

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

In the Matter of the Accusation Against:

SIERRA A. HUMMEL-CEBALLOS, Respondent

Pharmacy Technician Registration No. TCH 26047

Agency Case No. 6818

OAH No. 2020070316

DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge 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 April 14, 2021.

It is so ORDERED on March 15, 2021.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

Greg Lippe
Board President

**BEFORE THE
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In the Matter of the Accusation Against:

SIERRA A. HUMMEL-CEBALLOS

Pharmacy Technician License No. TCH 26047

Respondent.

Case No. 6818

OAH No. 2020070316

PROPOSED DECISION

H. Stuart Waxman, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter on February 1, 2021, remotely via teleconference.

Deputy Attorney General Stephanie J. Lee represented Anne Sodergren (Complainant).

Sierra A. Hummel-Ceballos (Respondent) appeared and represented herself.

Oral and documentary evidence was received. The record was closed, and the matter was submitted for decision on February 1, 2021.

FACTUAL FINDINGS

1. Complainant is the Executive Officer of the Board of Pharmacy (Board).
2. On September 19, 1998, the Board issued Original Pharmacy Technician Registration number TCH 26047 to Respondent. The registration was in full force and effect at all relevant times. It will expire on May 31, 2022, unless renewed.
3. On March 6, 2019, the Medical Board of California (MBC) concluded an investigation of Respondent who allegedly self-prescribed Hydrocodone Bitartrate Acetaminophen (Hydrocodone), a Schedule 2 controlled substance.¹ She was alleged to have done so by using the Drug Enforcement Agency (DEA) number assigned to Dr. Bijan Badihian (Dr. Badihian). The MBC investigator determined that Respondent and certain other individuals, including L.C.,² had self-prescribed and/or furnished drugs by fraudulent means. The present action, brought by the Board, followed the conclusion of the MBC investigation. Although other individuals are referenced in the MBC investigation report (Exhibit 4), no allegations against any of those individuals, other than L.C., are made in the Board's Accusation against Respondent. Accordingly, no reference is made to those individuals in this Decision.
4. At all relevant times, Respondent was employed as a pharmacy technician at Monte Vista Pharmacy in Montclair, California. She held that position for approximately 20 years but was laid off in October 2020 because of the economic downturn due to the COVID-19 pandemic. Her duties at Monte Vista Pharmacy initially

¹ The brand name for that medication is Norco.

² L.C.'s initials are used in lieu of her name to protect her privacy.

included filling prescriptions for controlled substances, but that practice ended when opiate abuse issues came to the national forefront and Controlled Substance Utilization Review & Evaluation System (CURES) reports were initiated.

5. At all relevant times, L.C. was employed at Claremont Medical Clinic in Claremont, California as a medical assistant.

6. At all relevant times, Respondent and L.C. were either acquaintances or friends.

7. Dr. Badihian was the past-owner and former physician at the Claremont Medical Clinic. In June 2018, he sold the clinic to Dr. Mohitkumar Ardeshana. Dr. Badihian stopped practicing medicine and stopped writing prescriptions in July 2018, approximately one month after he sold his practice to Dr. Ardeshana.

8. Sometime after Dr. Ardeshana assumed control of Claremont Medical Clinic, some of Dr. Badihian's blank prescription pads were found in the office. Dr. Ardeshana ordered his staff to destroy the prescription pads by shredding them in the office shredder, but he did not know whether all the prescription forms were destroyed.

9. When interviewed by the MBC investigator, Dr. Badihian did not recognize Respondent's name, and he denied ever prescribing any controlled substance to her. When he was practicing medicine, his custom and practice was to drug screen each patient to whom he prescribed a controlled substance, and all such patients were placed on a controlled substance contract.

10. There were no medical records regarding Respondent in Claremont Medical Center. Respondent told the MBC investigator her last medical visit with Dr.

Badihian, to whom she referred as Dr. Bijan, took place during October 2018. That statement was not credible in that, by October 2018, Dr. Badihian had left Claremont Medical Center after selling his medical practice, and he had not practiced medicine for approximately three months. The fact that there were no medical records for Respondent at Claremont Medical Clinic was subsequently confirmed by Dr. Ardeshana.

11. Respondent admitted to the MBC investigator that she had known L.C. for several years. At one point during that time, Respondent told L.C. she needed pain medication. L.C. referred her to Claremont Medical Clinic where L.C. worked. According to Respondent, she saw Dr. Badihian at the clinic and received a prescription for Hydrocodone. However, she did not know whether it was Dr. Badihian who actually signed the prescription. Once she received the first prescription, Respondent called L.C. whenever she needed a refill of the medication, and L.C. arranged for the refill, which was filled at Monte Vista Pharmacy. Respondent filled some, but not all, of her own prescriptions for Hydrocodone in the course of her employment at Monte Vista Pharmacy. Respondent claimed her last treatment date with Dr. Badihian was in October 2018.

12. On October 2, 2018, approximately three months after Dr. Badihian terminated his medical practice, Monte Vista Pharmacy filled a prescription for 90 tablets of Hydrocodone 10mg for Respondent. The prescription was written on one of Dr. Badihian's prescription forms which bore his DEA number and the name and address of Claremont Medical Clinic.

13. According to Respondent's CURES Report, between November 2, 2017, and October 2, 2018, Respondent had 11 prescriptions for Hydrocodone filled at

Monte Vista Pharmacy. She was employed as a pharmacy technician at the pharmacy during that time. (Exhibit 4, Attachment 3.)

14. Hydrocodone comes in dosages of 5mg, 7.5 mg, and 10 mg. All of Respondent's prescriptions for Hydrocodone came in the 10mg strength.

15. L.C. had her own prescriptions and prescriptions for her family members, which were purportedly written by Dr. Badihian, filled at Monte Vista Pharmacy. Respondent periodically picked up the prescriptions for L.C.

16. Occasionally, Respondent filled prescriptions for herself, her family, and her friends, including L.C., at Monte Vista Pharmacy. Those prescriptions included but were not limited to Hydrocodone.

17. The records at Monte Vista Pharmacy showed that Respondent also received prescriptions for medications other than Hydrocodone from Dr. Badihian. Since there were no medical records for Respondent at Claremont Medical Clinic, and since Dr. Badihian had no recollection of Respondent and did not even recall her name, the legitimacy of those prescriptions is called into question.

18. No prescriptions purportedly written by Dr. Badihian on Dr. Badihian's prescription forms were written after Respondent learned of the MBC investigation.

19. Hydrocodone is a Schedule 2 controlled substance because of its high potential for abuse and addiction. It also carries a high risk for diversion because it is worth more on the street than in a pharmacy.

20. Pharmacy Board Investigator Sejai Desai credibly testified that pharmacy technicians perform between 80 and 90 percent of the work in a pharmacy. Although a pharmacy technician is supervised by a pharmacist, the pharmacist does not have the

time to constantly watch the pharmacy technician. Since the pharmacy technician often has access to controlled substances, patient medical records, and patient financial information, he or she must be completely honest and trustworthy.

21. On May 8, 2009, officers of the Burbank Police Department arrested Respondent for violation of Penal Code section 459 (burglary). L.C. was arrested at the same time and in the same place for the same crime. Respondent and L.C., together with a man whom Respondent knew, had been involved in an attempt to fraudulently cash a \$10,200 check that did not lawfully belong to any of them. Respondent and L.C. were arrested after bank personnel notified the police of the fraudulent activity. On February 1, 2010, Respondent was convicted of misdemeanor second degree burglary in connection with the attempted fraudulent transaction, and she was placed on summary probation for two years subject to certain terms and conditions. L.C. was also convicted the same day.

22. Respondent denies the Board's allegations and claims she saw Dr. Badihian for a variety of pain-generating conditions for which he prescribed Hydrocodone, first at the 5mg dosage and increasing the dosage over time. She is unable to explain why no medical records exist to support her claim. Respondent's claim is not only unsupported by the evidence, it fails to explain the absence of the drug screen and the controlled substances contract Dr. Badihian stated were his custom and practice to have on every patient for whom he prescribed a controlled substance.

23. Respondent saw Dr. Nicolas Grobler after Dr. Badihian left Claremont Medical Clinic. Dr. Grobler prescribed Tramadol for Respondent's pain because it was his practice not to prescribe Hydrocodone unless absolutely necessary. Eventually, Respondent stopped receiving prescription pain medication because it became

difficult to procure. She did not receive any controlled substances between October 2018 and May 2020. Since May 2020, she has received one prescription for Tramadol. Respondent manages her pain with Tylenol and Motrin.

24. No evidence of mitigation, extenuation, rehabilitation, or remorse was offered at the administrative hearing.

25. Complainant incurred costs totaling \$9,033.75 in connection with the prosecution of this matter. Those costs are found to be reasonable.

LEGAL CONCLUSIONS

1. Cause exists to discipline Respondent's pharmacy technician's registration, pursuant to Business and Professions Code section 4301, subdivision (f), for acts of moral turpitude, dishonesty, fraud, and/or deceit, as set forth in Findings 3 through 24, inclusive.

2. Cause exists to discipline Respondent's pharmacy technician's registration, pursuant to Business and Professions Code section 4301, subdivisions (j) and (o), for unlawful possession of a controlled substance or dangerous drug, as set forth in Findings 3 through 24, inclusive.

3. Cause exists to discipline Respondent's pharmacy technician's registration, pursuant to Business and Professions Code section 4301, subdivision (o), in conjunction with Health and Safety Code section 11173, subdivision (a), for obtaining a controlled substance, procuring a prescription for a controlled substance, and/or attempting to obtain a controlled substance by fraud, deceit, misrepresentation, or subterfuge, as set forth in Findings 3 through 24, inclusive.

4. Cause exists to order Respondent to pay costs claimed under Business and Professions Code section 125.3, as set forth in Finding 25.

5. Business and Professions Code section 4301 states in pertinent part:

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

(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or corruption, whether the act is committed in the course of relations as a licensee or otherwise, and whether the act is a felony or misdemeanor or not. [¶] . . . [¶]

(j) The violation of any of the statutes of this state, of any other state, or of the United States regulating controlled substances and dangerous drugs. [¶] . . . [¶]

(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of this chapter or of the applicable federal and state laws and regulations governing pharmacy, including regulations established by the board or by any other state or federal regulatory agency.

6. Health and Safety Code section 11173, subdivision (a) states:

No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

7. The evidence established that Respondent conspired with an accomplice to obtain, and did obtain, the Schedule 2 controlled substance, Hydrocodone, using the prescription pad of a retired physician. That pad bore the physician's printed name, the name and address of the clinic he previously owned and in which he had practiced, and the physician's DEA number. Respondent obtained the Hydrocodone from the pharmacy in which she had been employed as a pharmacy technician for approximately 20 years. Her accomplice worked in the clinic where the former physician's prescription pads were found. When Respondent desired a refill of Hydrocodone, she called her accomplice at Claremont Medical Clinic, the accomplice sent the prescription to Monte Vista Pharmacy, where Respondent worked, and Respondent either filled the prescription herself or it was done for her. The unlawful activity continued into October 2018, three months after the physician sold his medical practice. It was terminated when Respondent learned of the MBC investigation.

8. Respondent held steadfastly to her denials without evidence to support them, and she offered no remorse, mitigation, extenuation, or rehabilitation. Although artificial acts of contrition are not required in an administrative action such as this one (*Calaway v. State Bar* (1986) 41 Cal.3d 743, 747-748), Respondent's repeated claims of innocence ring hollow in the face of such strong evidence against her and the complete lack of exculpatory evidence.

9. Along with the convenience of L.C. working in the Claremont Medical Clinic and Respondent working in a pharmacy, their mutual participation in a 2009 fraudulent crime, involving their attempt to cash a check that belonged to neither of them, establishes both their relationship and their mutual willingness to achieve an end by fraudulent means.

10. Remorse for one's conduct and the acceptance of responsibility are the cornerstones of rehabilitation. Rehabilitation is a "state of mind" and the law looks with favor upon rewarding with the opportunity to serve one who has achieved "reformation and regeneration." (*Pacheco v. State Bar* (1987) 43 Cal.3d 1041, 1058.) Fully acknowledging the wrongfulness of past actions is an essential step towards rehabilitation. (*Seide v. Committee of Bar Examiners* (1989) 49 Cal.3d 933, 940.) Mere remorse does not demonstrate rehabilitation. A truer indication of rehabilitation is sustained good conduct over an extended period of time. (*In re Menna* (1995) 11 Cal.4th 975, 991.) The evidentiary significance of misconduct is greatly diminished by the passage of time and by the absence of similar, more recent misconduct. (*Kwasnik v. State Bar* (1990) 50 Cal.3d 1061, 1070.)

11. Rehabilitation is evaluated on the basis of two different scales. One is an internal, attitudinal scale and the other is an external objective scale. In other words, Respondent must present evidence both of a state of mind and a state of facts showing she has been rehabilitated. The state of mind demonstrating rehabilitation is one that has a mature, measured appreciation of the gravity of the misconduct and remorse for the harm caused. Acceptance of responsibility is a necessary prerequisite to establishing rehabilitation. The rehabilitative state of facts is demonstrated by a record of conduct that convinces and assures the Board that the public will be safe in

granting full privileges of licensure to Respondent. Respondent must establish a record of reliable, responsible, and consistently appropriate conduct.

12. The purpose of an administrative action such as this one is not to punish the respondent, but to protect the public. (*Camacho v. Youde* (1979) 95 Cal.App.3d 161, 164; *Small v. Smith* (1971) 16 Cal.App.3d 450, 457.)

13. Had Respondent offered some acceptance of responsibility and some evidence of mitigation or rehabilitation, perhaps an argument could be made that she might be a candidate for probation. However, in the absence of any such showing, and given the vital importance of honesty and integrity in the position of a pharmacy technician, the public health, safety, welfare, and interest cannot be adequately protected if Respondent retains her pharmacy technician registration.

ORDER

1. Pharmacy technician registration number TCH 26047, issued to Sierra A. Hummel-Ceballos, is revoked.

2. Respondent shall pay to the Board its costs of prosecution in the amount of \$9,033.75. Respondent may make payments as determined by the Board. Payment in full of those costs shall be a prerequisite to reinstatement of Respondent's pharmacy technician registration.

DATE: Feb 10, 2021

H. Stuart Waxman

H. Stuart Waxman (Feb 10, 2021 08:55 PST)

H. STUART WAXMAN

Administrative Law Judge

Office of Administrative Hearings

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

12 In the Matter of the Accusation Against:

Case No. 6818

13 **SIERRA A. HUMMEL-CEBALLOS**
8505 Robinia St.
14 Fontana, CA 92335

ACCUSATION

15 **Pharmacy Technician License No. TCH**
26047

16 Respondent.
17

18 **PARTIES**

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

21 2. On or about June 19, 1998, the Board of Pharmacy issued Pharmacy Technician
22 License Number TCH 26047 to Sierra A. Hummel-Ceballos (Respondent). The Pharmacy
23 Technician License was in full force and effect at all times relevant to the charges brought herein
24 and will expire on May 31, 2020, unless renewed.

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1 **JURISDICTION**

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

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

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
10 placement of a license on a retired status, or the voluntary surrender of a license by a
11 licensee shall not deprive the board of jurisdiction to commence or proceed with any
12 investigation of, or action or disciplinary proceeding against, the licensee or to render
13 a decision suspending or revoking the license.

12 **STATUTORY PROVISIONS**

13 6. Section 4022 of the Code states:

14 “Dangerous drug” or “dangerous device” means any drug or device unsafe for
15 self-use in humans or animals, and includes the following:

16 (a) Any drug that bears the legend: “Caution: federal law prohibits dispensing
17 without prescription,” “Rx only,” or words of similar import.

18 (b) Any device that bears the statement: “Caution: federal law restricts this
19 device to sale by or on the order of a _____,” “Rx only,” or words of similar import,
20 the blank to be filled in with the designation of the practitioner licensed to use or
21 order use of the device.

22 (c) Any other drug or device that by federal or state law can be lawfully
23 dispensed only on prescription or furnished pursuant to Section 4006.

24 7. Section 4060 of the Code states:

25 No person shall possess any controlled substance, except that furnished to a
26 person upon the prescription of a physician, dentist, podiatrist, optometrist,
27 veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished pursuant
28 to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a
nurse practitioner pursuant to Section 2836.1, or a physician assistant pursuant to
Section 3502.1, or naturopathic doctor pursuant to Section 3640.5, or a pharmacist
pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of
subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section
shall not apply to the possession of any controlled substance by a manufacturer,
wholesaler, pharmacy, pharmacist, physician, podiatrist, dentist, optometrist,
veterinarian, naturopathic doctor, certified nurse-midwife, nurse practitioner, or
physician assistant, when in stock in containers correctly labeled with the name and
address of the supplier or producer.

1 Nothing in this section authorizes a certified nurse-midwife, a nurse
2 practitioner, a physician assistant, or a naturopathic doctor, to order his or her own
3 stock of dangerous drugs and devices.

4 8. Section 4301 states, in pertinent part:

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

8 . . .

9 (f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit,
10 or corruption, whether the act is committed in the course of relations as a licensee or
11 otherwise, and whether the act is a felony or misdemeanor or not.

12 . . .

13 (j) The violation of any of the statutes of this state, of any other state, or of the United
14 States regulating controlled substances and dangerous drugs.

15 . . .

16 (o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting
17 the violation of or conspiring to violate any provision or term of this chapter or of the
18 applicable federal and state laws and regulations governing pharmacy, including regulations
19 established by the board or by any other state or federal regulatory agency.

20 9. Health and Safety code section 11173 states, in pertinent part:

21 (a) No person shall obtain or attempt to obtain controlled substances, or procure or
22 attempt to procure the administration of or prescription for controlled substances, (1) by
23 fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

24 **CONTROLLED SUBSTANCES/DANGEROUS DRUGS**

25 10. Hydrocodone is a dangerous drug as defined in section 4022 of the Code, as well as a
26 Schedule II controlled substance pursuant to Health and Safety Code section 11055(b)(1)(I).

27 **COST RECOVERY**

28 11. Section 125.3 states, in pertinent part, that the Board may request the administrative
law judge to direct a licentiate found to have committed a violation or violations of the licensing
act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
case.

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FACTUAL ALLEGATIONS

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2 12. In December 2018, the Medical Board of California (MBC) initiated an investigation
3 into Respondent obtaining or furnishing prescriptions for controlled substances by fraudulent
4 means, after learning that Respondent received a filled prescription for hydrocodone under the
5 federal Drug Enforcement Administration (DEA) number of Dr. B.B. without Dr. B.B.’s consent
6 or knowledge.

7 13. In November 2018, the MBC investigator interviewed Dr. B.B., an osteopathic
8 physician licensed in California. According to Dr. B.B., in June 2018, he had sold his practice at
9 CMC (located in Claremont, California) to Dr. M.A. Dr. B.B. had not practiced or prescribed
10 medication to any patient after July 2018. Dr. B.B. further indicated that a written prescription
11 form prescribing 90 hydrocodone tablets to Respondent was fraudulent and not authored by him.
12 The prescription form, dated October 2, 2018, included Dr. B.B.’s name, his uniquely assigned
13 DEA number, and the CMC name. Dr. B.B. did not recognize Respondent’s name as a patient.

14 14. In December 2018, the MBC investigator obtained documents from Monte Vista
15 Pharmacy confirming that the pharmacy had filled the October 2, 2018 prescription for
16 Respondent. The investigator further learned from the pharmacy manager that Respondent
17 worked there as a pharmacy technician.

18 15. In December 2018, the MBC investigator interviewed Dr. M.A., the current medical
19 director at CMC. Dr. M.A. indicated that CMC did not have any medical records pertaining to
20 Respondent.

21 16. In December 2018, the MBC investigator interviewed Respondent. Respondent
22 falsely stated that she saw Dr. B.B. at CMC for medical treatment and that her last treatment date
23 was October 2018, when in fact Dr. B.B. stopped working at CMC after June 2018, and CMC had
24 no record of Respondent as a patient.

25 17. In March 2019, the MBC investigator interviewed Respondent again. Respondent
26 falsely stated again that she saw Dr. B.B. at CMC for medical treatment. Respondent could not
27 confirm whether Dr. B.B. had authored her prescription. Respondent admitted that when she
28

1 needed prescriptions or refills, she would call CMC and speak to employee Lina Carlin to get her
2 medication. Respondent admitted that she and Lina Carlin were personal acquaintances.

3 18. Respondent and Lina Carlin were also previously co-conspirators. On May 8, 2009,
4 Respondent was investigated by Burbank Police Department officers after entering a Bank of
5 America and attempting to pass a forged and fraudulent check in the amount of over \$10,000.
6 Accompanying Respondent at the bank was Lina Carlin, who was also in possession of forged
7 and fraudulent checks. On February 1, 2010, in the related criminal matter of the *People v. Sierra*
8 *Hummel Ceballos* (Los Angeles Sup. Ct. Case No. GA077110), Respondent was convicted of one
9 misdemeanor violation of Penal Code section 459 [second-degree burglary] and placed on
10 probation for 2 years.

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Acts of Moral Turpitude, Dishonesty, Fraud, Deceit)**

13 19. Respondent is subject to disciplinary action under Code section 4301(f), on the
14 grounds of unprofessional conduct, in that Respondent committed acts involving moral turpitude,
15 dishonesty, fraud, deceit, or corruption. Complainant refers to, and by this reference incorporates,
16 the allegations set forth above in paragraphs 12 through 18 as though fully set forth herein.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Unlawful Possession of Controlled Substance or Dangerous Drug)**

19 20. Respondent is subject to disciplinary action under Code section 4301(j) and (o), in
20 conjunction with Code section 4060, on the grounds of unprofessional conduct, in that on or
21 October 2, 2018, Respondent unlawfully possessed a controlled substance or dangerous drug.
22 Complainant refers to, and by this reference incorporates, the allegations set forth above in
23 paragraphs 12 through 18 as though fully set forth herein.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Obtaining Controlled Substances, Procuring Prescription for Controlled Substances, or**
26 **Attempts by Fraud, Deceit, Misrepresentation, or Subterfuge)**

27 21. Respondent is subject to disciplinary action under Code section 4301(o), in
28 conjunction with Health and Safety Code section 11173(a), on the grounds of unprofessional

1 conduct, in that on or about October 2, 2018, Respondent obtained or attempted to obtain
2 controlled substances, or procured or attempted to procure a prescription for controlled substances
3 by fraud, deceit, misrepresentation, or subterfuge. Complainant refers to, and by this reference
4 incorporates, the allegations set forth above in paragraphs 12 through 18 as though fully set forth
5 herein.

6 **PRAYER**

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

9 1. Revoking or suspending Pharmacy Technician License Number TCH 26047, issued
10 to Sierra A. Hummel-Ceballos;

11 2. Ordering Sierra A. Hummel-Ceballos to pay the Board of Pharmacy the reasonable
12 costs of the investigation and enforcement of this case, pursuant to Business and Professions
13 Code section 125.3; and,

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

15

16 DATED: April 6, 2020



17 ANNE SODERGREN
18 Executive Officer
19 Board of Pharmacy
20 Department of Consumer Affairs
21 State of California
22 *Complainant*

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