

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

**In the Matter of the Accusation Against:**

**LAWRENCE LEE, JR., Respondent**

**Original Pharmacy Technician Registration No. TCH 51981**

**Agency Case No. 7118**

**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 at 5:00 p.m. on April 27, 2022.

It is so ORDERED on March 28, 2022.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is fluid and cursive, with the first name "Seung" and last name "Oh" clearly visible.

Seung W. Oh, Pharm.D.  
Board President

1 ROB BONTA  
Attorney General of California  
2 JOSHUA A. ROOM  
Supervising Deputy Attorney General  
3 CHRISTOPHER M. YOUNG  
Deputy Attorney General  
4 State Bar No. 238532  
455 Golden Gate Avenue, Suite 11000  
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*Attorneys for Complainant*  
7

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

12 In the Matter of the Accusation Against:

Case No. 7118

13 **LAWRENCE LEE, JR.**  
14 **320 Avian Dr. Apt. #7**  
15 **Vallejo, CA 94591**

16 **Original Pharmacy Technician Registration**  
17 **No. TCH 51981**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

Respondent.

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. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
24 (Board). She brought this action solely in her official capacity and is represented in this matter by  
25 Rob Bonta, Attorney General of the State of California, by Christopher M. Young, Deputy  
26 Attorney General.

27 2. Lawrence Lee, Jr. (Respondent) is representing himself in this proceeding and has  
28 chosen not to exercise his right to be represented by counsel.

3. On or about April 15, 2005, the Board issued Original Pharmacy Technician Registration No. TCH 51981 to Lawrence Lee, Jr. (Respondent). The Original Pharmacy Technician Registration was canceled on August 1, 2019, pursuant to Business and Professions Code section 4402, subdivision (e), for non-payment of renewal fees. On or about November 18, 2020, Registration Number TCH 51981 was restored, due to the State of Emergency, pursuant to the Governor's Executive Order N-39-20. Registration Number TCH 51981 expired on September 1, 2021, and has not been renewed.

## JURISDICTION

4. Accusation No. 7118 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 11, 2021. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 7118 is attached as Exhibit A and incorporated by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 7118. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

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

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

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1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 7118, agrees that cause exists for discipline and hereby surrenders his Original Pharmacy  
4 Technician Registration No. TCH 51981 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation he enables the Board to issue  
6 an order accepting the surrender of his Original Pharmacy Technician Registration without  
7 further process.

8 **CONTINGENCY**

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

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

21 12. This Stipulated Surrender of License and Order is intended by the parties to be an  
22 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
23 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
24 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
25 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
26 executed by an authorized representative of each of the parties.

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

**ORDER**

IT IS HEREBY ORDERED that Original Pharmacy Technician Registration No. TCH 51981, issued to Respondent Lawrence Lee, Jr., is surrendered and accepted by the Board. Respondent may not reapply or petition the Board for reinstatement of his surrendered license for three years from the effective date of this decision.

1. The surrender of Respondent's Original Pharmacy Technician Registration and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board. Respondent understands and acknowledges that for purposes of Business and Professions Code section 4307, this stipulated surrender is the same as a revocation.

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

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

4. If he ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 7118 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$3,226.25 prior to reapplication for a new or reinstated license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 7118 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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**ACCEPTANCE**

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Original 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: \_\_\_\_\_  
LAWRENCE LEE, JR.  
*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,


ROB BONTA  
Attorney General of California  
JOSHUA A. ROOM  
Supervising Deputy Attorney General

CHRISTOPHER M. YOUNG  
Deputy Attorney General  
*Attorneys for Complainant*

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DATED:

  
 LAWRENCE LEE, JR.  
 Respondent

DATED:

Stipulated Surrender of License (Case No. 7118)

1 **ACCEPTANCE**

2 I have carefully read the Stipulated Surrender of License and Order. I understand the  
3 stipulation and the effect it will have on my Original Pharmacy Technician Registration. I enter  
4 into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and  
5 agree to be bound by the Decision and Order of the Board of Pharmacy.

6  
7 DATED: \_\_\_\_\_

LAWRENCE LEE, JR.  
*Respondent*

8  
9 **ENDORSEMENT**

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

12  
13 DATED: 3/1/2022

Respectfully submitted,

14 ROB BONTA  
15 Attorney General of California  
16 JOSHUA A. ROOM  
Supervising Deputy Attorney General

17 *Christopher M. Young*

18 CHRISTOPHER M. YOUNG  
19 Deputy Attorney General  
Attorneys for Complainant

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**Exhibit A**

**Accusation No. 7118**

1 ROB BONTA  
Attorney General of California  
2 JOSHUA A. ROOM  
Supervising Deputy Attorney General  
3 CHRISTOPHER M. YOUNG  
Deputy Attorney General  
4 State Bar No. 238532  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 510-3554  
6 Facsimile: (415) 703-5480  
E-mail: Chris.Young@doj.ca.gov  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 7118

13 **LAWRENCE LEE, JR.**  
14 **320 Avian Dr. Apt. #7**  
**Vallejo, CA 94591**

**ACCUSATION**

15 **Pharmacy Technician Registration**  
16 **No. TCH 51981**

17 Respondent.  
18  
19

20 **PARTIES**

21 1. Anne Sodergren (Complainant) brings this Accusation solely in her official capacity  
22 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

23 2. On or about April 15, 2005, the Board of Pharmacy (Board) issued Original  
24 Pharmacy Technician Registration Number TCH 51981 to Lawrence Lee, Jr. (Respondent). The  
25 Original Pharmacy Technician Registration was canceled on August 1, 2019, pursuant to  
26 Business and Professions Code section 4402, subdivision (e), for non-payment of renewal fees.  
27 On or about November 18, 2020, Registration Number TCH 51981 was restored, due to the State  
28

1 of Emergency, pursuant to the Governor's Executive Order N-39-20. Registration Number TCH  
2 51981 will expire on September 1, 2021, unless renewed.

### 3 **JURISDICTION**

4 3. This Accusation is brought before the Board of Pharmacy (Board), Department of  
5 Consumer Affairs, under the authority of the following laws. All section references are to the  
6 Business and Professions Code (Code) unless otherwise indicated.

7 4. Code section 4011 provides that the Board shall administer and enforce the Pharmacy  
8 Law [Bus. & Prof. Code, § 4000 et seq.]. Further, pursuant to Code section 4011, the Board also  
9 administers and enforces the Uniform Controlled Substances Act.

10 5. Code section 4300, subdivision (a), provides that every license issued by the Board  
11 may be suspended or revoked.

12 6. Code section 4300.1 provides that the expiration, cancellation, forfeiture, suspension,  
13 or voluntary surrender of a license "shall not deprive the board of jurisdiction to commence or  
14 proceed with any investigation of, or action or disciplinary proceeding against, the licensee or to  
15 render a decision suspending or revoking the license."

16 7. Code section 4307, subdivision (a), states:

17 "(a) Any person who has been denied a license or whose license has been revoked or is  
18 under suspension, or who has failed to renew his or her license while it was under suspension, or  
19 who has been a manager, administrator, owner, member, officer, director, associate, partner, or  
20 any other person with management or control of any partnership, corporation, trust, firm, or  
21 association whose application for a license has been denied or revoked, is under suspension or has  
22 been placed on probation, and while acting as the manager, administrator, owner, member,  
23 officer, director, associate, partner, or any other person with management or control had  
24 knowledge of or knowingly participated in any conduct for which the license was denied,  
25 revoked, suspended, or placed on probation, shall be prohibited from serving as a manager,  
26 administrator, owner, member, officer, director, associate, partner, or in any other position with  
27 management or control of a licensee as follows:  
28

1 (1) Where a probationary license is issued or where an existing license is placed on  
2 probation, this prohibition shall remain in effect for a period not to exceed five years.

3 (2) Where the license is denied or revoked, the prohibition shall continue until the license is  
4 issued or reinstated.”

### 5 **STATUTORY PROVISIONS**

6 8. Section 4300 of the Code states:

7 (a) Every license issued may be suspended or revoked.

8 (b) The board shall discipline the holder of any license issued by the board,  
9 whose default has been entered or whose case has been heard by the board and found  
guilty, by any of the following methods:

10 (1) Suspending judgment.

11 (2) Placing him or her upon probation.

12 (3) Suspending his or her right to practice for a period not exceeding one year.

13 (4) Revoking his or her license.

14 (5) Taking any other action in relation to disciplining him or her as the board in  
15 its discretion may deem proper.

16 (c) The board may refuse a license to any applicant guilty of unprofessional  
conduct. The board may, in its sole discretion, issue a probationary license to any  
17 applicant for a license who is guilty of unprofessional conduct and who has met all  
other requirements for licensure. The board may issue the license subject to any  
18 terms or conditions not contrary to public policy, including, but not limited to, the  
following:

19 (1) Medical or psychiatric evaluation.

20 (2) Continuing medical or psychiatric treatment.

21 (3) Restriction of type or circumstances of practice.

22 (4) Continuing participation in a board-approved rehabilitation program.

23 (5) Abstention from the use of alcohol or drugs.

24 (6) Random fluid testing for alcohol or drugs.

25 (7) Compliance with laws and regulations governing the practice of pharmacy.

26 (d) The board may initiate disciplinary proceedings to revoke or suspend any  
probationary certificate of licensure for any violation of the terms and conditions of  
27 probation. Upon satisfactory completion of probation, the board shall convert the  
probationary certificate to a regular certificate, free of conditions.

28 (e) The proceedings under this article shall be conducted in accordance with

Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board shall have all the powers granted therein. The action shall be final, except that the propriety of the action is subject to review by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

9. Section 4301 of the Code states:

The board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been 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.

### **REGULATORY PROVISIONS**

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

For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related 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.

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1 **COST RECOVERY**

2 11. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **FACTUAL ALLEGATIONS**

7 12. On or about December 7, 2020, in the case titled *People of the State of California v.*  
8 *Lawrence Lee, Jr.*, Solano County Superior Court, Case No. VCR236752, Respondent was  
9 convicted of violating Vehicle Code section 23152(a) (Driving Under the Influence of Alcohol)  
10 upon his plea of no contest. Respondent was sentenced to serve twelve (12) days in jail, complete  
11 40 hours of community service, enroll in and complete a 9-month DUI program, and to pay  
12 applicable fines and fees.

13 13. The incident that led to Respondent's conviction occurred on or about the evening of  
14 July 4, 2020. The Vallejo Police Department responded to the scene of a two-vehicle traffic  
15 collision. Upon arrival, an officer contacted Respondent, who was seated in the passenger seat of  
16 the vehicle. Respondent claimed that a "friend" was driving the vehicle, but Respondent refused  
17 to identify the alleged driver. The officer observed that Respondent displayed objective signs of  
18 alcohol intoxication, including red watery eyes, slurred speech, and the odor of alcoholic  
19 beverages emitting from Respondent. Three mini bottles of whiskey were located in  
20 Respondent's pocket, including one open and half-consumed mini bottle. The driver of the  
21 second vehicle reported that Respondent was at fault, that he drove his vehicle over the center  
22 median of the road into oncoming traffic, and collided with her vehicle head on. Police  
23 investigation corroborated that Respondent's vehicle had caused the collision. The passenger of  
24 the second vehicle was taken to the hospital for evaluation of knee pain. Respondent refused to  
25 comply with chemical testing, and pursuant to a warrant, Respondent's blood alcohol content was  
26 measured at 0.28%, over 4 times the legal limit to drive.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct)

3 14. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),  
4 in that on or about July 4, 2020, Respondent used alcoholic beverages in a manner as to be  
5 dangerous or injurious to himself and others. As set forth above in paragraphs 12 and 13,  
6 incorporated herein by reference, Respondent drove while intoxicated, causing a collision and  
7 injury to another.

8 **SECOND CAUSE FOR DISCIPLINE**

9 (Conviction of Substantially Related Crime)

10 15. Respondent is subject to disciplinary action under Code section 4301, subdivision (l),  
11 and California Code of Regulations, title 16, section 1770, in that on or about December 7, 2020,  
12 Respondent was convicted of driving under the influence resulting in a collision, as set forth  
13 above in paragraphs 12 and 13, which are incorporated herein by reference.

14 **PRAYER**

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

17 1. Revoking or suspending Original Pharmacy Technician Registration Number TCH  
18 51981, issued to Lawrence Lee, Jr.;

19 2. Ordering Lawrence Lee, Jr. to pay the Board of Pharmacy the reasonable costs of the  
20 investigation and enforcement of this case, pursuant to Business and Professions Code section  
21 125.3; and,

22 3. Taking such other and further action as deemed necessary and proper.

23  
24 DATED: 8/7/2021

Signature on File

25 ANNE SODERGREN  
26 Executive Officer  
27 Board of Pharmacy  
28 Department of Consumer Affairs  
State of California  
*Complainant*

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