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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  
13 Against:

14 **CONNOR MACLEOD GRIFFITH**

15 **Intern Pharmacist License Applicant**

16 Respondent.

Case No. 7489

**STATEMENT OF ISSUES**

17  
18 **PARTIES**

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

22 2. On or about September 19, 2022, the Board received an application for an Intern  
23 Pharmacist License from Connor MacLeod Griffith (Respondent). On or about August 15, 2022,  
24 Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and  
25 representations in the application. The Board denied the application on February 7, 2023.

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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 (Code) unless  
4 otherwise indicated.

5 **STATUTORY PROVISIONS**

6 4. Section 477 of the Code states:

7 As used in this division:

8 (a) "Board" includes "bureau," "commission," "committee," "department,"  
9 "division," "examining committee," "program," and "agency."

10 (b) "License" includes certificate, registration or other means to engage in a  
11 business or profession regulated by this code.

12 5. Section 480 of the Code states, in pertinent part:

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

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

26 6. Section 493, states in pertinent part:

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

29 **REGULATORY PROVISIONS**

30 7. California Code of Regulations, title 16, section 1770, states, in pertinent part:

31 (a) For the purpose of denial, suspension, or revocation of a personal or facility  
license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the  
Business and Professions Code, a crime, professional misconduct, or act shall be

1 considered substantially related to the qualifications, functions or duties of the  
2 practice, profession, or occupation that may be performed under the license type  
3 sought or held if to a substantial degree it evidences present or potential unfitness of  
4 an applicant or licensee to perform the functions authorized by the license in a  
5 manner consistent with the public health, safety, or welfare.

6 . . . .

7 (c) For purposes of subdivision (a), substantially related crimes, professional  
8 misconduct, or acts shall include, but are not limited to, those which:

9 . . . .

10 (5) Involve a conviction for driving under the influence of drugs or alcohol.

11 **FIRST CAUSE FOR DENIAL OF APPLICATION**

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

13 8. Respondent's application is subject to denial under section 480, subdivision (a)(1) in  
14 conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was  
15 convicted of a crime substantially related to the qualifications, functions, or duties of an intern  
16 pharmacist. Specifically, on or about September 9, 2021, after his plea of nolo contendere,  
17 Respondent was convicted of violating Vehicle Code section 23152, subdivision (b) (driving  
18 while having 0.08 percent or above blood alcohol concentration) in the criminal proceeding titled:  
19 *The People of the State of California v. Connor Griffith* (Super. Ct. Los Angeles County, 2022,  
20 No. 1SC01516). The court placed Respondent on 36 months of probation with terms and  
21 conditions.

22 9. The circumstances surrounding the conviction were that on or about May 8, 2021,  
23 Respondent ran a red light and collided into a curb. Responding police officers noted Respondent  
24 displayed objective symptoms of intoxication. During a search of Respondent's vehicle, officers  
25 found open bottles and cans of alcohol on the floorboard of his vehicle. Respondent submitted to  
26 breath test at 5:36 a.m., which revealed a blood alcohol concentration (BAC) of 0.229 and 0.201  
27 respectively. He was later transported to the sheriff's station where he submitted to a chemical  
28 breath test at 6:24 a.m., which resulted in a BAC of 0.18.

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1 **SECOND CAUSE FOR DENIAL OF APPLICATION**

2 **(Dangerous Use of Alcohol)**

3 10. Respondent's application is subject to denial under sections 4300, subdivision (c), and  
4 4301, subdivision (h) in conjunction with California Code of Regulations, title 16, section 1770,  
5 subdivision (a) (5), in that Respondent consumed alcoholic beverages to the extent, or in a  
6 manner, as to be dangerous or injurious to himself and the public. Complainant refers to, and by  
7 this reference incorporates, the allegations set forth above in paragraphs 8 and 9, inclusive, as  
8 though set 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. Denying the application of Connor MacLeod Griffith for an Intern Pharmacist  
13 License;  
14 2. Taking such other and further action as deemed necessary and proper.

15  
16 DATED: 4/15/2023

Sodergren,  
Anne@DCA  
Digitally signed by Sodergren,  
Anne@DCA  
Date: 2023.04.15 06:40:17  
-07'00'

ANNE SODERGREN  
Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

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