

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 MATTHEW A. KING
Deputy Attorney General
4 State Bar No. 265691
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-7446
6 Facsimile: (213) 897-2804
Attorneys for Complainant
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8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:
12 **LARON WILLIE MASON**
1419 S. Willowbrook Ave., #B
13 Compton, CA 90220
14 Pharmacy Technician Registration No. TCH
69731
15
16 Respondent.

Case No. 4003

A C C U S A T I O N

17
18 Complainant alleges:

19 **PARTIES**

- 20 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs (Board).
22 2. On or about August 24, 2006, the Board of Pharmacy issued Original Pharmacy
23 Technician Registration Number TCH 69731 to Laron Willie Mason (Respondent). The
24 Pharmacy Technician Registration was in full force and effect at all times relevant to the charges
25 brought herein and will expire on June 30, 2012, unless renewed.

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1 **JURISDICTION**

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

4 **STATUTORY PROVISIONS**

5 4. Section 118, subdivision (b), provides that the suspension, expiration, surrender, or
6 cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary
7 action during the period within which the license may be renewed, restored, reissued or
8 reinstated.

9 5. Section 4202, subdivision (d), provides that “[t]he board may suspend or revoke any
10 registration issued pursuant to this section on any ground specified in Section 4301.”

11 6. Section 4300, subdivision (a), states that “[e]very license issued may be suspended or
12 revoked.”

13 7. Section 4301 states, in pertinent part:

14 “The board shall take action against any holder of a license who is guilty of unprofessional
15 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.
16 Unprofessional conduct shall include, but is not limited to, any of the following:

17 ...

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

21 ...

22 “(h) The administering to oneself, of any controlled substance, or the use of any dangerous
23 drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to
24 oneself, to a person holding a license under this chapter, or to any other person or to the public, or
25 to the extent that the use impairs the ability of the person to conduct with safety to the public the
26 practice authorized by the license.

27 ...

28 “(k) The violation of any of the statutes of this state, of any other state, or of the United

1 States regulating controlled substances and dangerous drugs.”

2 “(l) The conviction of a crime substantially related to the qualifications, functions, and
3 duties of a licensee...[T]he record of conviction shall be conclusive evidence only of the fact that
4 the conviction occurred. The board may inquire into the circumstances surrounding the
5 commission of the crime, in order to fix the degree of discipline...A plea or verdict of guilty or a
6 conviction following a plea of nolo contendere is deemed to be a conviction within the meaning
7 of this provision.

8 “(p) Actions or conduct that would have warranted denial of a license.”

9 **REGULATORY PROVISIONS**

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

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

17 **COST RECOVERY**

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

22 **FIRST CAUSE FOR DISCIPLINE**

23 (Conviction of Substantially Related Crime)

24 10. Respondent is subject to disciplinary action under sections 4202, subdivision (d),
25 4300, and 4301, subdivision (l), for unprofessional conduct in that Respondent was convicted of
26 crimes substantially related to the qualifications, functions, and duties of a Registered Pharmacy
27 Technician. The circumstances of the convictions are set forth below:

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1 a. On or about September 18, 2007, Respondent, after pleading nolo contendere, was
2 convicted of violating Penal Code section 647, subdivision (h) (loitering), a misdemeanor, in the
3 criminal proceeding entitled *The People of the State of California v. Laron Willie Mason* (Super.
4 Ct. Los Angeles County, 2007, No. 7AV07474). The Court sentenced Respondent to ten days in
5 jail, placed him on three years probation, and ordered him to pay fines and restitution. The
6 circumstances of the conviction are that on or about June 17, 2007, Respondent entered the
7 backyard of a residence, knocked on the rear door of the house while yelling, then climbed over a
8 wall and ran down a street until apprehended. Respondent did not have permission to be on the
9 property.

10 b. On or about February 19, 2008, Respondent, after pleading nolo contendere, was
11 convicted of violating Vehicle Code sections 23152, subdivision (a) (driving under the influence
12 of drugs or alcohol), 23222, subdivision (b) (possession of marijuana while driving), 14601.1,
13 subdivision (a) (driving with a suspended license), misdemeanors, and Vehicle Code section
14 16028, subdivision (a) (driving without evidence of financial responsibility), an infraction, in the
15 criminal proceeding entitled *The People of the State of California v. Laron Willie Mason* (Super.
16 Ct. Los Angeles County, 2008, No. 7AV10828). The Court sentenced Respondent to eight days
17 in jail, placed him on three years probation, and ordered him to pay fines and restitution. The
18 circumstances of the conviction are that on or about September 15, 2007, Respondent was
19 detained by Los Angeles County Sheriff's Deputies for swerving across lanes, driving in an
20 opposing lane of traffic, and colliding with a curb. During the enforcement stop, Respondent was
21 observed to have a strong odor of alcohol and slurred speech. When asked to perform Field
22 Sobriety Tests, Respondent could not perform them successfully. He estimated 60 seconds to be
23 30 seconds in the Romberg Balance Test and raised his arms and stepped out with his foot to
24 maintain balance in the Walk and Turn Test. He admitted to the consumption of tequila before
25 driving, refused the Preliminary Alcohol Screening (P.A.S.) Test, and refused the breathalyzer
26 and blood tests. Respondent was arrested for driving under the influence of drugs or alcohol, and
27 driving on a suspended license. During the booking process, the Deputies discovered a quantity
28 of marijuana in Respondent's possession.

1 c. On or about June 15, 2009, Respondent, after pleading nolo contendere, was
2 convicted of violating Penal Code section 273.5 (corporal spousal injury), a misdemeanor
3 pursuant to Penal Code section 17, subdivision (b), in the criminal case entitled *The People of the*
4 *State of California v. Laron Willie Mason* (Super Ct. Los Angeles County, 2009, No. TA106794).
5 The Court sentenced Respondent to one year in jail, placed him on three years probation, and
6 ordered him to pay fines and restitution. The circumstances of the conviction are that on or about
7 May 17, 2009, Respondent inflicted corporal injury on a former cohabitant, resulting in a
8 traumatic condition.

9 **SECOND CAUSE FOR DISCIPLINE**

10 (Use of Alcohol to an Extent Dangerous to Self or Others)

11 11. Respondent is subject to disciplinary action under sections 4202, subdivision (d),
12 4300, and 4301, subdivision (h), for use of alcoholic beverages to the extent or in a manner as to
13 be dangerous or injurious to oneself or to the public, in that Respondent drove while under the
14 influence of alcohol, causing a single-vehicle collision. Respondent endangered the public and
15 himself by driving across lanes, driving in an opposing lane of traffic, and colliding with a curb.
16 Complainant refers to and by this reference incorporates the allegations set forth above in
17 paragraph 10, subparagraphs (a)–(c), inclusive, as though set forth fully.

18 **THIRD CAUSE FOR DISCIPLINE**

19 (Commission of an Act Involving Moral Turpitude)

20 12. Respondent is subject to disciplinary action under sections 4202, subdivision (d),
21 4300, and 4301, subdivision (f), for committing an act involving moral turpitude, in that
22 Respondent inflicted corporal injury on a former cohabitant, causing a traumatic condition.
23 Respondent's act reflects moral depravity and wickedness. Complainant refers to and by this
24 reference incorporates the allegations set forth above in paragraph 10, subparagraphs (a)–(c), as
25 though set forth fully.

26 **FOURTH CAUSE FOR DISCIPLINE**

27 (Commission of Acts Warranting Denial)

28 13. Respondent is subject to disciplinary action under sections 4202, subdivision (d),

1 4300, subdivision (a), 4301, and 480, subdivision (a)(1), in that Respondent committed an act
2 which would warrant denial of licensure. Respondent was convicted a crime substantially related
3 to the qualifications, functions, and duties of a Registered Pharmacy Technician. Complainant
4 refers to and by this reference incorporates the allegations set forth above in paragraph 10,
5 subparagraphs (a)–(c).

6 **OTHER MATTERS**

7 (Arrest for Possession of a Controlled Substance)

8 14. Respondent was arrested and charged with one misdemeanor count of violating
9 Health and Safety Code section 11350, subdivision (a) (possession of a controlled substance), in
10 the criminal proceeding entitled *The People of the State of California v. Laron Mason*, now
11 pending before the Superior Court of the County of Los Angeles (Super. Ct. Los Angeles County,
12 pending, No. 0CA13876). The circumstances of the arrest are that on or about June 30, 2010,
13 Respondent was observed driving a vehicle allegedly in violation of Vehicle Code sections 5200,
14 subdivision (a) (improper plate display), and 24603, subdivision (b) (malfunctioning or
15 improperly mounted stop lamps). During the enforcement stop, Los Angeles Police Department
16 Officer Kraft noticed an open container of what he believed to be alcohol. Officer Kraft asked for
17 identification from Respondent and Respondent's passenger. Using the identification provided,
18 Officer Kraft performed a warrant search, which confirmed that Respondent had an outstanding
19 warrant for his arrest. Officer Kraft arrested Respondent and searched him. During the search,
20 Officer Kraft allegedly retrieved five tablets of ecstasy from Respondent's pocket.

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PRAYER

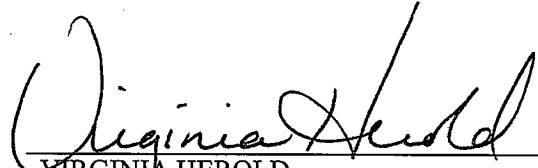
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1.1. Revoking or suspending Pharmacy Technician Registration Number TCH 69731, issued to Laron Willie Mason;

1.2. Ordering Laron Willie Mason to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and

1.3. Taking such other and further action as deemed necessary and proper.

DATED: 6/2/11



VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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