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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. 7640

13 **SHI-LING AMY WANG**  
14 **50 St. Francis Drive**  
**Chico, CA 95926**

**DEFAULT DECISION AND ORDER**

15 **Pharmacy Technician License No. TCH**  
16 **144698**

[Gov. Code, §11520]

17 Respondent.  
18

19 **FINDINGS OF FACT**

20 1. On or about October 31, 2023, Complainant Anne Sodergren, in her official capacity  
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed  
22 Accusation No. 7640 against Shi-Ling Amy Wang (Respondent) before the Board of Pharmacy.  
23 (Accusation attached as Exhibit A.)

24 2. On or about December 3, 2014, the Board of Pharmacy (Board) issued Pharmacy  
25 Technician License No. TCH 144698 to Respondent. The Pharmacy Technician License expired  
26 on November 30, 2022, and has not been renewed.

27 3. On or about November 2, 2023, Respondent was served by Certified and First Class  
28 Mail copies of the Accusation No. 7640, Statement to Respondent, Notice of Defense, Request

1 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
2 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
3 section 4100, is required to be reported and maintained with the Board. Respondent's address of  
4 record was and is:

5 50 St. Francis Drive  
6 Chico, CA 95926.

7 4. On or about December 6, 2023, Respondent was served by Certified and First Class  
8 Mail copies of the Accusation No. 7640, Statement to Respondent, Notice of Defense, Request  
9 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
10 11507.7) at the following address:

11 60 St. Francis Drive  
12 Chico, CA 95926.

13 5. Service of the Accusation was effective as a matter of law under the provisions of  
14 Government Code section 11505(c) and/or Business and Professions Code section 124.

15 6. Government Code section 11506(c) states, in pertinent part:

16 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
17 files a notice of defense . . . and the notice shall be deemed a specific denial of all  
18 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense  
19 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its  
20 discretion may nevertheless grant a hearing.

21 7. The Board takes official notice of its records and the fact that Respondent failed to  
22 file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore  
23 waived her right to a hearing on the merits of Accusation No. 7640.

24 8. California Government Code section 11520(a) states, in pertinent part:

25 (a) If the respondent either fails to file a notice of defense . . . or to appear at  
26 the hearing, the agency may take action based upon the respondent's express  
27 admissions or upon other evidence and affidavits may be used as evidence without  
28 any notice to respondent . . . .

9. Pursuant to its authority under Government Code section 11520, the Board finds  
Respondent is in default. The Board will take action without further hearing and, based on the  
relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,

1 finds that the charges and allegations in Accusation No. 7640, are separately and severally, found  
2 to be true and correct by clear and convincing evidence.

3 10. The Board finds that the actual costs for Investigation and Enforcement are \$2,950.00  
4 as of February 12, 2024.

5 **DETERMINATION OF ISSUES**

6 1. Based on the foregoing findings of fact, Respondent Shi-Ling Amy Wang has  
7 subjected her Pharmacy Technician License No. TCH 144698 to discipline.

8 2. The agency has jurisdiction to adjudicate this case by default.

9 3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician  
10 License based upon the following violations alleged in the Accusation which are supported by the  
11 evidence contained in the Default Decision Investigatory Evidence Packet in this case:

12 a. Business and Professions Code section 490 and 4301, subdivision (I) – criminal  
13 conviction.

14 b. Business and Professions Code section 4301, subdivision (h) – dangerous use of  
15 alcohol.

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**ORDER**

IT IS SO ORDERED that Pharmacy Technician License No. TCH 144698, issued to Respondent Shi-Ling Amy Wang, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective at 5:00 p.m. on April 24, 2024.

It is so ORDERED on March 25, 2024.



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Seung W. Oh, Pharm.D.  
Board President  
FOR THE BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS

Exhibit A: Accusation

# Exhibit A

Accusation

1 ROB BONTA  
Attorney General of California  
2 ANDREW M. STEINHEIMER  
Supervising Deputy Attorney General  
3 KAREN R. DENVIR  
Supervising Deputy Attorney General  
4 State Bar No. 197268  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7886  
Facsimile: (916) 327-8643  
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. 7640

13 **SHI-LING AMY WANG**

14 50 St. Francis Drive  
Chico, CA 95926

**ACCUSATION**

15 **Pharmacy Technician License No.**  
16 **TCH 144698**

17 Respondent.

18  
19 **PARTIES**

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

22 2. On or about December 3, 2014, the Board issued Pharmacy Technician License  
23 Number TCH 144698 to Shi-Ling Amy Wang (Respondent). The Pharmacy Technician License  
24 expired on November 30, 2022, and has not been renewed.

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.

4. Code section 4011 provides that the Board shall administer and enforce both the Pharmacy Law [Bus. & Prof. Code §§ 4000, et seq.] and the Uniform Controlled Substances Act [Health & Safety Code §§ 11000, et seq.].

5. Code section 4300 states, in pertinent part:

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

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

(1) Suspending judgment.

(2) Placing him or her upon probation.

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

(4) Revoking his or her license.

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

• • •

(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.

6. Code section 4300.1 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.

## STATUTORY PROVISIONS

7. Code section 490 provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

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1           8.     Code section 4301 states, in pertinent part:

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

5                 ...

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

11                 ...

12                 (i) The conviction of a crime substantially related to the qualifications,  
13                 functions, and duties of a licensee under this chapter. The record of conviction of a  
14                 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United  
15                 States Code regulating controlled substances or of a violation of the statutes of this  
16                 state regulating controlled substances or dangerous drugs shall be conclusive  
17                 evidence of unprofessional conduct. In all other cases, the record of conviction shall  
18                 be conclusive evidence only of the fact that the conviction occurred. The board may  
19                 inquire into the circumstances surrounding the commission of the crime, in order to  
20                 fix the degree of discipline or, in the case of a conviction not involving controlled  
21                 substances or dangerous drugs, to determine if the conviction is of an offense  
22                 substantially related to the qualifications, functions, and duties of a licensee under this  
23                 chapter. A plea or verdict of guilty or a conviction following a plea of nolo  
24                 contendere is deemed to be a conviction within the meaning of this provision. The  
25                 board may take action when the time for appeal has elapsed, or the judgment of  
26                 conviction has been affirmed on appeal or when an order granting probation is made  
27                 suspending the imposition of sentence, irrespective of a subsequent order under  
28                 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.

                  ...

### **COST RECOVERY**

9.     Code section 125.3 states, in pertinent part, that the Board may request the  
administrative law judge to direct a licensee found to have committed a violation or violations of  
the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
enforcement of the case.

### **FIRST CAUSE FOR DISCIPLINE**

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

10.    Respondent is subject to disciplinary action under Code sections 490 and 4301,  
subdivision (i), in that she was convicted of a crime that is substantially related to the functions,



1 qualifications and duties of a pharmacy technician, as follows: On or about July 29, 2022, in the  
2 criminal proceeding entitled, *The People of the State of California v. Shiling Amy Wang*, (Butte  
3 Co. Sup. Ct., Case No. 22CM03586), the court convicted Respondent on her plea of *nolo*  
4 *contendere* to violating Vehicle Code section 23153, subdivision (a) (driving under the influence  
5 of alcohol causing bodily injury), a misdemeanor. The imposition of Respondent's sentence was  
6 stayed and Respondent was placed on conditional probation for three (3) years. The  
7 circumstances of the crime are as follows:

8 11. On or about April 30, 2022, a Chico Police officer responded to a report of a head-on  
9 collision caused by a wrong way driver in Chico, California. Upon arriving at the scene, the  
10 officer noted the road, California Park Drive, was a two-lane road with one lane for westbound  
11 traffic and one lane for eastbound traffic separated by a raised median and foliage. The officer  
12 made contact with one of the female drivers, later identified as the victim, and observed she had  
13 sustained a head injury from the collision. The officer then made contact with the other female  
14 driver, later identified as Respondent, and detected the strong odor of alcoholic beverages coming  
15 from Respondent. The officer conducted field sobriety tests, which Respondent was unable to  
16 satisfactorily perform. Respondent admitted that she had consumed two (2) alcoholic beverages  
17 that night. The officer asked Respondent what had occurred and she explained that she had made  
18 a westbound turn into the eastbound only traffic lane. Respondent submitted to two breath tests  
19 and the results revealed she had a blood alcohol content of .229/.216 percent. The officer  
20 determined Respondent had been the at-fault driver of the collision and that she had been driving  
21 under the influence of alcohol.

## 22 **SECOND CAUSE FOR DISCIPLINE**

### 23 **(Dangerous Use of Alcohol)**

24 12. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),  
25 in that she administered to herself or otherwise used alcohol to an extent or in a manner to be as  
26 dangerous or injurious to herself and others, as more particularly set forth above in paragraphs 10  
27 and 11.

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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 issue a decision:

1. Revoking or suspending Pharmacy Technician License Number TCH 144698, issued to Shi-Ling Amy Wang;
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 10/31/2023

Sodergren,  
Anne@DCA

Digitally signed by Sodergren,  
Anne@DCA  
Date: 2023.10.31 20:08:08  
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ANNE SODERGREN  
Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

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