

1 ROB BONTA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 NANCY A. KAISER
Supervising Deputy Attorney General
4 State Bar No. 192083
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6320
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 Statement of Issues
Against:

13 **ROZA UNUSYAN**

14 **Pharmacy Technician Registration**
15 **Applicant**

16 Respondent.

Case No. 7231

STATEMENT OF ISSUES

17
18
19
20
21 **PARTIES**

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

25 2. On or about July 13, 2020, the Board received an application for a Pharmacy
26 Technician Registration from Roza Unusyan (Respondent). On or about July 9, 2020, Roza
27 Unusyan certified under penalty of perjury to the truthfulness of all statements, answers, and
28 representations in the application. The Board denied the application on November 2, 2021.

1 **JURISDICTION**

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

5 **STATUTORY PROVISIONS**

6 4. Section 480 states, in pertinent part:

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

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

20 5. Section 493 states, in pertinent part:

21 (a) Notwithstanding any other law, in a proceeding conducted by a board within
22 the department pursuant to law to deny an application for a license or to suspend or
23 revoke a license or otherwise take disciplinary action against a person who holds a
24 license, upon the ground that the applicant or the licensee has been convicted of a
25 crime substantially related to the qualifications, functions, and duties of the licensee
26 in question, the record of conviction of the crime shall be conclusive evidence of the
27 fact that the conviction occurred, but only of that fact.

28 **REGULATORY PROVISIONS**

6. 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.

///
///
///

1 **CAUSE FOR DENIAL OF APPLICATION**

2 **(Conviction of a Substantially Related Crime)**

3 7. Respondent's application is subject to denial under section 480, subdivision (a)(1), in
4 conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was
5 convicted of a substantially related crime, as follows:

6 a. On or about January 14, 2015, Respondent was convicted of one misdemeanor count
7 of violating New York State Penal Law Code section 110-470.05 [attempted money laundering]
8 in the criminal proceeding entitled *The People of the State of New York v. Rosa Unusyan* (N.Y.
9 Sup. Ct. N.Y. County, 2015, No. 00202-2014). The Court sentenced Respondent to one year of
10 conditional discharge and 50 hours of community service.

11 b. The circumstances leading to the conviction are that during the period from on or
12 about April 3, 2012 to on or about March 19, 2013, Respondent worked in concert with others
13 using stolen personal identifying information collected from Bluetooth enabled skimming devices
14 planted inside gas station pumps used to encode stolen information onto forged cards to withdraw
15 cash at ATMs in Manhattan, and then deposited that stolen money into bank accounts in New
16 York that were established, keeping the transactions under the \$10,000 reporting requirements.

17 **PRAYER**

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

- 20 1. Denying the application of Roza Unusyan for a Pharmacy Technician Registration;
21 2. Taking such other and further action as deemed necessary and proper.

22
23 DATED: 6/21/2022

Signature on File

24 ANNE SODERGREN
25 Executive Officer
26 Board of Pharmacy
27 Department of Consumer Affairs
28 State of California
Complainant

LA2022600068
65145612.docx