

1 XAVIER BECERRA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 CHRISTINE J. LEE  
Deputy Attorney General  
4 State Bar No. 282502  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2539  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
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8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 6217

11 **WILLIAM PHILLIP WHITE**  
12 1728 West 51st Street  
13 Los Angeles, CA 90062

**A C C U S A T I O N**

14 **Pharmacy Technician Registration No. TCH**  
**128265**

15 Respondent.

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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.

22 2. On or about March 6, 2013, the Board of Pharmacy issued Pharmacy Technician  
23 Registration Number TCH 128265 to William Phillip White (Respondent). The Pharmacy  
24 Technician Registration expired on September 27, 2016 pursuant to Family Code section 17520.

25 **JURISDICTION**

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



1 The board may inquire into the circumstances surrounding the commission of the crime, in order  
2 to fix the degree of discipline or, in the case of a conviction not involving controlled substances  
3 or dangerous drugs, to determine if the conviction is of an offense substantially related to the  
4 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or  
5 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning  
6 of this provision. The board may take action when the time for appeal has elapsed, or the  
7 judgment of conviction has been affirmed on appeal or when an order granting probation is made  
8 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of  
9 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not  
10 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
11 indictment.”

12 ...

13 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
14 violation of or conspiring to violate any provision or term of this chapter or of the applicable  
15 federal and state laws and regulations governing pharmacy, including regulations established by  
16 the board or by any other state or federal regulatory agency.”

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

18 **REGULATORY PROVISIONS**

19 8. California Code of Regulations, title 16, section 1770, states, in pertinent part:  
20 "For the purpose of denial, suspension, or revocation of a personal or facility license  
21 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a  
22 crime or act shall be considered substantially related to the qualifications, functions or duties of a  
23 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a  
24 licensee or registrant to perform the functions authorized by his license or registration in a manner  
25 consistent with the public health, safety, or welfare.”

26 **COST RECOVERY**

27 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
28 administrative law judge to direct a licentiate found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
3 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
4 included in a stipulated settlement.

5 **FIRST CAUSE FOR DISCIPLINE**

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

7 10. Respondent is subject to disciplinary action under Code section 4301, subdivision (l)  
8 and (f), in conjunction with California Code of Regulations, title 16, section 1770, in that  
9 Respondent was convicted of a crime substantially related to qualifications, functions, or duties of  
10 a registered pharmacy technician which to a substantial degree evidence her present or potential  
11 unfitness to perform the functions authorized by her registration in a manner consistent with the  
12 public health, safety, or welfare, as follows:

13 a. On or about May 17, 2017, after pleading nolo contendere, Respondent was convicted  
14 of one felony count of violating Penal Code section 236.1(c) [Human Trafficking of a Minor for a  
15 Commercial Sex Act], in the criminal proceeding entitled *The People of the State of California v.*  
16 *William Phillip White* (Super. Ct. L.A. County, 2017, No. NA10591). The court sentenced  
17 Respondent to serve eight years of jail suspended, serve four days in county jail, less credit for  
18 four days, in addition to perform 82 days of Cal Trans. The court placed Respondent on five years  
19 formal probation. The court also ordered Respondent to register as a sex offender, and stay 100  
20 yards away from the victim.

21 b. The circumstances underlying the conviction are that on or about February 21, 2017,  
22 while Vice police officers were operating a sting targeting prostitution, Respondent was detained.  
23 Respondent admitted that he causes a minor victim to perform acts of prostitution and  
24 Respondent would drive her to meet buyers. Respondent would receive payment in the amount of  
25 \$20-40 each time for driving the minor victim. Respondent also admitted that he placed online  
26 advertisements on Craigslist for minor victim with his cellphone and would also respond to  
27 "Johns" on his phone, acting like minor victim. Respondent then set up a location and time with  
28 the "John."

1 SECOND CAUSE FOR DISCIPLINE

2 (Violate Pharmacy Law / Acts Warranting Denial of Licensure)

3 11. Respondent is subject to disciplinary action under Code section 4301, subdivisions  
4 (o) and (p), in that Respondent violated federal and state law and regulations governing  
5 pharmacy, and committed acts of unprofessional conduct that would have warranted a denial of a  
6 license. Complainant refers to and by this reference incorporates that allegations set for above in  
7 paragraph 11 inclusive, as though set forth fully.

8 DISCIPLINARY CONSIDERATIONS

9 12. To determine the degree of discipline, if any, to be imposed on the Respondent,  
10 Complainant alleges:

- 11 a. On or about June 20, 2016, Respondent was convicted of violating Vehicle Code  
12 section 12500(a)- [Driving without a license], in the criminal proceeding entitled *The*  
13 *People of the State of California v. William Phillip White* (Super. Ct. L.A. County,  
14 2016, No. LAX6AR10099). The court ordered Respondent to pay fines or perform  
15 three days of community labor in lieu of the fines.

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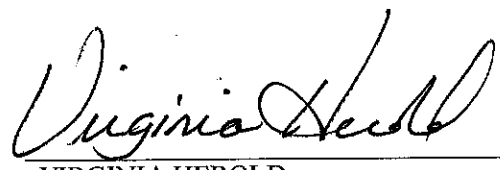
PRAYER

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. Revoking or suspending Pharmacy Technician Registration Number TCH 128265, issued to William Phillip White;
2. Ordering William Phillip White to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED:

9/12/17



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

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