employment, Respondent shall cause (a) her direct supervisor,  
6 (b) her pharmacist-in-charge, designated representative-in-charge, responsible manager, or other  
7 compliance supervisor, and (c) the owner or owner representative of her employer, to report to the  
8 Board in writing acknowledging that the listed individual(s) has/have read the Decision in Case  
9 Number 7912, and terms and conditions imposed thereby. If one person serves in more than one  
10 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the Respondent's  
11 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the  
12 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term  
13 of probation, Respondent shall cause the person(s) taking over the role(s) to report to the Board in  
14 writing within fifteen (15) days of the change acknowledging that he or she has read the Decision  
15 in Case Number 7912, and the terms and conditions imposed thereby.

16       If Respondent works for or is employed by or through an employment service, Respondent  
17 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board  
18 of the Decision in Case Number 7912, and the terms and conditions imposed thereby in advance  
19 of Respondent commencing work at such licensed entity. A record of this notification must be  
20 provided to the Board upon request.

21       Furthermore, within thirty (30) days of the effective date of this Decision, and within fifteen  
22 (15) days of Respondent undertaking any new employment by or through an employment service,  
23 Respondent shall cause the person(s) described in (a), (b), and (c) above at the employment  
24 service to report to the Board in writing acknowledging that he or she has read the Decision in  
25 case number, and the terms and conditions imposed thereby. It shall be Respondent's  
26 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board.

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1 Failure to timely notify present or prospective employer(s) or failure to cause the identified  
2 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board  
3 shall be considered a violation of probation.

4 "Employment" within the meaning of this provision includes any full-time, part-time,  
5 temporary, relief, or employment/management service position as a pharmacy technician, or any  
6 position for which a pharmacy technician is a requirement or criterion for employment, whether  
7 the Respondent is an employee, independent contractor or volunteer.

8 **6. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

9 Respondent shall further notify the Board in writing within ten (10) days of any change in  
10 name, residence address, mailing address, e-mail address or phone number.

11 Failure to timely notify the Board of any change in employer, name, address, or phone  
12 number shall be considered a violation of probation.

13 **7. Probation Monitoring Costs**

14 Respondent shall pay any costs associated with probation monitoring as determined by the  
15 Board each and every year of probation. Such costs shall be payable to the Board on a schedule  
16 as directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed  
17 shall be considered a violation of probation.

18 **8. Status of License**

19 Respondent shall, at all times while on probation, maintain an active, current Pharmacy  
20 Technician with the Board, including any period during which suspension or probation is tolled.  
21 Failure to maintain an active, current Pharmacy Technician shall be considered a violation of  
22 probation.

23 If Respondent's Pharmacy Technician expires or is cancelled by operation of law or  
24 otherwise at any time during the period of probation, including any extensions thereof due to  
25 tolling or otherwise, upon renewal or reapplication Respondent's license shall be subject to all  
26 terms and conditions of this probation not previously satisfied.

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1                   **9. License Surrender While on Probation/Suspension**

2                   Following the effective date of this Decision, should Respondent cease practice due to  
3 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
4 Respondent may relinquish her license, including any indicia of licensure issued by the Board,  
5 along with a request to surrender the license. The Board or its designee shall have the discretion  
6 whether to accept the surrender or take any other action it deems appropriate and reasonable.  
7 Upon formal acceptance of the surrender of the license, Respondent will no longer be subject to  
8 the terms and conditions of probation. This surrender constitutes a record of discipline and shall  
9 become a part of the Respondent’s license history with the Board.

10                  Upon acceptance of the surrender, Respondent shall relinquish her pocket and/or wall  
11 license, including any indicia of licensure not previously provided to the Board within ten (10)  
12 days of notification by the Board that the surrender is accepted if not already provided.  
13 Respondent may not reapply for any license from the Board for three (3) years from the effective  
14 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
15 of the date the application for that license is submitted to the Board, including any outstanding  
16 costs.

17                   **10. Certification Prior to Resuming Work**

18                  Respondent shall be suspended, and shall not work as a pharmacy technician, until she has  
19 been certified as defined by Business and Professions Code section 4202, subdivision (a)(4), has  
20 submitted proof of certification to the Board, and has been notified by the Board or its designee  
21 that she may begin work. Failure to achieve certification within six (6) months of the effective  
22 date shall be considered a violation of probation.

23                  During suspension, Respondent shall not enter any pharmacy area or any portion of any  
24 other Board licensed premises of a wholesaler, third-party logistics provider, veterinary food-  
25 animal drug retailer or any other distributor of drugs which is licensed by the Board, or any  
26 manufacturer, or any area where dangerous drugs and/or dangerous devices or controlled  
27 substances are maintained.  
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1 Respondent shall not do any act involving drug selection, selection of stock, manufacturing,  
2 compounding or dispensing; nor shall Respondent manage, administer, or assist any licensee of  
3 the Board. Respondent shall not have access to or control the ordering, distributing,  
4 manufacturing or dispensing of dangerous drugs and/or dangerous devices or controlled  
5 substances.

6 During this suspension, Respondent shall not engage in any activity that requires licensure  
7 as a pharmacy technician. Respondent shall not direct or control any aspect of the practice of  
8 pharmacy or of the manufacture, distribution, wholesaling, or retailing of dangerous drugs and/or  
9 dangerous devices, or controlled substances.

10 Failure to comply with any such suspension shall be considered a violation of probation.

11 **11. Practice Requirement – Extension of Probation**

12 Except during periods of suspension, Respondent shall, at all times while on probation, be  
13 employed as a pharmacy technician in California for a minimum of 80 hours per calendar month.  
14 Any month during which this minimum is not met shall extend the period of probation by one  
15 month. During any such period of insufficient employment, Respondent must nonetheless  
16 comply with all terms and conditions of probation, unless Respondent receives a waiver in  
17 writing from the Board or its designee.

18 If Respondent does not practice as a pharmacy technician in California for the minimum  
19 number of hours in any calendar month, for any reason (including vacation), Respondent shall  
20 notify the Board in writing within ten (10) days of the conclusion of that calendar month. This  
21 notification shall include at least: the date(s), location(s), and hours of last practice; the reason(s)  
22 for the interruption or reduction in practice; and the anticipated date(s) on which Respondent will  
23 resume practice at the required level. Respondent shall further notify the Board in writing within  
24 ten (10) days following the next calendar month during which Respondent practices as a  
25 pharmacy technician in California for the minimum of hours. Any failure to timely provide such  
26 notification(s) shall be considered a violation of probation.

27 It is a violation of probation for Respondent's probation to be extended pursuant to the  
28 provisions of this condition for a total period, counting consecutive and non-consecutive months,

1 exceeding thirty-six (36) months. The Board or its designee may post a notice of the extended  
2 probation period on its website.

3 **12. Violation of Probation**

4 If Respondent has not complied with any term or condition of probation, the Board shall  
5 have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent  
6 that probation shall automatically be extended, until all terms and conditions have been satisfied  
7 or the Board has taken other action as deemed appropriate to treat the failure to comply as a  
8 violation of probation, to terminate probation, and to impose the penalty that was stayed. The  
9 Board or its designee may post a notice of the extended probation period on its website.

10 If Respondent violates probation in any respect, the Board, after giving Respondent notice  
11 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
12 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during  
13 probation, or the preparation of an accusation or petition to revoke probation is requested from  
14 the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of  
15 probation shall be automatically extended until the petition to revoke probation or accusation is  
16 heard and decided.

17 **13. Completion of Probation**

18 Upon written notice by the Board or its designee indicating successful completion of  
19 probation, Respondent's license will be fully restored.

20 **14. Drug and Alcohol Testing**

21 Respondent, at her own expense, shall participate in testing as directed by the Board or its  
22 designee for the detection of alcohol, controlled substances, and dangerous drugs and/or  
23 dangerous devices. Testing protocols may include biological fluid testing (urine, blood),  
24 breathalyzer, hair follicle testing, or other testing protocols as directed by the Board or its  
25 designee. All testing must be pursuant to an observed testing protocol, unless Respondent is  
26 informed otherwise in writing by the Board or its designee. Respondent may be required to  
27 participate in testing for the entire probation period and frequency of testing will be determined  
28 by the Board or its designee.

1 By no later than thirty (30) days after the effective date of this Decision, Respondent shall  
2 have completed all of the following tasks: enrolled and registered with an approved drug and  
3 alcohol testing vendor; provided that vendor with any documentation, and any information  
4 necessary for payment by Respondent; commenced testing protocols, including all required  
5 contacts with the testing vendor to determine testing date(s); and begun testing. At all times,  
6 Respondent shall fully cooperate with the testing vendor, and with the Board or its designee, with  
7 regard to enrollment, registration, and payment for, and compliance with, testing. Any failure to  
8 cooperate timely shall be considered a violation of probation.

9 Respondent may be required to test on any day, including weekends and holidays.  
10 Respondent is required to make daily contact with the testing vendor to determine if a test is  
11 required, and if a test is required must submit to testing on the same day.

12 Prior to any vacation or other period of absence from the area where the approved testing  
13 vendor provides services, Respondent shall seek and receive approval from the Board or its  
14 designee to use an alternate testing vendor to ensure testing can occur. Upon approval,  
15 Respondent shall enroll and register with the approved alternate drug testing vendor, provide to  
16 that alternate vendor any documentation required by the vendor, including any necessary payment  
17 by Respondent. During the period of absence of the area, Respondent shall commence testing  
18 protocols with the alternate vendor, including required daily contacts with the testing vendor to  
19 determine if testing is required, and required testing. Any failure to timely seek or receive  
20 approval from the Board or its designee, or to timely enroll and register with, timely commence  
21 testing protocols with, or timely undergo testing with, the alternate testing vendor, shall be  
22 considered a violation of probation.

23 Upon detection of an illicit drug, controlled substance or dangerous drug, the Board or its  
24 designee may require Respondent to timely provide documentation from a licensed practitioner  
25 authorized to prescribe the detected substance demonstrating that the substance was administered  
26 or ingested pursuant to a legitimate prescription issued as a necessary part of treatment. All such  
27 documentation shall be provided by Respondent within ten (10) days of being requested.  
28

1 Any of the following shall be considered a violation of probation and shall result in  
2 Respondent being immediately suspended from practice as a pharmacy technician until notified  
3 by the Board in writing that she may resume practice: failure to timely complete all of the steps  
4 required for enrollment/registration with the drug testing vendor, including making arrangements  
5 for payment; failure to timely commence drug testing protocols; failure to contact the drug testing  
6 vendor as required to determine testing date(s); failure to test as required; failure to timely supply  
7 documentation demonstrating that a detected substance was taken pursuant to a legitimate  
8 prescription issued as a necessary part of treatment; and/or detection through testing of alcohol, or  
9 of an illicit drug, or of a controlled substance or dangerous drug absent documentation that the  
10 detected substance was taken pursuant to a legitimate prescription and a necessary treatment. In  
11 the event of a suspension ordered after detection through testing of alcohol, an illicit drug, or of a  
12 controlled substance or dangerous drug absent documentation that the detected substance was  
13 taken pursuant to a legitimate prescription and a necessary treatment, the Board or its designee  
14 shall inform Respondent of the suspension and inform her to immediately leave work, and shall  
15 notify Respondent's employer(s) and work site monitor(s) of the suspension.

16 During any such suspension, Respondent shall not enter any pharmacy area or any portion  
17 of the licensed premises of a wholesaler, third-party-logistics provider, veterinary food-animal  
18 drug retailer, or any other distributor of drugs which is licensed by the Board, or any  
19 manufacturer, or any area where dangerous drugs and/or dangerous devices or controlled  
20 substances are maintained. Respondent shall not practice pharmacy nor do any act involving drug  
21 selection, selection of stock, manufacturing, compounding, dispensing or patient consultation; nor  
22 shall Respondent manage, administer, or be a consultant to any licensee of the Board, or have  
23 access to or control the ordering, distributing, manufacturing or dispensing of dangerous drugs  
24 and/or dangerous devices and controlled substances.

25 During any such suspension, Respondent shall not engage in any activity that requires the  
26 professional judgment of and/or licensure as a pharmacy technician. Respondent shall not direct  
27 or control any aspect of the practice of pharmacy, or of the manufacturing, distributing,  
28 wholesaling, or retailing of dangerous drugs and/or dangerous devices.

1 Failure to comply with any such suspension shall be considered a violation of probation.  
2 Failure to comply with any requirement or deadline stated by this term shall be considered a  
3 violation of probation.

4 **15. Notification of Departure**

5 Prior to leaving the probationary geographic area designated by the Board or its designee  
6 for a period greater than twenty-four (24) hours, Respondent shall notify the Board verbally and  
7 in writing of the dates of departure and return. Failure to comply with this provision shall be  
8 considered a violation of probation.

9 **16. Abstain from Drugs and Alcohol**

10 Respondent shall completely abstain from the possession or use of alcohol, controlled  
11 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated  
12 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a  
13 necessary part of treatment. Respondent shall ensure that she is not in the same physical location  
14 as individuals who are using illicit substances even if Respondent is not personally ingesting the  
15 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled  
16 substances, or their associated paraphernalia for which a legitimate prescription has not been  
17 issued as a necessary part of treatment, or any physical proximity to persons using illicit  
18 substances, shall be considered a violation of probation.

19 **17. Prescription Coordination and Monitoring of Prescription Use**

20 Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the  
21 Board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,  
22 physician assistant, or psychiatrist of Respondent's choice, who shall be aware of the  
23 Respondent's history with the use of alcohol and who will coordinate and monitor any  
24 prescriptions for Respondent for dangerous drugs and/or dangerous devices, controlled substances  
25 or mood-altering drugs. The approved practitioner shall be provided with a copy of the Board's  
26 Statement of Issues and Decision. A record of this notification must be provided to the Board or  
27 its designee upon request. Respondent shall sign a release authorizing the practitioner to  
28 communicate with the Board or its designee about Respondent's treatment(s). The coordinating

1 physician, nurse practitioner, physician assistant, or psychiatrist shall report to the Board on a  
2 quarterly basis for the duration of probation regarding Respondent's compliance with this  
3 condition. If any substances considered addictive have been prescribed, the report shall identify a  
4 program for the time limited use of any such substances. The Board or its designee may require  
5 that the single coordinating physician, nurse practitioner, physician assistant or psychiatrist be a  
6 specialist in addictive medicine, or consult a specialist in addictive medicine. Should  
7 Respondent, for any reason, cease supervision by the approved practitioner, Respondent shall  
8 notify the Board or its designee immediately and, within thirty (30) days of ceasing supervision,  
9 submit the name of a replacement physician, nurse practitioner, physician assistant, or psychiatrist  
10 of Respondent's choice to the Board or its designee for its prior approval. Failure to timely submit  
11 the selected practitioner or replacement practitioner to the Board or its designee for approval, or  
12 to ensure the required quarterly reporting thereby, shall be considered a violation of probation.

13       If at any time an approved practitioner determines that Respondent is unable to practice  
14 safely or independently as a pharmacy technician, the practitioner shall notify the Board or its  
15 designee immediately by telephone and follow up by written letter within three (3) working days.  
16 Upon notification from the Board or its designee of this determination, Respondent shall be  
17 automatically suspended and shall not resume practice as a pharmacy technician until notified by  
18 the Board or its designee that practice may be resumed.

19       During any suspension, Respondent shall not enter any pharmacy area or any portion of the  
20 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug  
21 retailer, or any other distributor of drugs which is licensed by the Board, or any manufacturer, or  
22 any area where dangerous drugs and/or dangerous devices or controlled substances are  
23 maintained. Respondent shall not practice pharmacy nor do any act involving drug selection,  
24 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall  
25 Respondent manage, administer, or be a consultant to any licensee of the Board, or have access to  
26 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or  
27 dangerous devices and controlled substances. Respondent shall not resume practice until notified  
28 by the Board.

1 During any suspension, Respondent shall not engage in any activity that requires the  
2 professional judgment and/or licensure as a pharmacy technician. Respondent shall not direct or  
3 control any aspect of the practice of pharmacy or of the manufacturing, distributing, wholesaling,  
4 or retailing of dangerous drugs and/or dangerous devices or controlled substances.

5 Failure to comply with any requirement or deadline stated by this term shall be considered a  
6 violation of probation.

7 **18. Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

8 Within thirty (30) days of the effective date of this Decision, Respondent shall begin  
9 regular attendance at a recognized and established substance abuse recovery support group in  
10 California (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved  
11 by the Board or its designee. Respondent must attend the number of group meetings per week or  
12 month directed by the Board or its designee, which shall typically be at least one per week.  
13 Respondent shall continue regular attendance and submit signed and dated documentation  
14 confirming attendance with each quarterly report for the duration of probation. Failure to attend  
15 or submit documentation thereof shall be considered a violation of probation.

16 Where Respondent is enrolled in the PRP, participation as required in a recovery group  
17 meeting approved by the PRP shall be sufficient for satisfaction of this requirement. Any  
18 deviation from participation requirements for the PRP-approved group shall be considered a  
19 violation of probation.

20 **19. No Ownership or Management of Licensed Premises**

21 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,  
22 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
23 partnership, or corporation currently or hereinafter licensed by the Board. Respondent shall sell  
24 or transfer any legal or beneficial interest in any entity licensed by the Board within ninety (90)  
25 days following the effective date of this Decision and shall immediately thereafter provide written  
26 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide  
27 documentation thereof shall be considered a violation of probation.

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**ACCEPTANCE**

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

DATED: \_\_\_\_\_  
TIFFANY NICOLE MUNIZ  
*Respondent*

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

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

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

NICOLE R. TRAMA  
Deputy Attorney General  
*Attorneys for Complainant*

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DATED: October 23, 2024 Tiffany N. Muniz  
TIFFANY NICOLE MUNIZ  
*Respondent*

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: 10-23-2024

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

NICOLE R. TRAMA  
Deputy Attorney General  
*Attorneys for Complainant*

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DATED: \_\_\_\_\_  
TIFFANY NICOLE MUNIZ  
*Respondent*

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: 10/23/2024

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

*Nicole R. Trama*  
NICOLE R. TRAMA  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Statement of Issues No. 7912**

1 ROB BONTA  
Attorney General of California  
2 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
3 NICOLE R. TRAMA  
Deputy Attorney General  
4 State Bar No. 263607  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9441  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

13 In the Matter of the Statement of Issues  
Against:

14 **TIFFANY NICOLE MUNIZ**

15  
16 **Pharmacy Technician Applicant**

17 Respondent.

Case No. 7912

**STATEMENT OF ISSUES**

18  
19 **PARTIES**

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

22 2. On or about May 28, 2024, the Board of Pharmacy, Department of Consumer Affairs  
23 received an application for a Pharmacy Technician License from Tiffany Nicole Muniz  
24 (Respondent). On or about May 20, 2024, Tiffany Nicole Muniz certified under penalty of  
25 perjury to the truthfulness of all statements, answers, and representations in the application. The  
26 Board denied the application on July 29, 2024.

27 ///

28 ///

1 **JURISDICTION & STATUTORY PROVISIONS**

2 3. This Statement of Issues is brought before the Board of Pharmacy (Board),  
3 Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 4. Code section 480 states in part:

6 (a) Notwithstanding any other provision of this code, a board may deny a  
7 license regulated by this code on the grounds that the applicant has been convicted of  
8 a crime or has been subject to formal discipline only if either of the following  
9 conditions are met:

10 (1) The applicant has been convicted of a crime within the preceding seven years  
11 from the date of application that is substantially related to the qualifications, functions, or  
12 duties of the business or profession for which the application is made, regardless of whether  
13 the applicant was incarcerated for that crime, or the applicant has been convicted of a crime  
14 that is substantially related to the qualifications, functions, or duties of the business or  
15 profession for which the application is made and for which the applicant is presently  
16 incarcerated or for which the applicant was released from incarceration within the  
17 preceding seven years from the date of application. However, the preceding seven-year  
18 limitation shall not apply in either of the following situations...

19 ...

20 5. Code section 481 states in part:

21 (a) Each board under this code shall develop criteria to aid it, when considering  
22 the denial, suspension, or revocation of a license, to determine whether a crime is  
23 substantially related to the qualifications, functions, or duties of the business or  
24 profession it regulates.

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

28 (1) The nature and gravity of the offense.

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

(3) The nature and duties of the profession in which the applicant seeks  
licensure or in which the licensee is licensed.

....

6. Code section 482 states in part:

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

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

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

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

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

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

9 7. Code section 4300 states in part:

10 ...

11 (c) The board may refuse a license to any applicant guilty of unprofessional  
12 conduct. The board may, in its sole discretion, issue a probationary license to any  
13 applicant for a license who is guilty of unprofessional conduct and who has met all  
14 other requirements for licensure. The board may issue the license subject to any terms  
15 or conditions not contrary to public policy, including, but not limited to, the  
16 following:

17 (1) Medical or psychiatric evaluation.

18 (2) Continuing medical or psychiatric treatment.

19 (3) Restriction of type or circumstances of practice.

20 (4) Continuing participation in a board-approved rehabilitation program.

21 (5) Abstention from the use of alcohol or drugs.

22 (6) Random fluid testing for alcohol or drugs.

23 (7) Compliance with laws and regulations governing the practice of pharmacy.

24 ....

25 8. Code section 4301 states in part:

26 The board shall take action against any holder of a license who is guilty of  
27 unprofessional conduct or whose license has been issued by mistake. Unprofessional  
28 conduct includes, 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.

...

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

20 ...

## 21 REGULATORY PROVISIONS

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

23 (a) For the purpose of denial, suspension, or revocation of a personal or facility  
24 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the  
25 Business and Professions Code, a crime, professional misconduct, or act shall be  
26 considered substantially related to the qualifications, functions or duties of the practice,  
27 profession, or occupation that may be performed under the license type sought or held  
28 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) Violate or attempt to violate, directly or indirectly, or to aid, abet or conspire to  
violate, any provision of law of this state, or any other jurisdiction, governing the practice  
of pharmacy.

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

jurisdiction, relating to controlled substances or dangerous drugs.

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

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

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

### **CAUSE FOR DENIAL**

#### **(January 10, 2019 Conviction for DUI with Injury on August 2, 2018)**

10. Respondent's application is subject to denial under Code section 480, subdivision (a)(1), and Code section 4300, subdivision (c) as it relates to Code section 4301, subdivision (l), in that Respondent was convicted of a crime that is substantially related to the qualifications, functions, or duties of a pharmacy technician as follows:

a. On January 10, 2019, in the criminal matter entitled *People of the State of California v. Tiffany Nicole Muniz*, Riverside Superior Court case number BLM1800512, Respondent guilty and was convicted of count 2, misdemeanor Vehicle Code section 23153(b)- driving under the influence of alcohol with injury, with enhancements under Vehicle Code sections 23578 and 23152(B).

b. The circumstances that led to the conviction are that on August 2, 2018, at approximately 11:22 p.m., an officer with the California Highway Patrol was dispatched to a report of a traffic collision which had resulted in injuries. Upon arrival at the scene, the officer observed an overturned vehicle which had come to a rest onto its roof in the center median of the freeway. An ambulance had responded to the scene and was evaluating the driver (Respondent) and the passenger (victim). Both Respondent and the victim sustained pain to various parts of their bodies, bruising, scrapes, cuts, abrasions and unknown internal injuries. Both individuals were subsequently transported to the hospital for further care.

c. Upon contact with Respondent, the officer observed objective symptoms of alcohol intoxication including bloodshot eyes, slurred speech and the odor of alcoholic beverage emitting from Respondent's breath. The officer noted that Respondent's clothes were covered in dirt and

1 blood. The officer described Respondent's overall demeanor as "irate." Respondent declined to  
2 provide a statement. Respondent's performance on two Field Sobriety Tests also demonstrated  
3 intoxication. The officer conducted a record check and learned Respondent's driver's license had  
4 previously been suspended for a prior DUI conviction. Respondent submitted to a preliminary  
5 alcohol screening test, which resulted in a blood alcohol content (BAC) of 0.255% (11:48 p.m.)  
6 and 0.27% (11:52 p.m.). Respondent's chemical breath test resulted in a BAC of 0.27% (12:54  
7 a.m.) and 0.25% (12:58 a.m.).

8 d. As a result of the conviction, Respondent was sentenced to serve 120 days in jail and  
9 probation for 60 months. Respondent was required to attend and complete the 18-month second  
10 offender DUI program, attend a Mother's Against Drunk Driving (MADD) Victim Impact Panel,  
11 enroll in an alcohol monitoring program, attend 90 AA meetings, and pay fines, fees and  
12 restitution. On May 13, 2019, the Court received information that Respondent failed to enroll in  
13 the 18-month second offender DUI program. As a result, on May 21, 2019, a warrant was issued.  
14 On or about June 23, 2022, the warrant was recalled and on September 29, 2022, Respondent  
15 filed proof of enrollment in the 18-month second offender program.

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. Denying the application of Tiffany Nicole Muniz for a Pharmacy Technician;
- 20 2. Taking such other and further action as deemed necessary and proper.

21  
22 DATED: 9/24/2024

Sodergren,  
Anne@DCA  
Date: 2024.09.24 18:40:39 -07'00'

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

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