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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 Statement of Issues  
Against:

Case No. 5720

12 **SONIA L. PEREZ, a.k.a. SONIA**  
13 **PEARMAN**

**STATEMENT OF ISSUES**

14 **Pharmacy Technician Registration**  
15 **Applicant**

16 Respondent.

17 Complainant alleges:

18 PARTIES

19 1. Virginia Herold (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 2. On or about May 6, 2015, the Board of Pharmacy, Department of Consumer Affairs  
22 received an application for a Pharmacy Technician Registration from Sonia L. Perez, also known  
23 as Sonia Pearman (Respondent). On or about April 14, 2015, Respondent certified under penalty  
24 of perjury to the truthfulness of all statements, answers, and representations in the application.

25 The Board denied the application on December 17, 2015.

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1 knowingly made a false statement of fact required to be revealed in the application for the  
2 license."

3 6. California Code of Regulations, title 16, section 1770, states:

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

10 7. Section 493 of the Code states:

11 "Notwithstanding any other provision of law, in a proceeding conducted by a board within  
12 the department pursuant to law to deny an application for a license or to suspend or revoke a  
13 license or otherwise take disciplinary action against a person who holds a license, upon the  
14 ground that the applicant or the licensee has been convicted of a crime substantially related to the  
15 qualifications, functions, and duties of the licensee in question, the record of conviction of the  
16 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,  
17 and the board may inquire into the circumstances surrounding the commission of the crime in  
18 order to fix the degree of discipline or to determine if the conviction is substantially related to the  
19 qualifications, functions, and duties of the licensee in question.

20 "As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,' and  
21 'registration.'"

#### 22 FACTUAL BACKGROUND

23 8. On or about June 25, 2009, in a criminal proceeding entitled *People of the State of*  
24 *California vs. Sonia Pearman*, in Alameda County Superior Court, Case No. H46945,  
25 Respondent was convicted of use of credit card information without consent, a felony. (Penal  
26 Code, § 484e, subd. (d).) Specifically, while employed at Kaiser Permanente, Respondent  
27 admitted to copying patient's credit card information, printing it out, and using it to make  
28 fraudulent purchases. Respondent admitted to taking 30-50 individual credit card numbers and

1 associated information over a period of several months. The court ordered Respondent to five  
2 years probation and serve eight months in county jail.

3 FIRST CAUSE FOR DENIAL OF APPLICATION

4 (Substantially Related Conviction)  
(Bus. & Prof. Code, § 480, subd. (a)(1).)

5 9. Respondent has subjected her application for a Pharmacy Technician Registration to  
6 denial in that she was convicted of a crime substantially related to the qualifications, functions,  
7 and duties of a Pharmacy Technician. (Bus. & Prof. Code, § 480, subd. (a)(1).) The  
8 circumstances are set forth in paragraph 8, above.

9 SECOND CAUSE FOR DENIAL OF APPLICATION

10 (Committed Acts of Dishonesty, Fraud, or Deceit)  
(Bus. & Prof. Code, § 480, subd. (a)(2).)

11 10. Respondent has subjected her application for a Pharmacy Technician Registration to  
12 denial in that she committed acts of fraud by copying patient's credit card information, printing it  
13 out, and using it to make fraudulent purchases. (Bus. & Prof. Code, § 480, subd. (a)(2).) The  
14 circumstances are set forth in paragraphs 8 and 9, above.

15 THIRD CAUSE FOR DENIAL OF APPLICATION

16 (Committed Acts which if Done by Licensee Would be Cause for Discipline)  
(Bus. & Prof. Code, § 480, subd. (a)(3).)

17 11. Respondent has subjected her application for a Pharmacy Technician Registration to  
18 denial in that she committed acts, which if done by a Pharmacy Technician, would constitute  
19 grounds for discipline. (Bus. & Prof. Code, § 480, subd. (a)(3).) The circumstances are set forth  
20 in paragraphs 8 and 9, above.

21 PRAYER

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

24 1. Denying the application of Sonia L. Perez, also known as Sonia Pearman for a  
25 Pharmacy Technician Registration;

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

DATED: 4/20/16

*Virginia Herold*

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

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