

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

In the Matter of the Accusation Against:

CYNTHIA LIZBETH ARREOLA

Pharmacy Technician Registration No. TCH 139326

Respondent.

Agency Case No. 7273

DECISION AND ORDER

The attached Stipulated Surrender of License and 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 September 28, 2022.

It is so ORDERED on August 29, 2022.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is written in a cursive style with a large, sweeping initial "S".

Seung W. Oh, Pharm D.
Board President

1 ROB BONTA
Attorney General of California
2 KIM KASRELIOVICH
Supervising Deputy Attorney General
3 THOMAS L. RINALDI
Supervising Deputy Attorney General
4 State Bar No. 206911
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6310
6 Facsimile: (916) 731-2126
Attorneys for Complainant
7

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. 7273

13 **CYNTHIA LIZBETH ARREOLA**

14 17848 Newmont Ave
15 Lancaster, CA 93535

16 Pharmacy Technician Registration No. TCH
17 139326

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

Respondent.

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
22 (Board). She brought this action solely in her official capacity and is represented in this matter by
23 Rob Bonta, Attorney General of the State of California, by Thomas L. Rinaldi, Supervising
24 Deputy Attorney General.

25 2. Cynthia Lizbeth Arreola (Respondent) is representing herself in this proceeding and
26 has chosen not to exercise her right to be represented by counsel.

27 3. On or about April 3, 2014, the Board issued Pharmacy Technician Registration No.
28 TCH 139326 to Respondent. The Pharmacy Technician Registration was in full force and effect

1 at all times relevant to the charges brought in Accusation No. 7273 and will expire on September
2 30, 2023, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 7273 was filed before the Board, and is currently pending against
5 Respondent. The Accusation and all other statutorily required documents were properly served
6 on Respondent on June 7, 2022. Respondent timely filed her Notice of Defense contesting the
7 Accusation. A copy of Accusation No. 7273 is attached as Exhibit A and incorporated by
8 reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, and understands the charges and allegations in
11 Accusation No. 7273. Respondent also has carefully read, and understands the effects of this
12 Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of her legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
15 her own expense; the right to confront and cross-examine the witnesses against her; the right to
16 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
17 compel the attendance of witnesses and the production of documents; the right to reconsideration
18 and court review of an adverse decision; and all other rights accorded by the California
19 Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 **CULPABILITY**

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 7273, agrees that cause exists for discipline and hereby surrenders her Pharmacy Technician
25 Registration No. TCH 139326 for the Board's formal acceptance.

26 9. Respondent understands that by signing this stipulation she enables the Board to issue
27 an order accepting the surrender of her Pharmacy Technician Registration without further
28 process.

CONTINGENCY

1
2 10. This stipulation shall be subject to approval by the Board. Respondent understands
3 and agrees that counsel for Complainant and the staff of the Board may communicate directly
4 with the Board regarding this stipulation and surrender, without notice to or participation by
5 Respondent. By signing the stipulation, Respondent understands and agrees that she may not
6 withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers
7 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the
8 Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
9 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
10 be disqualified from further action by having considered this matter.

11 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
12 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures
13 thereto, shall have the same force and effect as the originals.

14 12. This Stipulated Surrender of License and Order is intended by the parties to be an
15 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
16 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
17 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
18 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
19 executed by an authorized representative of each of the parties.

20 13. In consideration of the foregoing admissions and stipulations, the parties agree that
21 the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

22
23 IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 139326,
24 issued to Respondent Cynthia Lizbeth Arreola, is surrendered and accepted by the Board.

25 1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance
26 of the surrendered license by the Board shall constitute the imposition of discipline against
27 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
28 Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a pharmacy technician in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 7273 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$1,987.50 prior to issuance of a new or reinstated license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 7273 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

7. Respondent may not apply for any license, permit, or registration from the Board for a period of three (3) years from the effective date of the Decision and Order.

ACCEPTANCE

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

DATED: _____
CYNTHIA LIZBETH ARREOLA
Respondent

1 2. Respondent shall lose all rights and privileges as a pharmacy technician in California
2 as of the effective date of the Board's Decision and Order.

3 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
4 issued, her wall certificate on or before the effective date of the Decision and Order.

5 4. If Respondent ever applies for licensure or petitions for reinstatement in the State of
6 California, the Board shall treat it as a new application for licensure. Respondent must comply
7 with all the laws, regulations and procedures for licensure in effect at the time the application or
8 petition is filed, and all of the charges and allegations contained in Accusation No. 7273 shall be
9 deemed to be true, correct and admitted by Respondent when the Board determines whether to
10 grant or deny the application or petition.

11 5. Respondent shall pay the agency its costs of investigation and enforcement in the
12 amount of \$1,987.50 prior to issuance of a new or reinstated license.

13 6. If Respondent should ever apply or reapply for a new license or certification, or
14 petition for reinstatement of a license, by any other health care licensing agency in the State of
15 California, all of the charges and allegations contained in Accusation, No. 7273 shall be deemed
16 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
17 other proceeding seeking to deny or restrict licensure.

18 7. Respondent may not apply for any license, permit, or registration from the Board for
19 a period of three (3) years from the effective date of the Decision and Order.

20 **ACCEPTANCE**

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

25
26 DATED: 7/01/2022

27 
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CYNTHIA LIZBETH ARREOLA
Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: _____

Respectfully submitted,
ROB BONTA
Attorney General of California
KIM KASRELIOVICH
Supervising Deputy Attorney General

THOMAS L. RINALDI
Supervising Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: 7-7-2022

Respectfully submitted,

ROB BONTA
Attorney General of California
KIM KASRELIOVICH
Supervising Deputy Attorney General



THOMAS L. RINALDI
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7273

1 ROB BONTA
Attorney General of California
2 THOMAS L. RINALDI
Supervising Deputy Attorney General
3 THOMAS L. RINALDI
Supervising Deputy Attorney General
4 State Bar No. 206911
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6310
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9 **BOARD OF PHARMACY**
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11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 7273

13 **CYNTHIA LIZBETH ARREOLA**

ACCUSATION

14 17848 Newmont Ave
Lancaster, CA 93535

15 Pharmacy Technician Registration No. TCH
139326

16 Respondent.
17

18 **ARTIES**

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

22 2. On or about April 3, 2014, the Board of Pharmacy issued Pharmacy Technician
23 Registration Number TCH 139326 to Cynthia Lizbeth Arreola (Respondent). The Pharmacy
24 Technician Registration was in full force and effect at all times relevant to the charges brought
25 herein and will expire on September 30, 2023, unless renewed.

26 **JURISDICTION**

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

1 4. Section 4300, subdivision (a), states that “[e]very license issued may be suspended or
2 revoked.”

3 5. Section 4300.1 states:

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

10 STATUTORY PROVISIONS

11 6. Section 492 states:

12 Notwithstanding any other provision of law, successful completion of any
13 diversion program under the Penal Code, or successful completion of an alcohol and
14 drug problem assessment program under Article 5 (commencing with section
15 23249.50) of Chapter 12 of Division 11 of the Vehicle Code, shall not prohibit any
16 agency established under Division 2 (commencing with Section 500) of this code, or
17 any initiative act referred to in that division, from taking disciplinary action against a
18 licensee or from denying a license for professional misconduct, notwithstanding that
19 evidence of that misconduct may be recorded in a record pertaining to an arrest.

20 This section shall not be construed to apply to any drug diversion program
21 operated by any agency established under Division 2 (commencing with Section 500)
22 of this code, or any initiative act referred to in that division.

23 7. Section 4300.1 of the Code states:

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

8. 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 shall include, 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.

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(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.

REGULATORY PROVISIONS

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

For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related to the qualifications, functions or duties of a licensee or registrant if to a substantial degree it evidences present or potential unfitness of a licensee or registrant to perform the functions authorized by his license or registration in a manner consistent with the public health, safety, or welfare.

COST RECOVERY

10. 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.

CONTROLLED SUBSTANCE / DANGEROUS DRUG

11. “Marijuana (Cannabis),” is a hallucinogenic Schedule I controlled substance as defined in Health and Safety Code section 11054, subdivision (d)(13) and a dangerous drug according to Business and Professions Code section 4022.

BACKGROUND

12. On or about June 23, 2020, deputies responded to Respondent’s residence regarding a structural fire. The fire captain indicated the fire was caused by illegal electrical wiring near a marijuana grow inside of the garage. An investigator from Southern California Edison also responded to the electrical fire and after inspecting the power box, confirmed that the power box had been illegally manipulated and that the main line had been disconnected in order to steal power. During a search warrant of the residence, the deputies located a firearm with a loaded magazine, several rifles, and a shotgun inside of the home. In the garage, deputies found an indoor cannabis cultivation, which included 48 plants. During an interview with Respondent, she

1 admitted to knowing that her tenant, who had been renting the garage for the past five months,
2 had manipulated the electrical power supply and that she used the electricity after it had been
3 bypassed. She also stated that the guns found in her bedroom belonged to her and her boyfriend.
4 Respondent was subsequently placed under arrest for violating Penal Code section 498,
5 subdivision (d) [theft of utility service exceeding \$950 in value], Penal Code section 273A,
6 subdivision (a) [child endangerment], and Health and Safety Code section 11358, subdivision (c)
7 [plant/cultivation/harvest/dry/process more than 6 living cannabis plants].

8 13. On or about January 8, 2021, after pleading nolo contendere, Respondent was
9 convicted of one misdemeanor count of violating Penal Code section 498, subdivision (d) [theft
10 of utility service exceeding \$950 in value] and one misdemeanor count of violating Penal Code
11 section 273A, subdivision (a) [child endangerment] in the criminal proceeding entitled *The*
12 *People of the State of California v. Cynthia Lizbeth Arreola* (Super. Ct. L.A. County, 2019, No.
13 9BL06415). The court placed Respondent on informal diversion for a period of twelve (12)
14 months with terms and conditions, ordered restitution to victim, Southern California Edison, and
15 enroll and complete an approved one-year parenting program, as well as obey all laws, rules and
16 orders of the court.

17 **FIRST CAUSE FOR DISCIPLINE**

18 **(Violation of State Statute Regulating Controlled Substances)**

19 14. Respondent is subject to disciplinary action under sections 4300 and 4301,
20 subdivision (j), on the grounds of unprofessional conduct, in that on or about June 23, 2020,
21 Respondent violated statues regulating controlled substances and/or dangerous drugs.
22 Complainant refers to, and by reference incorporates, the allegations set forth above in paragraphs
23 12 through 13, as though set forth fully.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Acts Involving Moral turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

26 15. Respondent is subject to disciplinary action under section 4301, subdivision (f), in
27 that on or about June 23, 2020, Respondent committed acts involving moral turpitude, dishonesty,
28 fraud, deceit, or corruption with the intent to substantially benefit herself, or substantially injure

1 another. Complainant refers to, and by reference incorporates, the allegations set forth above in
2 paragraphs 12 through 13, as though set forth fully.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct)**

5 16. Respondent is subject to disciplinary action under section 4301, (o), in that
6 Respondent committed acts of unprofessional conduct. Complainant refers to, and by this
7 reference incorporates, the allegations set forth above in paragraphs 12 through 13, as though set
8 forth fully.

9 **PRAYER**

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

- 12 1. Revoking or suspending Pharmacy Technician Registration Number TCH 139326,
13 issued to Cynthia Lizbeth Arreola;
- 14 2. Ordering Cynthia Lizbeth Arreola to pay the Board of Pharmacy the reasonable costs
15 of the investigation and enforcement of this case, pursuant to Business and Professions Code
16 section 125.3; and,
- 17 3. Taking such other and further action as deemed necessary and proper.
- 18
19

20 DATED: 5/31/2022

Signature on File

21 ANNE SODERGREN
22 Executive Officer
23 Board of Pharmacy
24 Department of Consumer Affairs
25 State of California
26 *Complainant*

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