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8
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. 7764

13 **SANDRA LETICIA CONTRERAS SALAZAR**

14
15 **Pharmacy Technician License Applicant**

16 Respondent.

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18 **STATEMENT OF ISSUES**

19 **PARTIES**

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

22 2. On or about June 26, 2023, the Board of Pharmacy, Department of Consumer Affairs
23 (Board) received an application for registration as a Pharmacy Technician from Sandra Leticia
24 Contreras Salazar (Respondent). On or about June 22, 2023, Respondent certified under penalty
25 of perjury to the truthfulness of all statements, answers, and representations in the application.
The Board denied the application on or about February 13, 2024.

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1 **JURISDICTION**

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

4 4. Section 118, subdivision (a) of the Code states:

5 The withdrawal of an application for a license after it has been filed with a
6 board in the department shall not, unless the board has consented in writing to such
7 withdrawal, deprive the board of its authority to institute or continue a proceeding
8 against the applicant for the denial of the license upon any ground provided by law or
9 to enter an order denying the license upon any such ground.

10 **STATUTORY PROVISIONS**

11 5. Section 480 of the Code states:

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

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

24 ...

25 **REGULATORY PROVISIONS**

26 6. California Code of Regulations, title 16, section 1812 provides:

27 (a) For purposes of denial, suspension, or revocation of a license pursuant to
28 Section 141, Division 1.5 (commencing with Section 475), or Section 4982, Section
4989.54, Section 4992.3, or Section 4999.90 of the Code, a crime, professional
misconduct, or act shall be considered to be substantially related to the qualifications,
functions or duties of a person holding a license under Chapters 13, 13.5, 14, and 16
of Division 2 of the Code if to a substantial degree it evidences present or potential
unfitness of a person holding a license to perform the functions authorized by the
license in a manner consistent with the public health, safety or welfare. For purposes
of this section, "license" shall mean license or registration.

(b) In making the substantial relationship determination required under
subsection (a) for a crime, the board shall consider all of the following criteria:

(1) The nature and gravity of the offense.

1 (2) The number of years that have elapsed since the date of the offense.

2 (3) The nature and duties of a marriage and family therapist, educational
3 psychologist, clinical social worker, or professional clinical counselor.

4 (c) For purposes of subsection (a), a substantially related crime, professional
5 misconduct, or act shall include, but is not limited to, the following:

6 (1) Any violation of Article 6, Chapter 1, Division 2 (commencing with section
7 650) of the Code.

8 (2) Any violation of the provisions of Chapter 13 (commencing with section
9 4980), Chapter 13.5 (commencing with section 4989.10), Chapter 13.7 (commencing
10 with section 4990), Chapter 14 (commencing with section 4991), or Chapter 16
11 (commencing with section 4999.10) of Division 2 of the Code.

12 **CAUSE FOR DENIAL OF APPLICATION**

13 **(Conviction of Substantially Related Crime)**

14 7. Respondent's application is subject to denial under section 480, subdivision (a), in
15 that Respondent was convicted of a crime substantially related to the duties, functions, and/or
16 qualifications of pharmacy technician within the seven years prior to the date of her application
17 for licensure by the Board. On or about July 19, 2022, in a criminal matter titled *The People of*
18 *the State of California v. Sandra Leticiacontr Salazar*, Alameda County Superior Court Case No.
19 21-CR-010885, Respondent pled no contest to and was convicted of a misdemeanor violation of
20 Vehicle Code section 23103/23103.5 (Alcohol-Involved Reckless Driving). Imposition of
21 sentence was suspended and Respondent was placed on probation for one year with terms and
22 conditions that included one day in county jail, a three-month DUI course, and fines and fees.
23 The circumstances underlying the conviction are that on or about April 7, 2021, at approximately
24 12:41 a.m., Respondent was stopped by the California Highway Patrol for speeding. While in
25 contact with Respondent, the officer noticed an open case of beer on the floorboard behind the
26 driver's seat and an open beer spilled on the floorboard of the front passenger seat. She was
27 displaying signs and symptoms of intoxication, and had the odor of an alcoholic beverage on her
28 breath and person, but denied drinking alcohol. Respondent failed to perform field sobriety tests
satisfactorily. At approximately 2:36 a.m., samples of Respondent's blood were obtained for a
chemical blood test. The results showed she had a blood alcohol concentration (BAC) of 0.18%.

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PRAYER

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

1. Denying the application of Sandra Leticia Contreras Salazar for a Pharmacy Technician License; and
2. Taking such other and further action as is deemed necessary and proper.

DATED: 3/24/2024

Sodergren,
Anne@DCA
ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

Digitally signed by
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