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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:

13 **KAMERON JAMES WILLIAMS**
14 **5916 Dickens Avenue**
Riverside, CA 92506

15 **Pharmacy Technician Registration**
16 **No. TCH 90316**

17 Respondent.

Case No. 6682

OAH No. 2019080817

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

18 **FINDINGS OF FACT**

19 1. On or about August 1, 2019, Complainant Anne Sodergren, in her official capacity as
20 the Interim Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed
21 Accusation No. 6682 against Kameron James Williams (Respondent) before the Board of
22 Pharmacy. (Accusation attached as Exhibit A.)

23 2. On or about January 14, 2010, the Board of Pharmacy (Board) issued Pharmacy
24 Technician Registration No. TCH 90316 to Respondent. The Pharmacy Technician Registration
25 was in full force and effect at all times relevant to the charges brought in Accusation No. 6682,
26 expired on October 31, 2019, and was cancelled on February 2, 2020. This lapse in licensure,
27 however, pursuant to Business and Professions Code section 118(b), does not deprive the Board
28 of its authority to institute or continue this disciplinary proceeding.

1 3. On or about August 5, 2019, Respondent was served with Accusation No. 6682.

2 4. On or about August 13, 2019, Respondent signed and returned a Notice of Defense,

3 requesting a hearing in this matter.

4 5. On August 26, 2019, a Notice of Hearing was served by mail at Respondent's address

5 of record which was and is:

6 5916 Dickens Street

7 Riverside, CA 92506.

8 The Notice of Hearing informed him that an administrative hearing in this matter was scheduled

9 for February 20, 2020, at 10:00 a.m.

10 6. Service of the Accusation was effective as a matter of law under the provisions of

11 Government Code section 11505(c) and/or Business and Professions Code (Code) section 124.

12 7. The matter was called for hearing at the date, time and location set forth in the Notice

13 of Hearing. The assigned Administrative Law Judge found that the service of the Notice of

14 Hearing on Respondent was proper. There was no appearance by or on behalf of Respondent. A

15 default was declared and on motion of counsel for Complainant, the matter was remanded to the

16 Board under Government Code section 11520.

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

18 (c) The respondent shall be entitled to a hearing on the merits if the respondent

19 files a notice of defense . . . and the notice shall be deemed a specific denial of all

20 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense

21 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its

22 discretion may nevertheless grant a hearing.

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

24 (a) If the respondent either fails to file a notice of defense . . . or to appear at

25 the hearing, the agency may take action based upon the respondent's express

26 admissions or upon other evidence and affidavits may be used as evidence without

27 any notice to respondent

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10. 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, as well as taking official notice of all the investigatory reports, exhibits and statements contained therein on file at the Board's offices regarding the allegations contained in Accusation No. 6682, finds that the charges and allegations in Accusation No. 6682, are separately and severally, found to be true and correct by clear and convincing evidence.

11. The Board finds that the actual costs for investigation and enforcement of Investigation and Enforcement are \$6,530.75.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Kameron James Williams has subjected his Pharmacy Technician Registration No. TCH 90316 to discipline.

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

3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician Registration based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case:

a. Violation of Code section 4301, subdivision (h), of the Code for unprofessional conduct, in that Respondent used a controlled substance and/or alcoholic beverages to an extent or in a manner that was dangerous and injurious to himself and the public when he reported to work while impaired by drugs and alcohol.

b. Violation of Code section 4301, in that on October 9, 2018, Respondent committed an act of unprofessional conduct, as detailed at paragraph 3(a), above.

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ORDER

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 90316, issued to Respondent Kameron James Williams, 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.

This Decision shall become effective on June 18, 2020.

It is so ORDERED May 19, 2020.



Greg Lippe
Board President
FOR THE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS

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DOJ Matter ID:SD2019700701

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

(KAMERON JAMES WILLIAMS)

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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 Accusation Against:

Case No. 6682

14 **KAMERON JAMES WILLIAMS**
15 **5916 Dickens Street**
Riverside, CA 92506

ACCUSATION

16 **Pharmacy Technician Registration No.**
17 **TCH 90316**

18 Respondent.

19 **PARTIES**

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

23 2. On or about January 14, 2010, the Board issued Pharmacy Technician Registration
24 Number TCH 90316 to Kameron James Williams (Respondent). The Pharmacy Technician
25 Registration was in full force and effect at all times relevant to the charges brought herein and
26 will expire on October 31, 2019, unless renewed.

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1 **JURISDICTION**

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

5 4. Section 4300, subdivision (a), of the Code states, "Every license issued may be
6 suspended or revoked."

7 5. Section 4300.1 of the Code states:

8 The expiration, cancellation, forfeiture, or suspension of a board-issued license
9 by operation of law or by order or decision of the board or a court of law, the placement
10 of a license on a retired status, or the voluntary surrender of a license by a licensee shall
11 not deprive the board of jurisdiction to commence or proceed with any investigation
12 of, or action or disciplinary proceeding against, the licensee or to render a decision
13 suspending or revoking the license.

12 **STATUTORY PROVISIONS**

13 6. Section 482 of the Code states:

14 Each board under the provisions of this code shall develop criteria to evaluate
15 the rehabilitation of a person when:

16 (a) Considering the denial of a license by the board under Section 480; or

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

18 Each board shall take into account all competent evidence of rehabilitation
19 furnished by the applicant or licensee.

20 7. Section 4301 of the Code states:

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

24 ...

25 (h) The administering to oneself, of any controlled substance, or the use of any
26 dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous
27 or injurious to oneself, to a person holding a license under this chapter, or to any other
28 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.

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FIRST CAUSE FOR DISCIPLINE

(Dangerous Use of a Controlled Substance and Alcohol)

13. Respondent has subjected his registration to disciplinary action under section 4301, subdivision (h), of the Code for unprofessional conduct in that he used a controlled substance and alcoholic beverages to an extent or in a manner that was dangerous and injurious to himself, and the public, when he reported to work while impaired by drug and alcohol. The circumstances are as follows:

a. On or about December 4, 2018, the Board received a letter from the Pharmacist-in-Charge of Kaiser Permanente stating that on or about November 20, 2018, Respondent resigned from his employment at Kaiser Permanente in lieu of termination. The letter further stated that Respondent was impaired during his shift, and tested positive for alcohol and marijuana.

b. The Board conducted an investigation which revealed that on or about October 9, 2018, while Respondent was employed as a pharmacy technician at Kaiser Permanente, he displayed signs and behaviors of impairment while on duty. Respondent had an odor of alcohol, delayed responses and movements, and incoherent speech. Respondent also appeared to be confused and disoriented, and failed to complete multiple tasks as instructed by his supervisor. Multiple staff raised their concerns and complained about Respondent's impaired behaviors. Based on Respondent's behavior, he was placed on administrative leave pending an investigation. Additionally, at his employer's request, Respondent provide a urine sample that was subsequently analyzed, and tested positive for alcohol and marijuana. On or about November 20, 2018, Respondent was informed that Kaiser Permanente decided to terminate his employment based on the results of the investigation and the positive results of the urine sample. Respondent chose to resign in lieu of the termination.

c. On or about January 10, 2019, the Board sent a letter to Respondent permitting Respondent to submit a statement regarding the details surrounding the incident on October 9, 2018 at Kaiser Permanente. On or about January 24, 2019, the Board received a statement from Respondent in which he admitted that he struggled with alcoholism for a period of time, and that

1 he would continue to show up to work daily, while struggling with alcoholism. Respondent
2 further admitted that on October 9, 2018, he consumed alcohol prior to the start of his shift at
3 Kaiser Permanente. Respondent indicated that he attended an outpatient addiction program for 4
4 weeks during his administrative leave, but stopped attending the program after he resigned from
5 Kaiser Permanente due to the loss of his employee benefits. Respondent further indicated that he
6 could not attend any other outpatient treatment programs that cost money due to the loss of his
7 employee benefits as well.

8 **SECOND CAUSE FOR DISCIPLINE**

9 **(Unprofessional Conduct)**

10 14. Respondent has subjected his registration to disciplinary action under section 4301 of
11 the Code, in that on or about October 9, 2018, as described in paragraph 13, which is incorporated
12 here by this reference, he committed an act of unprofessional conduct.

13 **DISCIPLINARY CONSIDERATION**

14 15. To determine the degree of discipline, if any, to be imposed on Respondent, pursuant
15 to California Code of Regulations, title 16, section 1769, Complainant alleges the following:

16 a. On or about November 23, 2014, Respondent was arrested for driving a vehicle
17 with a blood alcohol content (BAC) of 0.14 percent. On or about February 3, 2015, in a criminal
18 proceeding, Respondent was convicted of violating Vehicle Code section 23152, subdivision (b),
19 driving a vehicle while having a BAC of 0.08 percent or more, a misdemeanor. Subsequently, on
20 or about February 24, 2015, the Board issued Respondent a Citation and Fine for the conviction.
21 On or about March 13, 2015, the Board received full payment from Respondent for the Citation.

22 **PRAYER**

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

25 1. Revoking or suspending Pharmacy Technician Registration Number TCH 90316,
26 issued to Respondent Kameron James Williams;

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1 2. Ordering Respondent Kameron James Williams to pay the Board of Pharmacy the
2 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
3 Professions Code section 125.3; and,

4 3. Taking such other and further action as deemed necessary and proper.
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8 DATED: August 1, 2019



9 ANNE SODERGREN
10 Interim Executive Officer
11 Board of Pharmacy
12 Department of Consumer Affairs
13 State of California
14 *Complainant*

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