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

12 In the Matter of the Statement of Issues
Against:

Case No. 8184

13 **MELISSA LOPEZ**

STATEMENT OF ISSUES

14 **Pharmacy Technician License Applicant**

15 Respondent.
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18 **PARTIES**

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

22 2. On or about June 10, 2025, the Board received an application for a Pharmacy
23 Technician License from Melissa Lopez (Respondent). On or about May 16, 2025, Melissa
24 Lopez certified under penalty of perjury to the truthfulness of all statements, answers, and
25 representations in the application. The Board denied the application on December 19, 2025.

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JURISDICTION

3. This Statement of Issues 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(c) of the Code states, in pertinent part, the board may refuse a license to any applicant guilty of unprofessional conduct.

STATUTORY PROVISIONS

5. Section 480 of the Code states, in pertinent part:

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

(1) The applicant has been convicted of a crime within the preceding seven years from the date of application that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, regardless of whether the applicant was incarcerated for that crime, or the applicant has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made and for which the applicant is presently incarcerated or for which the applicant was released from incarceration within the preceding seven years from the date of application. . .

6. Section 4307 of the Code states, in pertinent part:

(a) Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a manager, administrator, owner, member,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

(1) Where a probationary license is issued or where an existing license is placed 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.

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1 **REGULATORY PROVISIONS**

2 7. 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.

11 **FIRST CAUSE FOR DENIAL OF APPLICATION**

12 **(December 8, 2023 Criminal Conviction - DUI on January 22, 2023)**

13 8. Respondent's application is subject to denial under section 480(a)(1), in conjunction
14 with California Code of Regulations, title 16, section 1770(a), in that on or about December 8,
15 2023, in a criminal proceeding entitled *The People of the State of California vs. Melissa Lopez*, in
16 Superior Court of California, County of Kern, Case No. BM977029A, Respondent pled nolo
17 contendere and was convicted of violating Vehicle Code section 23152(b) (driving under the
18 influence alcohol/0.08% or more), a misdemeanor. Respondent was sentenced to serve two days
19 in jail, placed on probation for three years with terms and conditions, ordered to complete a DUI
20 program, complete the victim impact panel, and pay fines and fees.

21 The circumstances surrounding the conviction are that on or about January 22, 2023, at
22 approximately 4:48 a.m., a California Highway Patrol officer conducted a traffic enforcement
23 stop involving Respondent. Upon speaking to Respondent, the officer noticed slurred speech, red
24 and watery eyes, and the odor of an alcoholic beverage emitting from her breath and person.
25 Respondent admitted to consuming alcoholic beverages prior to driving. At approximately
26 5:18 a.m., Respondent submitted a breath sample that revealed a blood alcohol concentration of
27 0.187% on the first reading and 0.188% on the second reading.

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

DATED: 5/31/2026

Sodergren,
Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2026.05.31
19:25:33 -07'00'

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

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