

**BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**LISA KIM VO AKA LISA KIM
LENORGANT**

37523 Denver Ct.
Palmdale, CA 93552

Pharmacy Technician Registration No. TCH
43541

Respondent.

Case No. 5219

OAH No. 2015020822

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on September 8, 2015.

It is so ORDERED on August 7, 2015.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

Amy Gutierrez, Pharm.D.
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA L. SUN
Supervising Deputy Attorney General
3 KATHERINE MESSANA
Deputy Attorney General
4 State Bar No. 272953
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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. 5219

11 **LISA KIM VO AKA LISA KIM**
12 **LENORGANT**

OAH No. 2015020822

13 37523 Denver Ct.
14 Palmdale, CA 93552

STIPULATED SURRENDER OF
LICENSE AND ORDER

15 Pharmacy Technician Registration No. TCH
43541

16 Respondent.

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18 In the interest of a prompt and speedy settlement of this matter, consistent with the public
19 interest and the responsibility of the Board of Pharmacy of the Department of Consumer Affairs,
20 the parties hereby agree to the following Stipulated Surrender and Disciplinary Order which will
21 be submitted to the Board for approval and adoption as the final disposition of the Accusation.

22 **PARTIES**

23 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.
24 She brought this action solely in her official capacity and is represented in this matter by Kamala
25 D. Harris, Attorney General of the State of California, by Katherine Messana, Deputy Attorney
26 General.

27 2. Lisa Kim Vo aka Lisa Kim Lenorgant (Respondent) is represented in this proceeding
28 by attorney Scott J. Harris, whose address is S J Harris Law, 8383 Wilshire Boulevard, Suite 830,

1 Beverly Hills, California 90211.

2 3. On or about September 18, 2002, the Board of Pharmacy issued Pharmacy
3 Technician Registration No. TCH 43541 to Lisa Kim Vo aka Lisa Kim Lenorgant (Respondent).
4 The Pharmacy Technician Registration was in full force and effect at all times relevant to the
5 charges brought in Accusation No. 5219 and will expire on August 31, 2016, unless renewed.

6 **JURISDICTION**

7 4. Accusation No. 5219 was filed before the Board of Pharmacy (Board), Department of
8 Consumer Affairs, and is currently pending against Respondent. The Accusation and all other
9 statutorily required documents were properly served on Respondent on December 3, 2014.
10 Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation
11 No. 5219 is attached as Exhibit A and incorporated by reference.

12 **ADVISEMENT AND WAIVERS**

13 5. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 5219. Respondent also has carefully read, fully
15 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
16 Order.

17 6. Respondent is fully aware of her legal rights in this matter, including the right to a
18 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
19 her own expense; the right to confront and cross-examine the witnesses against her; the right to
20 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
21 compel the attendance of witnesses and the production of documents; the right to reconsideration
22 and court review of an adverse decision; and all other rights accorded by the California
23 Administrative Procedure Act and other applicable laws.

24 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25 every right set forth above.

26 **CULPABILITY**

27 8. Respondent understands that the charges and allegations in Accusation No. 5219, if
28 proven at a hearing, constitute cause for imposing discipline upon her Pharmacy Technician

1 Registration.

2 9. For the purpose of resolving the Accusation without the expense and uncertainty of
3 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
4 basis for the charges in the Accusation and that those charges constitute cause for discipline.
5 Respondent hereby gives up her right to contest that cause for discipline exists based on those
6 charges.

7 10. Respondent understands that by signing this stipulation she enables the Board to issue
8 an order accepting the surrender of her Pharmacy Technician Registration without further
9 process.

10 **RESERVATION**

11 11. The admissions made by Respondent herein are only for the purposes of this
12 proceeding, or any other proceedings in which the Board of Pharmacy or other professional
13 licensing agency is involved, and shall not be admissible in any other criminal or civil
14 proceeding.

15 **CONTINGENCY**

16 12. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
17 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
18 communicate directly with the Board regarding this stipulation and surrender, without notice to or
19 participation by Respondent or her counsel. By signing the stipulation, Respondent understands
20 and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the
21 time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its
22 Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or
23 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,
24 and the Board shall not be disqualified from further action by having considered this matter.

25 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
26 copies of this Stipulated Surrender of License and Order, including Portable Document Format
27 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

28 14. This Stipulated Surrender of License and Order is intended by the parties to be an

1 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
2 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
3 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
4 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
5 executed by an authorized representative of each of the parties.

6 15. In consideration of the foregoing admissions and stipulations, the parties agree that
7 the Board may, without further notice or formal proceeding, issue and enter the following Order:

8 **ORDER**

9 IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 43541, issued
10 to Respondent Lisa Kim Vo aka Lisa Kim Lenorgant, is surrendered and accepted by the Board of
11 Pharmacy.

12 1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance
13 of the surrendered license by the Board shall constitute the imposition of discipline against
14 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
15 Respondent's license history with the Board of Pharmacy.

16 2. Respondent shall lose all rights and privileges as a Pharmacy Technician in California
17 as of the effective date of the Board's Decision and Order.

18 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
19 issued, her wall certificate on or before the effective date of the Decision and Order.

20 4. Respondent may not apply for any license, permit, or registration from the board for
21 three (3) years from the effective date of this decision. Respondent stipulates that should he or she
22 apply for any license from the board on or after the effective date of this decision, all allegations
23 set forth in the accusation shall be deemed to be true, correct and admitted by respondent when
24 the board determines whether to grant or deny the application. Respondent shall satisfy all
25 requirements applicable to that license as of the date the application is submitted to the board,
26 including, but not limited to certification by a nationally recognized body prior to the issuance of
27 a new license. Respondent is required to report this surrender as disciplinary action.

28 5. Respondent shall pay the agency its costs of investigation and enforcement in the

1 amount of \$2,250.00 prior to issuance of a new or reinstated license.

2 6. If Respondent should ever apply or reapply for a new license or certification, or
3 petition for reinstatement of a license, by any other health care licensing agency in the State of
4 California, all of the charges and allegations contained in Accusation, No. 5219 shall be deemed
5 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
6 other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Scott J. Harris. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.


DATED: _____
LISA KIM VO AKA LISA KIM LENORGANT
Respondent

I have read and fully discussed with Respondent Lisa Kim Vo aka Lisa Kim Lenorgant the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 7.15.15 _____
SCOTT J. HARRIS
Attorney for Respondent

INDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Date: 7/16/15
Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
LINDA L. SON
Supervising Deputy Attorney General

KATHERINE MESSANA
Deputy Attorney General
Attorneys for Complainers

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Scott J. Harris. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 7-15-15

Lisa Kim Vo
LISA KIM VO AKA LISA KIM LENORGANT
Respondent

I have read and fully discussed with Respondent Lisa Kim Vo aka Lisa Kim Lenorgant the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: _____

SCOTT J. HARRIS
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated:

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
LINDA L. SUN
Supervising Deputy Attorney General

KATHERINE MESSANA
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 5219

1 KAMALA D. HARRIS
Attorney General of California
2 GREGORY J. SALLTE
Supervising Deputy Attorney General
3 KATHERINE MESSANA
Deputy Attorney General
4 State Bar No. 272953
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2554
6 Facsimile: (213) 897-2804
Attorneys for Complainant

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9 **DEPARTMENT OF CONSUMER AFFAIRS**
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10 In the Matter of the Accusation Against:

Case No. 5219

11 **LISA KIM VO AKA**
12 **LISA KIM LENORGANT**

ACCUSATION

13 37523 Denver Ct.
14 Palmdale, CA 93552

15 Pharmacy Technician Registration No. TCH
43541

16 Respondent.

17
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 (Board), Department of Consumer Affairs.

22 2. On or about September 18, 2002, the Board issued Pharmacy Technician Registration
23 No. TCH 43541 to Lisa Kim Vo also known as, Lisa Kim Lenorgant (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 August 31, 2016, unless renewed.

26 **JURISDICTION AND STATUTORY PROVISIONS**

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

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indicated.

4. Section 4300 of the Code provides in pertinent part, that every license issued by the Board is subject to discipline, including suspension or revocation.

5. Section 4300.1 of the Code states:

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

4. Section 4301 states, in pertinent part:

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

...

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

...

(i) The conviction of a crime substantially related to the qualifications, functions, and duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13 (commencing with Section 801) of Title 21 of the United States Code regulating controlled substances or of a violation of the statutes of this state regulating controlled substances or dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime, in order to fix the degree of discipline or, in the case of a conviction not involving controlled substances or dangerous drugs, to determine if the conviction is of an offense substantially related to the qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this provision. The board may take action when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

...

(o) Violating or attempting to violate, directly or indirectly, or assisting in

1 or abetting the violation of or conspiring to violate any provision or term of this
2 chapter or of the applicable federal and state laws and regulations governing
3 pharmacy, including regulations established by the board or by any other state or
4 federal regulatory agency."

5 5. Section 490 of the Code states, in pertinent part:

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

11 (b) Notwithstanding any other provision of law, a board may exercise any
12 authority to discipline a licensee for conviction of a crime that is independent of the
13 authority granted under subdivision (a) only if the crime is substantially related to the
14 qualifications, functions, or duties of the business or profession for which the licensee's
15 license was issued.

16 (c) A conviction within the meaning of this section means a plea or
17 verdict of guilty or a conviction following a plea of nolo contendere. Any action that a
18 board is permitted to take following the establishment of a conviction may be taken
19 when the time for appeal has elapsed, or the judgment of conviction has been affirmed
20 on appeal, or when an order granting probation is made suspending the imposition of
21 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of
22 the Penal Code."

23 REGULATORY PROVISIONS

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

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

29 COST RECOVERY

30 7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
31 administrative law judge to direct a licensee found to have committed a violation or violations of
32 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
33 enforcement of the case.

34 FIRST CAUSE FOR DISCIPLINE

35 (Conviction of Substantially Related Crime)

36 8. Respondent is subject to disciplinary action under sections 4301, subdivision (l) and
37 section 490 of the Code, in conjunction with California Code of Regulations, title 16, section
38

1 1770, in that, Respondent was convicted of crimes substantially related to the qualifications,
2 functions or duties of a pharmacy technician, as follows:

3 9. On or about March 11, 2014, Respondent pled nolo contendere to and was convicted
4 of one (1) misdemeanor count of violating Penal Code section 273A(b) [cruelty to child by
5 endangering health] and one (1) misdemeanor count of violating Vehicle Code section 23103 [wet
6 reckless] in the criminal proceeding entitled *The People of the State of California v. Lisa Kim*
7 *Lenorgant* (Super. Ct. L.A. County, 2014, No. 3AV06055). As part of the plea, the court
8 accepted the prosecutor's statement that alcohol/drugs were involved in the incident. The court
9 placed Respondent on probation for 48 months, with terms and conditions. Among other terms
10 and conditions, the court ordered Respondent to complete a 52 week parenting skills program,
11 obey the protective order issued in the case, and complete a three-month first offender alcohol and
12 other drug education and counseling program. The circumstances underlying the conviction are,
13 as follows:

14 10. On or about August 15, 2013, Los Angeles County Sheriff's Department deputies
15 responded to a child abuse call. The caller indicated that a female adult appeared to be under the
16 influence of drugs and was parked at the location with a child in the vehicle. As the deputy
17 approached the vehicle, he saw Respondent sitting in the backseat of the vehicle. The deputy
18 observed a child in a car seat directly behind the driver's seat. When Respondent saw the deputy,
19 she started to climb over the center console of the vehicle to get to the driver's seat. While
20 Respondent was moving, the deputy saw (in plain view) what he immediately recognized as a
21 methamphetamine pipe on the floorboard of the backseat area of the vehicle. During his contact
22 with Respondent, the deputy observed Respondent display the objective signs and symptoms of
23 being under the influence of a controlled substance (sweating, rapid/mumbling speech).
24 Respondent failed to adequately complete the standard Field Sobriety Tests administered by the
25 deputy. During a search of Respondent's vehicle, the deputy found a small plastic baggie
26 containing a white crystalline substance resembling methamphetamine.

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SECOND CAUSE FOR DISCIPLINE

(Dangerous Use of Controlled Substance/Dangerous Drug/Alcoholic Beverage)

11. Respondent is subject to disciplinary action under section 4301, subdivision (h) of the Code in that or on about August 15, 2013, Respondent used a controlled substance, dangerous drug or alcoholic beverage to an extent and in a manner dangerous or injurious to herself, others and the public. The conduct is described in more particularity in paragraph 10 above, inclusive and hereby incorporated by reference.

THIRD CAUSE FOR DISCIPLINE

(Violations of Pharmacy Law)

12. Respondent is subject to disciplinary action under section 4301 subdivision (o) of the Code in that Respondent violated provisions of the Pharmacy Law. The violations are described in more particularity in paragraphs 8 through 11 above, inclusive and hereby incorporated by reference.

DISCIPLINARY CONSIDERATIONS

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

14. On or about December 7, 2001, Respondent pled nolo contendere to and was convicted of one (1) misdemeanor count of violating Penal Code section 415 [disturbing the peace] in the criminal proceeding entitled *The People of the State of California v. Lisa Kim Ozols* (Super. Ct. L.A. County, 2001, No. 1PA02519.) The court ordered Respondent to attend 12 anger management classes and placed her on one year probation, with terms and conditions.

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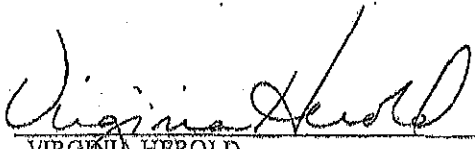
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PRAYER

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 No. TCH 43541, issued to Lisa Kim Vo also known as Lisa Kim Lenorgant;
2. Ordering Lisa Kim Vo to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 11/15/14



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

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