

1 XAVIER BECERRA  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Senior Assistant Attorney General  
3 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
4 State Bar No. 225325  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6322  
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:  
12 **LAKISHA ST. ANGE**  
13 6400 Greenvally Circle, #206  
14 Culver City, CA 90230  
15 Pharmacy Technician Registration  
16 No. TCH 39185  
17 Respondent.

Case No. 6112  
**A C C U S A T I O N**

18 Complainant alleges:

19 **PARTIES**

- 20 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity as  
21 the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.  
22 2. On or about August 23, 2001, the Board of Pharmacy (Board) issued Pharmacy  
23 Technician Registration No. TCH 39185 to Lakisha St. Ange (Respondent). The Pharmacy  
24 Technician Registration expired on February 28, 2017, and has not been renewed.

25 **JURISDICTION**

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

28 ///

1 STATUTORY PROVISIONS

2 4. Section 490 states, in pertinent part:

3 “(a) In addition to any other action that a board is permitted to take against a licensee, a  
4 board may suspend or revoke a license on the ground that the licensee has been convicted of a  
5 crime, if the crime is substantially related to the qualifications, functions, or duties of the business  
6 or profession for which the license was issued.

7 “(b) Notwithstanding any other provision of law, a board may exercise any authority to  
8 discipline a licensee for conviction of a crime that is independent of the authority granted under  
9 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties of  
10 the business or profession for which the licensee’s license was issued.

11 “(c) A conviction within the meaning of this section means a plea or verdict of guilty or a  
12 conviction following a plea of nolo contendere. An action that a board is permitted to take  
13 following the establishment of a conviction may be taken when the time for appeal has elapsed, or  
14 the judgment of conviction has been affirmed on appeal, or when an order granting probation is  
15 made suspending the imposition of sentence, irrespective of a subsequent order under Section  
16 1203.4 of the Penal Code.

17 5. Section 493 states:

18 “Notwithstanding any other provision of law, in a proceeding conducted by a board within  
19 the department pursuant to law to deny an application for a license or to suspend or revoke a  
20 license or otherwise take disciplinary action against a person who holds a license, upon the ground  
21 that the applicant or the licensee has been convicted of a crime substantially related to the  
22 qualifications, functions, and duties of the licensee in question, the record of conviction of the  
23 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,  
24 and the board may inquire into the circumstances surrounding the commission of the crime in order  
25 to fix the degree of discipline or to determine if the conviction is substantially related to the  
26 qualifications, functions, and duties of the licensee in question. As used in this section, “license”  
27 includes “certificate,” “permit,” “authority,” and “registration.”

28 ///

1           6.     Section 4300 provides, in pertinent part, that every license issued by the Board is  
2 subject to discipline, including suspension or revocation.

3           7.     Section 4300.1 states:

4           "The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation  
5 of law or by order or decision of the board or a court of law, the placement of a license on a  
6 retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of  
7 jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding  
8 against, the licensee or to render a decision suspending or revoking the license."

9           8.     Section 4301 states, in pertinent part:

10          "The board shall take action against any holder of a license who is guilty of unprofessional  
11 conduct or whose license has been issued by mistake. Unprofessional conduct shall include, but is  
12 not limited to, any of the following:

13          . . . .

14          "(h) The administering to oneself, of any controlled substance, or the use of any dangerous  
15 drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to  
16 oneself, to a person holding a license under this chapter, or to any other person or to the public, or  
17 to the extent that the use impairs the ability of the person to conduct with safety to the public the  
18 practice authorized by the license.

19          . . . .

20          "(l) The conviction of a crime substantially related to the qualifications, functions, and duties  
21 of a licensee under this chapter. The record of conviction of a violation of Chapter 13  
22 (commencing with Section 801) of Title 21 of the United States Code regulating controlled  
23 substances or of a violation of the statutes of this state regulating controlled substances or  
24 dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the  
25 record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The  
26 board may inquire into the circumstances surrounding the commission of the crime, in order to fix  
27 the degree of discipline or, in the case of a conviction not involving controlled substances or  
28 dangerous drugs, to determine if the conviction is of an offense substantially related to the

1 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or a  
2 conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of  
3 this provision. The board may take action when the time for appeal has elapsed, or the judgment of  
4 conviction has been affirmed on appeal or when an order granting probation is made suspending  
5 the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal  
6 Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, or  
7 setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.”

8 **REGULATORY PROVISIONS**

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

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

16 **COST RECOVERY**

17 10. Section 125.3 provides, in pertinent part, that the Board may request the  
18 administrative law judge to direct a licentiate found to have committed a violation or violations of  
19 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
20 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
21 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
22 included in a stipulated settlement.

23 **FIRST CAUSE FOR DISCIPLINE**

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

25 11. Respondent is subject to disciplinary action under sections 490 and 4301, subdivision  
26 (l), in conjunction with California Code of Regulations, title 16, section 1770, in that Respondent  
27 was convicted of a crime substantially related to the qualifications, functions, and duties of a  
28 pharmacy technician. On or about January 18, 2017, Respondent was convicted of one

1 misdemeanor count of violating Vehicle Code section 23152, subsection (b) [driving while having  
2 0.08% or more, by weight, of alcohol in her blood] in the criminal proceeding entitled *The People*  
3 *of the State of California v. Lakisha Ann Stange* (Super. Ct. LA County, 2017, No. 6MN06515).  
4 The court sentenced Respondent to serve 120 days in jail and placed her on 60 months of  
5 probation, with terms and conditions. The circumstances surrounding the conviction are that on or  
6 about August 12, 2016, during a traffic enforcement stop, an officer detected a strong odor of  
7 alcoholic beverage emitting from Respondent's breath and person. Respondent was observed to  
8 have red watery eyes, slurred thick speech, and an unsteady gait. She admitted that she drank one  
9 glass of wine. Respondent did not satisfactorily perform the Field Sobriety Tests (F.S.T.s), as  
10 demonstrated and explained by the officer. During the booking procedure, Respondent submitted  
11 to a blood test that resulted in a blood-alcohol concentration level of 0.20%.

12 **SECOND CAUSE FOR DISCIPLINE**

13 **(Dangerous Use of Alcoholic Beverages)**

14 12. Respondent is subjected to disciplinary action under section 4301, subdivision (h), in  
15 that Respondent used alcoholic beverages to an extent or in a manner as to be dangerous or  
16 injurious to herself, another person, or to the public. Complainant refers to, and by this reference  
17 incorporates, the allegations set forth above in paragraph 11, as though set forth fully.

18 **DISCIPLINARY CONSIDERATIONS**

19 13. In order to determine the degree of discipline, if any to be imposed on Respondent,  
20 Complainant alleges the following:

- 21 a. On or about November 9, 2016, during a traffic enforcement stop, an officer observed  
22 Respondent leaving the Metropolitan Superior Court and driving a motor vehicle while  
23 her driving privilege was suspended and revoked with knowledge for a prior driving  
24 under the influence arrest, in violation of Vehicle Code section 14601.2
- 25 b. On or about September 2, 2011, the Board issued Citation and Fine  
26 No. CI 201047330 to Respondent for his conviction on March 23, 2011, resulting in  
27 the issuance of a \$650.00 fine. Respondent has complied with the citation. The  
28 circumstances surrounding the citation are that on or about March 23, 2011,

1 Respondent was convicted of one misdemeanor count of violating Vehicle Code  
2 section 23152, subsection (b) [driving while having 0.08% or more, by weight, of  
3 alcohol in her blood] in the criminal proceeding entitled *The People of the State of*  
4 *California v. Lakisha Ann St. Ange* (Super. Ct. LA County, 2011, No. 1VY00221).  
5 The court sentenced Respondent to serve 96 hours in jail and placed her on 48 months  
6 of probation, with terms and conditions. The circumstances surrounding the conviction  
7 are that on or about December 19, 2010, during a traffic collision investigation, an  
8 officer detected a strong odor of alcoholic beverage emitting from Respondent's breath  
9 and person. Respondent was observed to have red watery eyes, slurred speech, and an  
10 unsteady gait. She admitted that she drank one glass of wine before driving her  
11 vehicle. Respondent did not perform the Field Sobriety Tests (F.S.T.s), as  
12 demonstrated and explained by the officer. During the booking procedure, Respondent  
13 submitted to a breath test that resulted in a breath-alcohol concentration level of  
14 0.11% on the first, second, and third reading.

- 15 c. On or about May 13, 2009, Respondent was convicted of one misdemeanor count of  
16 violating Vehicle Code section 23152, subsection (b) [driving while having 0.08% or  
17 more, by weight, of alcohol in her blood] in the criminal proceeding entitled *The*  
18 *People of the State of California v. Lakisha Ann Ange* (Super. Ct. LA County, 2009,  
19 No. 9CP03713). The court placed Respondent on 36 months of probation, with terms  
20 and conditions. The circumstances surrounding the conviction are that on or about  
21 January 22, 2009, Respondent drove a motor vehicle on a highway while having  
22 0.08% or more, by weight of alcohol in her blood.

23 ///

24 ///

25 ///

26 ///

27 ///

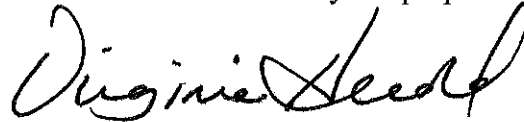
28 **PRAYER**

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

- 3           1.    Revoking or suspending Pharmacy Technician Registration No. TCH 39185, issued to  
4 Lakisha St. Ange;
- 5           2.    Ordering Lakisha St. Ange to pay the Board the reasonable costs of the investigation  
6 and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
- 7           3.    Taking such other and further action as deemed necessary and proper.

8  
9 DATED: \_\_\_\_\_

3/12/18



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

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24 LA2017604799  
25 52835562.doc  
26 Jz(3/6/18)  
27  
28