

1 ROB BONTA  
Attorney General of California  
2 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
3 DESIREE I. KELLOGG  
Deputy Attorney General  
4 State Bar No. 126461  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9429  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case Nos. 7223, 7538 and 7539

14 **ADVANTAGE HEALTH CARE HIV &**  
15 **COMPOUNDING INC.,**  
16 **DBA GARDEN GROVE COMMUNITY**  
17 **PHARMACY, VIMAL BHANVADIA AND**  
18 **SHEKHA DASHRATH PATEL,**  
19 **OFFICERS AND SHAREHOLDERS**  
20 **12665 Garden Grove Blvd., Ste. 108**  
21 **Garden Grove, CA 92843**

**FIRST AMENDED ACCUSATION**

22 **Pharmacy Permit No. PHY 51109,**

23 **AHCS SPECIALTY CARE, LLC AND**  
24 **INNOVATIVE HEALTHCARE CAPITAL,**  
25 **LLC, DBA AHCS SPECIALTY CARE,**  
26 **VIMAL BHANVADIA, SHEKHA**  
27 **DASHRATH PATEL AND KANJAL**  
28 **GHANSHYAM PATEL, OFFICERS**  
**AND/OR SHAREHOLDERS**  
**12832 Valley View Street, Suite A**  
**Garden Grove, CA 92845**

**Pharmacy Permit No. PHY 55932,**

1 **ADVANTAGE HEALTH CARE**  
2 **SERVICES, DBA MISSION PLAZA**  
3 **PHARMACY, KINJAL GHANSHYAM**  
4 **PATEL, VIMAL BHANVADIA AND**  
5 **SHEKHA DASHRATH PATEL,**  
6 **OFFICERS AND SHAREHOLDERS**  
7 **26800 Crown Valley Parkway #185**  
8 **Mission Viejo, CA 92691**

9 **Pharmacy Permit No. PHY 51550,**

10 **KINJAL GHANSHYAM PATEL**  
11 **4631 Teller Avenue #110**  
12 **Newport Beach, CA 92660**

13 **Pharmacist License No. RPH 61294,**

14 **SHITAL J. PATEL**  
15 **7302 Spruce Circle**  
16 **La Palma, CA 90623**

17 **Pharmacist License No. RPH 50125,**

18 **and**

19 **SHEKHA DASHRATH PATEL**  
20 **12665 Garden Grove Blvd., Ste. 108**  
21 **Garden Grove, CA 92843**

22 **Pharmacist License No. RPH 60337,**

23 Respondents.

24 In the Matter of the Statement of Issues  
25 Against:

26 **AHCS SPECIALTY CARE, LLC**

27 **Applicant for Pharmacy Permit**

28 Respondent.

Case No. 7210

**FIRST AMENDED STATEMENT OF  
ISSUES**

29 In the Matter of the Statement of Issues  
30 Against:

31 **ADVANTAGE HEALTH CARE**  
32 **SERVICES-MISSION INC., DBA**  
33 **MISSION PLAZA PHARMACY 3**

34 **Applicant for Pharmacy Permit**

35 Respondent.

Case No. 7211

**FIRST AMENDED STATEMENT OF  
ISSUES**

**PARTIES**

1  
2           1.     Anne Sodergren (Complainant) brings the First Amended Accusation and First  
3 Amended Statements of Issues solely in her official capacity as the Executive Officer of the  
4 Board of Pharmacy, Department of Consumer Affairs (Board).

5           2.     On or about November 19, 2012, the Board issued Pharmacy Permit Number PHY  
6 51109 to Respondent Advantage Health Care HIV & Compounding Inc., dba Garden Grove  
7 Community Pharmacy, and identified Respondent Vimal Bhanvadia as the president and twenty  
8 percent shareholder of Advantage Health Care HIV & Compounding, Inc. and Respondent  
9 Shekha Dashrath Patel as the Vice-President, Pharmacist-in-Charge and twenty percent  
10 shareholder of Respondent Advantage Health Care HIV & Compounding, Inc. (Respondent  
11 Garden Grove Community Pharmacy). The Pharmacy Permit was in full force and effect at all  
12 times relevant to the charges brought herein and expired on December 1, 2020. It was cancelled  
13 on March 8, 2022.

14           3.     On or about August 13, 2013, the Board issued Pharmacy Permit Number PHY  
15 51550 to Respondent Advantage Health Care Services, doing business as Mission Plaza  
16 Pharmacy and identified Respondent Vimal Bhanvadia as the president and seventeen percent  
17 shareholder of Advantage Health Care Services, Respondent Shekha Dashrath Patel as the sixteen  
18 percent shareholder of Advantage Health Care Services and Respondent Kinjal Ghanshyam Patel  
19 as the Pharmacist-in-Charge and sixteen percent shareholder of Advantage Health Care Services  
20 (Mission Plaza Pharmacy). The Pharmacy Permit was in full force and effect at all times relevant  
21 to the charges brought herein and was cancelled on March 8, 2022.

22           4.     On or about December 19, 2017, the Board issued Pharmacy Permit Number PHY  
23 55932 to Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, doing  
24 business as AHCS Specialty Care and identified Respondent Vimal Bhanvadia as a member and  
25 forty-three percent shareholder of AHCS Specialty Care, LLC, and Innovative Healthcare  
26 Capital, LLC, Respondent Shekha Dashrath Patel as a member and seven percent shareholder of  
27 AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, Respondent Kinjal  
28 Ghanshyam Patel as a member and seven percent shareholder of AHCS Specialty Care, LLC and

1 Innovative Healthcare Capital, LLC and Shital J. Patel as the Pharmacist-in-Charge of AHCS  
2 Specialty Care (AHCS Specialty Care). The Pharmacy Permit was in full force and effect at all  
3 times relevant to the charges brought herein, expired on December 1, 2020 and was cancelled on  
4 December 3, 2020.

5 5. On or about October 10, 2007, the Board of Pharmacy issued Pharmacist License  
6 Number RPH 60337 to Respondent Shekha Dashrath Patel. The Pharmacist License was in full  
7 force and effect at all times relevant to the charges brought herein and will expire on September  
8 30, 2023, unless renewed.

9 6. On or about August 6, 2008, the Board of Pharmacy issued Pharmacist License  
10 Number RPH 61294 to Respondent Kinjal Ghanshyam Patel. The Pharmacist License was in full  
11 force and effect at all times relevant to the charges brought herein and will expire on August 30,  
12 2024, unless renewed.

13 7. On or about June 29, 1998, the Board of Pharmacy issued Pharmacist License  
14 Number RPH 50125 to Respondent Shital J. Patel. The Pharmacist License was in full force and  
15 effect at all times relevant to the charges brought herein and will expire on December 31, 2023,  
16 unless renewed.

17 8. On or about January 22, 2021, the Board received an application for a pharmacy  
18 permit from Respondent Advantage Health Care Services-Mission, Inc., dba Mission Plaza  
19 Pharmacy 3 with Respondent Vimal Bhanvadia identified as a fifteen percent shareholder and  
20 officer and Respondent Shekha Dashrath Patel identified as a fourteen percent shareholder and  
21 director. On or about October 8 and 13, 2020, Respondent Shekha Dashrath Patel and  
22 Respondent Vimal Bhanvadia certified under penalty of perjury to the truthfulness of all  
23 statements, answers, and representations in the application. On or about September 30, 2021, the  
24 Board denied Respondent Advantage Health Care Services-Mission, Inc.'s application.

25 9. On or about February 16, 2021, the Board received an application for a pharmacy  
26 permit from Respondent AHCS Specialty Care, LLC, with Respondent Vimal Bhanvadia  
27 identified as a manager of AHCS Specialty Care, LLC. On or about October 23, 2020,  
28 Respondent Vimal Bhanvadia certified under penalty of perjury to the truthfulness of all

1 statements, answers, and representations in the application. On or about September 30, 2021, the  
2 Board denied Respondent AHCS Specialty Care, LLC's application.

3 **JURISDICTION**

4 10. The First Amended Accusation and First Amended Statements of Issues are brought  
5 before the Board under the authority of the following laws. All section references are to the  
6 Business and Professions Code (Code) unless otherwise indicated.

7 11. Code section 4011 provides that the Board shall administer and enforce both the  
8 Pharmacy Law (Bus. & Prof. Code, § 4000 *et seq.*) and the Uniform Controlled Substances Act  
9 (Health & Safety Code, § 11000 *et seq.*).

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

12 13. Code section 4300, subdivision (c) states:

13 The board may refuse a license to any applicant guilty of unprofessional  
14 conduct. The board may, in its sole discretion, issue a probationary license to any  
15 applicant for a license who is guilty of unprofessional conduct and who has met all  
16 other requirements for licensure. . .

17 14. Code section 4300.1 states:

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

24 15. Code section 4307, subdivision (a) states:

25 Any person who has been denied a license or whose license has been revoked  
26 or is under suspension, or who has failed to renew his or her license while it was  
27 under suspension, or who has been a manager, administrator, owner member, officer,  
28 director, associate, or partner of any partnership, corporation, firm, or association  
whose application for a license has been denied or revoked, is under suspension or  
has been placed on probation, and while acting as the manger, administrator, owner,  
member, officer, director, associate, or partner had knowledge or knowingly  
participated in any conduct for which the license was denied, revoked, suspended, or  
placed on probation, shall be prohibited from serving as a manger, administrator,  
owner, member, officer, director, associate, or partner of a licensee as follows:

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

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

3 **INTRODUCTION**

4 16. This case is about the purchasing of adulterated drugs from suspicious entities or  
5 persons and the dispensing of them which violates both federal and state law. Namely, such  
6 actions violate state Pharmacy Law (*i.e.*, Business & Professions Code section 4169, subdivision  
7 (a)), state drug laws (*i.e.*, Health & Safety Code section 111295), and federal law ([Drug Supply  
8 Chain Security Act], *i.e.*, 21 U.S.C. § 331, subd. (t), 21 U.S.C. § 360eee-1, subds. (a),  
9 (d)(1)(A)(i), (d)(3) and (d)(4)(i)).

10 17. Respondents failed to exercise due diligence when purchasing expensive HIV drugs  
11 vulnerable to diversion and counterfeiting from entities or individuals posing as the legitimate  
12 wholesalers or out of state distributors, Premier Rx Wholesale, LLC and PI Services, LLC.  
13 Respondents ignored several red flags when purchasing these drugs from the persons or entities  
14 posing as Premier Rx Wholesale, LLC and faux PI Services, LLC which include the fact that they  
15 were not distributors authorized by the manufacturers to distribute their drugs, the addresses and  
16 other contact information for the faux Premier Rx Wholesale, LLC and faux PI Supply Services,  
17 LLC did not match the addresses and other contact information listed on the Board's website for  
18 the legitimate wholesalers doing business with those same names, the drugs listed on the packing  
19 lists enclosed with the drugs were different than the drugs listed on the invoices, many of the  
20 drugs purchased from the faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC  
21 were heavily discounted, not all the drugs purchased from the faux Premier Rx Wholesale, LLC  
22 and faux PI Supply Services, LLC were received by Respondents, and the pedigrees received  
23 from faux Premier Rx Wholesale, LLC and faux PI Services, LLC appeared to be incomplete or  
24 questionable.

25 18. Drugs entering the drug supply chain through illegitimate means, can pose a threat to  
26 public safety, particularly if they are counterfeit, stolen or contaminated. Indeed, Respondent  
27 Garden Grove Community Pharmacy purchased a drug, Biktarvy, which contained rocks inside  
28 its sealed bottle from the faux Premier Rx Wholesale, LLC and dispensed that drug (*i.e.*, the

1 rocks) to a patient. Respondents' actions compromised the integrity of the drug supply chain and  
2 potentially harmed fragile and vulnerable patients relying on the efficacy of drugs used to treat  
3 AIDS and HIV.

4 **STATUTORY PROVISIONS**

5 19. Code section 4022 states:

6 "Dangerous drug" or "dangerous device" means any drug or device unsafe for  
7 self-use in humans or animals, and includes the following:

8 (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing  
9 without prescription," "Rx only," or words of similar import.

10 (b) Any device that bears the statement: "Caution: federal law restricts this  
11 device to sale by or on the order of a \_\_\_\_\_" "Rx only," or words of similar import, the  
12 blank to be filled in with the designation of the practitioner licensed to use or order  
13 use of the device.

14 (c) Any other drug or device that by federal or state law can be lawfully  
15 dispensed only on prescription or furnished pursuant to Section 4006.

16 20. Code section 4043 states:

17 'Wholesaler' means and includes a person who acts as a wholesale merchant,  
18 broker, jobber customs broker, reverse distributor, agent, or a nonresident wholesaler,  
19 who sells for resale, or negotiates for distribution, or takes possession of, any drug or  
20 device included in Section 4022. Unless otherwise authorized by law, a wholesaler  
21 may not store, warehouse, or authorize the storage or warehousing of drugs with any  
22 person or at any location not licensed by the board.

23 21. Code section 4059.5, subdivision (a) states:

24 Except as otherwise provided in this chapter, dangerous drugs or dangerous  
25 devices may only be ordered by an entity licensed by the board and shall be delivered  
26 to the licensed premises and signed for and received by a pharmacist. Where a  
27 licensee is permitted to operate through a designated representative, or in the case of a  
28 reverse distributor, a designated representative-reverse distributor, that individual  
shall sign for and receive the delivery.

29 22. Code section 4113, subdivision (c) states:

The pharmacist-in-charge shall be responsible for a pharmacy's compliance  
with all state and federal laws and regulations pertaining to the practice of pharmacy.

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23. Code section 4160, subdivision (a) states:

A person shall not act as a wholesaler or third-party logistics provider of any dangerous drug or dangerous device unless he or she has obtained a license from the board.

24. Code section 4169, subdivisions (a)(1) and (a)(2) state:

(a) A person or entity shall not do any of the following:

(1) Purchase, trade, sell, warehouse, distribute, or transfer dangerous drugs or dangerous devices at wholesale with a person or entity that is not licensed with the board as a wholesaler, third-party logistics provider, or pharmacy.

(2) Purchase, trade, sell, or transfer dangerous drugs that the person knew or reasonably should have known were adulterated, as set forth in Article 2 (commencing with Section 111250) of Chapter 6 of Part 5 of Division 104 of the Health and Safety Code.

...

25. Code section 4300, subdivision (c) of the Code states, in pertinent part:

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 applicant for a license who is guilty of unprofessional conduct and who has met all other requirements for licensure.

26. Code 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:

...

(j) The violation of any of the statutes of this state, or any other state, or of the United States regulating controlled substances and dangerous drugs

...

(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of this chapter or of the applicable federal and state laws and regulations governing pharmacy, including regulations established by the board or any other state or federal regulatory agency.

...

27. Code section 4302 states:

The board may deny, suspend, or revoke any license where conditions exist in relation to any person holding 10 percent or more of the ownership interest or where



1 conditions exist in relation to any officer, director, or other person with management  
2 or control of the license that would constitute grounds for disciplinary action against a  
3 licensee.

4 28. Code section 4306.5, subdivision (a) states:

5 Unprofessional conduct for a pharmacist may include any of the following:

6 Acts or omissions that involve, in whole or in part, the inappropriate exercise of  
7 his or her education, training, or experience as a pharmacist, whether or not the act or  
8 omission arises in the course of the practice of pharmacy or the ownership,  
9 management, administration, or operation of a pharmacy or other entity licensed by  
10 the board.

11 29. Health and Safety Code section 111250 states:

12 Any drug or device is adulterated if it consists, in whole or in part, of any filthy,  
13 putrid, or decomposed substance.

14 30. Health and Safety Code section 111255 states:

15 Any drug or device is adulterated if it has been produced, prepared, packed, or  
16 held under conditions whereby it may have been contaminated with filth, or whereby  
17 it may have been rendered injurious to health.

18 31. Health and Safety Code section 111295 states:

19 It is unlawful for any person to manufacture, sell, deliver, hold or offer for sale  
20 any drug or device that is adulterated.

21 32. 21 U.S.C. § 331, subdivision (t) [Food, Drug & Cosmetic Act] states:

22 The following acts and the causing thereof are prohibited:

23 The importation of a drug in violation of section 381(d)(1) of this title, the sale,  
24 purchase, or trade of a drug or drug sample or the offer to sell, purchase, or trade a  
25 drug or drug sample in violation of section 353(c) of this title, the sale, purchase, or  
26 trade of a coupon, the offer to sell, purchase, or trade such a coupon, or the  
27 counterfeiting of such a coupon in violation of section 353(c)(2) of this title, the  
28 distribution of a drug sample in violation of section 353(d) of this title or the failure to  
otherwise comply with the requirements of section 353(d) of this title, the distribution  
of drugs in violation of section 353(e) of this title, failure to comply with the  
requirements under section 360eee-1 of this title, the failure to comply with the  
requirements under section 360eee-3 of this title, as applicable, or the failure to  
otherwise comply with the requirements of section 353(e) of this title.

33. 21 United States Code section 360eee, subdivision (2)(B), (2)(13), (2)(21),  
(2)(23)(A) and (2)(24) [Drug Supply Chain Security Act, section 582] state:

(2)(B) The term “authorized” means---in the case of a wholesale distributor,  
having a valid license under State law or section 360eee-2 of this title, in accordance  
with section 360eee-1(a)(6) of this title, and complying with the licensure reporting  
requirements under section 353(e) of this title.

1 ...

2 (2)(13) The term “product” means a prescription drug in a finished dosage form  
3 for administration to a patient without substantial further manufacturing (such as  
4 capsules, tablets, and lyophilized products before reconstitution), but for purposes of  
5 section 360eee-1 of this title, does not include blood or blood components intended  
6 for transfusion, radioactive drugs or radioactive biological products (as defined in  
7 section 600.3(ee) of title 21, Code of Federal Regulations) that are regulated by the  
8 Nuclear Regulatory Commission or by a State pursuant to an agreement with such  
9 Commission under section 2021 of Title 42, imaging drugs, an intravenous product  
10 described in clause (xiv), (xv), or (xvi) of paragraph (24)(B), any medical gas (as  
11 defined in section 360ddd of this title), homeopathic drugs marketed in accordance  
12 with applicable guidance under this chapter, or a drug compounded in compliance  
13 with section 353a or 353b of this title.

14 (2)(21) The term “suspect product” means a product for which there is reason to  
15 believe that such product—(A) is potentially counterfeit, diverted, or stolen; (B) is  
16 potentially intentionally adulterated such that the product would result in serious  
17 adverse health consequences or death to humans; (C) is potentially the subject of a  
18 fraudulent transaction; or (D) appears otherwise unfit for distribution such that the  
19 product would result in serious adverse health consequences or death to humans.

20 ...

21 (2)(23)(A) The term “trading partner” means—a manufacturer, repackager,  
22 wholesale distributor, or dispenser from whom a manufacturer, repackager, wholesale  
23 distributor, or dispenser accepts direct ownership of a product or to whom a  
24 manufacturer, repackager, wholesale distributor, or dispenser transfers direct  
25 ownership of a product.

26 ...

27 (2)(24) The term “transaction” means the transfer of product between persons  
28 in which a change of ownership occurs.

...

34. 21 United States Code section 360eee-1, subdivisions (a), (d)(1)(A)(i), (d)(3)  
and (d)(4)(i) [Drug Supply Chain Security Act, section 582] state:

(a) Each manufacturer, repackager, wholesale distributor, and dispenser shall  
comply with the requirements set forth in this section with respect to the role of such  
manufacturer, repackager, wholesale distributor, or dispenser in a transaction  
involving product. If an entity meets the definition of more than one of the entities  
listed in the preceding sentence, such entity shall comply with all applicable  
requirements in this section, but shall not be required to duplicate requirements.

....

(d)(1)(A)(i) Beginning July 1, 2015, a dispenser—(i) shall not accept ownership

1 of a product, unless the previous owner prior to, or at the time of, the transaction,  
provides transaction history, transaction information, and a transaction statement.

2 (d)(3) Beginning not later than January 1, 2015, the trading partners of a  
dispenser may be only authorized trading partners.

3 (d)(4)(i) Beginning not later than January 1, 2015, a dispenser shall have  
4 systems in place to enable the dispenser to comply with the following requirements:  
5 Upon making a determination that a product in possession or control of the dispenser  
6 is a suspect product, or upon receiving a request for verification from the Secretary  
7 that has made a determination that a product within the possession or control of a  
dispenser is a suspect product, a dispenser shall (I) quarantine such product within  
8 the possession or control of the dispenser from product intended for distribution until  
such product is cleared or dispositioned; and (II) promptly conduct an investigation in  
coordination with its trading partners, as applicable to determine whether the product  
is an illegitimate product.

### 9 **COST RECOVERY**

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

### 14 **DRUGS**

15 36. Atripla is an expensive drug used to treat Human Immunodeficiency Virus (HIV) and  
16 a dangerous drug as defined by Business and Professions Code section 4022. Because of its high  
17 dollar value, it often is the subject of diversion and counterfeiting efforts.

18 37. Biktarvy is an expensive drug used to treat Human Immunodeficiency Virus (HIV)  
19 and a dangerous drug as defined by Business and Professions Code section 4022. Because of its  
20 high dollar value, it often is the subject of diversion and counterfeiting efforts.

21 38. Descovy is an expensive drug used to treat Human Immunodeficiency Virus (HIV)  
22 and a dangerous drug as defined by Business and Professions Code section 4022. Because of its  
23 high dollar value, it often is the subject of diversion and counterfeiting efforts.

24 39. Genvoya is an expensive drug used to treat HIV and a dangerous drug as defined by  
25 Business and Professions Code section 4022. Because of its high dollar value, it often is the  
26 subject of diversion and counterfeiting efforts.

27 ///

28



1           47. PI Services, LLC was a legitimate wholesaler, which held an out of state distributor  
2 license with the Board. Respondents Garden Grove Community Pharmacy, AHCS Specialty  
3 Care and Mission Plaza Pharmacy did not purchase drugs from this legitimate, licensed  
4 wholesaler. Rather, Respondents purchased drugs from individuals or entities posing as the  
5 legitimate wholesaler, PI Services, LLC (faux PI Services, LLC).

6 *Respondent Garden Grove Community Pharmacy Drug Purchases:*

7           48. Respondent Garden Grove Community Pharmacy claimed to have “extensive  
8 protocols in place to verify [its] secondary wholesalers, including verification on the BOP  
9 website, which is conducted quarterly to ensure that the drug products we purchase are  
10 unadulterated.”

11           49. Yet, on or about March 8, 2019, Respondent Garden Grove Community Pharmacy  
12 did not require faux Premier Rx Wholesale, LLC to submit an application, nor did Garden Grove  
13 Community Pharmacy verify all of the information listed for faux Premier Rx Wholesale, LLC on  
14 the Board’s website, and on the out of state distributor license, including confirming the physical  
15 address, telephone number and email address for faux Premier Rx Wholesale, LLC and resolving  
16 any discrepancies between the information provided by faux Premier Rx Wholesale, LLC and the  
17 information on the Board’s website and the out of state distributor license.

18           50. Similarly, Respondent Garden Grove Community Pharmacy did not verify all of the  
19 information listed for faux PI Services, LLC on the Board’s website, and the out of state  
20 distributor license, including confirming the physical address, telephone number and email  
21 address for faux PI Services, LLC and resolving any discrepancies between the information  
22 provided by faux PI Services, LLC and the information on the Board’s website and the out of  
23 state distributor’s license.

24           51. From March 22, 2019 to May 26, 2020, Respondent Garden Grove Community  
25 Pharmacy purchased 9,170 medication packages of the HIV drugs, Genvoya, Biktarvy, Truvada,  
26 Triumeq and other medication packages from faux Premier Rx Wholesale, LLC. These purchases  
27 comprised almost half of Garden Grove Community Pharmacy’s HIV drug inventory. Almost all  
28 of these drugs were dispensed to patients.

1           52. From February 18, 2020 to May 28, 2020, Respondent Garden Grove Community  
2 Pharmacy purchased 1921 medication packages of the HIV drugs including Atripla, Biktarvy and  
3 Descovy from faux PI Services, LLC. All of these drugs were dispensed to patients.

4           53. Respondent Garden Grove Community Pharmacy purchased a drug, Biktarvy, which  
5 contained rocks inside a sealed bottle from faux Premier Rx Wholesale, LLC and dispensed it to a  
6 patient.

7           54. Respondent Garden Grove Community Pharmacy ignored the following  
8 circumstances which increased the likelihood that it was purchasing suspect drug products from  
9 faux Premier Rx Wholesale, LLC and faux PI Services, LLC. These circumstances included: (1)  
10 Respondent Garden Grove Community Pharmacy purchased from sources which were new to it;  
11 (2) Respondent Garden Grove Community Pharmacy purchased high dollar value HIV drugs that  
12 have a history of being counterfeited or diverted; (3) Faux Premier Rx Wholesale, LLC and faux  
13 PI Supply Services, LLC were not distributors authorized by manufacturers to distribute its HIV  
14 drugs; (4) the addresses and other contact information for faux Premier Rx Wholesale LLC and  
15 faux PI Supply Services, LLC did not match the addresses and other contact information listed on  
16 the Board's website and the out of state distributor licenses; (5) the drugs listed on the packing  
17 lists enclosed with the drugs were different than the drugs listed on the invoices; (6) many of the  
18 drugs purchased from faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC were  
19 heavily discounted; (7) Respondent Garden Grove Community Pharmacy did not receive all  
20 drugs purchased from faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC; and  
21 (8) the pedigrees received from faux Premier Rx Wholesale, LLC and faux PI Services, LLC  
22 appeared to be incomplete or questionable.

23           55. Respondent Garden Grove Community Pharmacy paid \$19,531,015.26 to faux  
24 Premier Rx Wholesale, LLC. Respondent Garden Grove Community Pharmacy paid for these  
25 purchases via checks signed by Respondent Vimal Bhanvadia or Respondent Shekha Patel.  
26 Respondent Garden Grove Community Pharmacy also paid faux Premier Rx Wholesale, LLC for  
27 drugs never shipped or received by Respondent Garden Grove Community Pharmacy.

28 ///

1           56. Respondent Garden Grove Community Pharmacy paid \$4,165,233.00 to faux PI  
2 Services, LLC. Respondent Garden Grove Community Pharmacy paid for these purchases via  
3 checks signed by Respondent Vimal Bhanvadia. Respondent Garden Grove Community  
4 Pharmacy also paid faux PI Services, LLC for drugs never shipped or received by Respondent  
5 Garden Grove Community Pharmacy.

6           57. Respondent Garden Grove Community Pharmacy received invoices and pedigrees<sup>1</sup>  
7 for these drugs from faux Premier Rx Wholesale, LLC and faux PI Services, LLC. The invoices  
8 and pedigrees listed a different physical and email address for faux Premier Rx Wholesale, LLC  
9 and faux PI Services, LLC, than were listed on the Board’s website and the out of state distributor  
10 licenses. Additionally, the invoices listed a telephone number for another entity, Wealth Transfer  
11 Services Credit Repair in Florida, as the telephone number for faux Premier Rx Wholesale, LLC.

12           58. On December 9, 2019, Respondent Garden Grove Community Pharmacy asked faux  
13 Premier Rx Wholesale, LLC to confirm its physical address because the address for the legitimate  
14 Premier Rx Wholesale, LLC listed on the Board’s website was different than the address listed on  
15 the faux Premier Rx Wholesale, LLC invoices. Faux Premier Rx Wholesale LLC did not provide  
16 an explanation for the discrepancy and instead, merely re-sent a copy of the legitimate Premier  
17 Rx Wholesale, LLC’s license. Despite those discrepancies, Respondent Garden Grove  
18 Community Pharmacy continued to purchase drugs from faux Premier Rx Wholesale, LLC.

19           59. On May 27, 2020, the manufacturer of a HIV medication drug, Biktarvy, informed  
20 Respondent Garden Grove Community Pharmacy that it may have purchased counterfeit or  
21 diverted drugs from an unauthorized distributor, faux Premier Rx Wholesale, LLC and requested  
22 that Respondent Garden Grove Community Pharmacy quarantine bottles of Biktarvy purchased  
23 from faux Premier Rx Wholesale, LLC.

24           60. In June 2020, Respondent Garden Grove Community Pharmacy continued to  
25 purchase drugs from faux Premier Rx Wholesale, LLC and expressed its desire to “reengage”  
26 with faux Premier Rx, Wholesale LLC to purchase more drugs. After receiving notice that the  
27

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28           <sup>1</sup> A drug pedigree is a statement of origin that identifies each prior sale, purchase, or trade  
of a drug, including the date of those transactions and the names and addresses of all parties.

1 Board was investigating Respondent Garden Grove Community Pharmacy for its dispensing of  
2 the bottle of Biktarvy which contained rocks, Respondent Garden Grove Community Pharmacy  
3 finally informed faux Premier Rx Wholesale, LLC that it would no longer purchase drugs from  
4 faux Premier Rx Wholesale, LLC, noting “there are concerns around product integrity with  
5 Premier’s supply chain. As previously discussed, patient safety is our number one priority and  
6 therefore we will be suspending purchases from Premier until further notice. Our primary  
7 responsibility is to mitigate any risk to our patients and ensure compliance with BOP  
8 regulations.”

9 61. On July 15, 2020, the Board issued a notice of non-compliance with Pharmacy Law  
10 to Respondent Garden Grove Community Pharmacy for purchasing drugs from an unlicensed  
11 wholesaler, faux Premier Rx Wholesale, LLC.

12 62. On July 20, 2020, Respondent Garden Grove Community Pharmacy augmented its  
13 procedures for purchasing drugs from secondary wholesalers, to include a requirement to  
14 quarantine drugs purchased from wholesalers whose address on invoices and pedigrees did not  
15 match the addresses on their license and the Board’s website.

16 63. On September 3, 2020, the manufacturer of Biktarvy notified Respondent Garden  
17 Grove Community Pharmacy that its investigation into the potentially counterfeit or diverted  
18 drugs sold by faux Premier Rx Wholesale, LLC was on-going. The manufacturer advised  
19 Respondent Garden Grove Community Pharmacy that drugs sold by faux Premier Rx Wholesale,  
20 LLC were “sourced from non-[manufacturer] authorized distributors which increases the risks  
21 that these bottles are suspect or illegitimate. If you chose to dispense the [potentially counterfeit  
22 or diverted drugs], be aware of the serious risks, both to patients’ health and to Garden Grove’s  
23 ability to operate as a pharmacy, associated with selling counterfeit medications.”

24 64. Despite knowing it had purchased a drug, Biktarvy, containing rocks, Respondent  
25 Garden Grove Community Pharmacy continued to dispense drugs purchased from faux Premier  
26 Rx Wholesale, LLC to patients until December 30, 2020.

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1 *Respondent Mission Plaza Pharmacy Drug Purchases:*

2 65. Respondent Mission Plaza Pharmacy had a policy for verifying products received  
3 against the purchase records and verifying the pedigree and invoice information.

4 66. Yet, Respondent Mission Plaza Pharmacy did not verify all of the information listed  
5 for faux Premier Rx Wholesale, LLC and faux PI Services, LLC on the Board's website and the  
6 out of state distributor licenses, including confirming the physical address, telephone number and  
7 email address for faux Premier Rx Wholesale, LLC and faux PI Services, LLC, and resolving any  
8 discrepancies between the information provided by faux Premier Rx Wholesale, LLC, and faux PI  
9 Services, LLC, and resolving any discrepancies between the information provided by faux  
10 Premier Rx Wholesale, LLC, and faux PI Services, LLC and the information on the Board's  
11 website and the out of state licenses.

12 67. From May 9, 2019 to May 26, 2020, Respondent Mission Plaza Pharmacy purchased  
13 2,482 medication packages of HIV drugs from faux Premier Rx Wholesale, LLC. All of these  
14 drugs were dispensed to patients.

15 68. From February 18, 2020 to June 1, 2020, Respondent Mission Plaza Pharmacy  
16 purchased 1,183 medication packages of HIV drugs from faux PI Services, LLC. All of these  
17 drugs were dispensed to patients.

18 69. Respondent Mission Plaza Pharmacy paid \$5,615,862.80 for the purchase of drugs to  
19 faux Premier Rx Wholesale, LLC and it paid \$2,254,545.00 for the purchase of drugs to faux PI  
20 Services, LLC. Respondent Mission Plaza Pharmacy paid for many of these purchases via checks  
21 signed by Respondent Kinjal Patel. Respondent Mission Plaza also paid faux Premier Rx  
22 Wholesale, LLC and faux PI Services, LLC for drugs never shipped or received by Respondent  
23 Mission Plaza Pharmacy.

24 70. Respondent Mission Plaza Pharmacy received invoices and pedigrees for these drugs  
25 from faux Premier Rx Wholesale, LLC and PI Services, LLC. The invoices and pedigrees listed a  
26 different physical and email address for faux Premier Rx Wholesale LLC and faux PI Services,  
27 LLC, than were listed on the Board's website and the out of state distributor's licenses.

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1           71. Respondent Mission Plaza Pharmacy ignored the following circumstances which  
2 increased the likelihood that it was purchasing suspect drug products from faux Premier Rx  
3 Wholesale, LLC and faux PI Services, LLC. These circumstances included the fact that: (1)  
4 Respondent Mission Plaza Pharmacy purchased from a source new to it; (2) Respondent Mission  
5 Plaza Pharmacy purchased high dollar value HIV drugs that have a history being counterfeited or  
6 diverted; (3) Faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC were not  
7 distributors authorized by manufacturers to distribute their HIV drugs; (4) the addresses and other  
8 contact information for faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC did  
9 not match the addresses and other contact information listed on the Board’s website and the out of  
10 state distributor licenses; (5) the drugs listed on the packing lists enclosed with the drugs were  
11 different than the drugs listed on the invoices; (6) many of the drugs purchased from faux Premier  
12 Rx Wholesale, LLC and faux PI Supply Services, LLC were heavily discounted; (7) Respondent  
13 Mission Plaza Pharmacy did not receive all drugs purchased from those entities; and (8) the  
14 pedigrees received from faux Premier Rx Wholesale, LLC and faux PI Services, LLC appeared to  
15 be incomplete or questionable.

16 *Respondent AHCS Specialty Care Drug Purchases:*

17           72. Respondent AHCS Specialty Care had a policy for verifying drugs received against  
18 the purchase records and verifying the pedigree and invoice information.

19           73. Yet, Respondent AHCS Specialty Care did not verify all of the information listed for  
20 faux Premier Rx Wholesale, LLC and faux PI Services, LLC on the Board’s website and the out  
21 of state distributor licenses, including confirming the physical address, telephone number and  
22 email address for faux Premier Rx Wholesale, LLC and faux PI Services, LLC and resolving any  
23 discrepancies between the information provided by faux Premier Rx Wholesale, LLC and faux PI  
24 Services, LLC and resolving any discrepancies between the information provided by faux PI  
25 Services, LLC and the information on the Board’s website and the out of state distributor’s  
26 licenses.

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1           74. From May 9, 2019 to May 26, 2020, Respondent AHCS Specialty Care purchased  
2 3,311 medication packages of HIV drugs from faux Premier Rx Wholesale, LLC. All of those  
3 drugs were dispensed to patients.

4           75. From February 18, 2020 to May 28, 2020, Respondent AHCS Specialty Care  
5 purchased 318 medication packages of HIV drugs from faux PI Services, LLC. All of those  
6 drugs were dispensed to patients.

7           76. Respondent AHCS Specialty Care paid \$5,854,547.39 for the purchase of drugs to  
8 faux Premier Rx Wholesale, LLC. It paid \$560,323.00 for the purchase of drugs to faux PI  
9 Services, LLC. Respondent AHCS Specialty Care paid for these purchases via checks signed by  
10 Respondent Vimal Bhanvadia. Respondent AHCS Specialty Care also paid faux Premier Rx  
11 Wholesale, LLC and faux PI Services, LLC for drugs never shipped or received by Respondent  
12 AHCS Specialty Care.

13           77. Respondent AHCS Specialty Care received invoices and pedigrees for these drugs  
14 from faux Premier Rx Wholesale, LLC and faux PI Services, LLC. The invoices and pedigrees  
15 listed a different physical and email address for faux Premier Rx Wholesale, LLC and faux PI  
16 Services, LLC, than were listed on the Board's website and the out of state distributor's licenses.

17           78. Respondent AHCS Specialty Care ignored the following circumstances which  
18 increased the likelihood that it was purchasing suspect drug products from faux Premier Rx  
19 Wholesale, LLC and faux PI Services, LLC. These circumstances included the fact that: (1)  
20 Respondent AHCS Specialty Care purchased from sources new to it; (2) Respondent AHCS  
21 Specialty Care purchasing high dollar value HIV drugs that have a history of being counterfeited  
22 or diverted; (3) Faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC were not  
23 distributors authorized by manufacturers to distribute their HIV drugs; (4) the addresses and other  
24 contact information for faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC did  
25 not match the addresses and other contact information listed on the Board's website and the out of  
26 state distributor licenses; (5) the drugs listed on the packing lists enclosed with the drugs were  
27 different than the drugs listed on the invoices; (6) many of the drugs purchased from faux Premier  
28 Rx Wholesale, LLC and faux PI Supply Services, LLC were heavily discounted; (7) Respondent

1 AHCS Specialty Care did not receive all drugs purchased from those entities; and (8) the  
2 pedigrees received from faux Premier Rx Wholesale, LLC and faux PI Services, LLC appeared to  
3 be incomplete or questionable.

4 79. Neither Respondents Garden Grove Community Pharmacy, AHCS Specialty Care nor  
5 Mission Plaza Pharmacy quarantined all of the drugs purchased from faux Premier Rx Wholesale,  
6 LLC and faux PI Services, LLC nor did they promptly investigate their purchases to determine if  
7 the drug products were adulterated or otherwise an illegitimate product.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Purchased and/or Warehoused Dangerous Drugs**

10 **From Unlicensed Wholesalers Against Respondents)**

11 80. Respondents are subject to disciplinary action under Code section 4301, subdivisions  
12 (j) and (o), for violating Business and Professions Code section 4169, subdivision (a)(1), because  
13 they purchased and/or warehoused drugs from unlicensed individuals or organizations, as  
14 described above in paragraphs 42 through 79.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Held or Offered for Sale Adulterated Drugs Against Respondents)**

17 81. Respondents are subject to disciplinary action under Code section 4301, subdivisions  
18 (j) and (o), for violating Health and Safety Code sections 111250 and 111295 and Code section  
19 4169, subdivision (a)(2), in that they held or offered for sale dangerous drugs that were  
20 adulterated within the meaning of Health and Safety Code section 111255, as described above, in  
21 paragraphs 42 through 79.

22 **THIRD CAUSE FOR DISCIPLINE**

23 **(Sold or Delivered Adulterated Drugs Against Respondents)**

24 82. Respondents are subject to disciplinary action under Code section 4301, subdivisions  
25 (j) and (o), for violating Health and Safety Code section 111295 and Code section 4169,  
26 subdivisions (a)(2), in that they sold or delivered dangerous drugs that were adulterated within the  
27 meaning of Health and Safety Code sections 11250 and/or 111255, as described above, in  
28 paragraphs 42 through 79.

1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Violations of Drug Supply Chain Security Act Against Respondents)**

3 83. Respondents are subject to disciplinary action under Code section 4301, subdivisions  
4 (j) and (o), for violating 21 United States Code sections 331, subdivision (t) and 360eee-1,  
5 subdivisions (d)(1)(A)(i), (d)(3) and(d)(4)(i), in that they failed to engage in transactions with  
6 authorized trading partners, accepted ownership of drugs without valid transaction information  
7 and transaction history (pedigrees) and failed to quarantine and promptly investigate suspect  
8 product, within the meaning of section 360eee, as described above, in paragraphs 42 through 79.

9 **FIFTH CAUSE FOR DISCIPLINE**

10 **(Inappropriate Exercise of Education, Training or Experience**

11 **Against Respondents Shekha Dashrath Patel, Shital Patel and Kinjal Ghanshyam Patel)**

12 84. Respondents Shekha Dashrath Patel, Shital Patel and Kinjal Ghanshyam Patel are  
13 subject to disciplinary action under Code section 4301, subdivisions (j) and (o), for violating  
14 Business and Professions Code section 4306.5, subdivision (a), because they inappropriately  
15 exercised their education, training, or experience as a pharmacist when acquiring and dispensing  
16 dangerous drugs, as described above, in paragraphs 42 through 79.

17 **SIXTH CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct against All Respondents)**

19 85. Respondents are subject to disciplinary action under Code section 4301 for  
20 unprofessional conduct because they engaged in the activities described above, in paragraphs 42  
21 through 79.

22 **DISCIPLINE CONSIDERATIONS**

23 86. To determine the degree of discipline, if any, to be imposed on Respondents  
24 Advantage Health Care HIV & Compounding, Inc., dba Garden Grove Community Pharmacy and  
25 Shekha Dashrath Patel, Complainant alleges:

26 a. On or about May 11, 2021, the Board issued Citation and Fine No. CI 2019 88503 to  
27 Respondent Advantage Health Care HIV & Compounding, Inc., dba Garden Grove Community  
28 Pharmacy for violating Business and Professions Code section 4169, subdivision (a), purchasing

1 thirty-six dangerous drugs from two unlicensed wholesalers and Health & Safety Code sections  
2 111250 and 111295 for dispensing an adulterated drug. That Citation is now final.

3 b. On May 11, 2021, the Board issued Citation No. CI 2020 91188 to Respondent  
4 Shekha Dashrath Patel for violating Business & Professions Code section 4169, subdivision (a),  
5 purchasing thirty-six dangerous drugs from two unlicensed wholesalers. That Citation is now  
6 final.

7 87. To determine the degree of discipline, if any, to be imposed on Respondents  
8 Advantage Health Care Services, dba Mission Plaza Pharmacy and Kinjal Ghanshyam Patel,  
9 Complainant alleges:

10 a. On or about July 28, 2020, the Board issued Citation No. CI 2018 83685 to  
11 Respondent Advantage Health Services, dba Mission Plaza Pharmacy for violating California  
12 Code of Regulations, title 16, section 1793.7, subdivision (b)(e), failing to properly monitor  
13 pharmacy technician activities. That Citation is now final.

14 b. On or about October 29, 2020, the Board issued Citation and Fine No. CI 2018 82811  
15 to Respondent Advantage Health Services, dba Mission Plaza Pharmacy for violating Business  
16 and Professions Code section 4301, subdivision (f), Health & Safety Code section 11170, title 16,  
17 California Code of Regulations section 1761, subdivisions (a) and (b) and title 21 Code of Federal  
18 Regulations, section 1306.04, subdivision (b), dispensing prescriptions with significant errors or  
19 omissions and dispensing controlled substance prescriptions known not to be issued for a  
20 legitimate medical purpose, engaging in dishonest acts and dispensing controlled substances for  
21 unspecified patients or “office use.” That Citation is now final.

22 c. On or about October 29, 2020, the Board issued Citation and Fine and Order of  
23 Abatement No. CI 2020 89458 to Respondent Kanjal Ghanshyam Patel for violating Business &  
24 Professions Code section 4301, subdivision (f) and title 16, California Code of Regulations  
25 section 1761, subdivisions (a) and (b), for engaging in dishonest acts and dispensing controlled  
26 substances for unspecified patients or “office use.” That Citation is now final.

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**OTHER MATTERS**

1  
2           88. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY  
3 51109 issued to Respondent Advantage Health Care HIV & Compounding, Inc., dba Garden  
4 Grove Community Pharmacy, it shall be prohibited from serving as a manager, administrator,  
5 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy  
6 Permit Number PHY 51109 is placed on probation or until the Pharmacy Permit is reinstated if it  
7 is revoked.

8           89. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY  
9 51550 issued to Respondent Advantage Health Care Services, dba Mission Plaza Pharmacy, it  
10 shall be prohibited from serving as a manager, administrator, owner, member, officer, director,  
11 associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 51550 is placed  
12 on probation or until the Pharmacy Permit is reinstated if it is revoked.

13           90. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY  
14 55932 issued to Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC,  
15 dba AHCS Specialty Care, it shall be prohibited from serving as a manager, administrator, owner,  
16 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit  
17 Number PHY 55932 is placed on probation or until the Pharmacy Permit is reinstated if it is  
18 revoked.

19           91. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY  
20 51109 issued to Respondents Advantage Health Care HIV & Compounding, Inc., dba Garden  
21 Grove Community Pharmacy, Pharmacy Permit No. 55932 issued to AHCS Specialty Care, LLC  
22 and Innovative Healthcare Capital, LLC, dba AHCS Specialty Care and/or Pharmacy Permit No.  
23 PHY 51550 issued to Mission Plaza Pharmacy while Respondent Vimal Bhanvadia has been a  
24 manager, owner, officer or director and had knowledge of or knowingly participated in any  
25 conduct for which the licensees were disciplined, he shall be prohibited from serving as a  
26 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for  
27 five years if the Pharmacy Permits are placed on probation or until the Pharmacy Permits are  
28 reinstated, if they are revoked.

1           92. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY  
2 51550 issued to Respondents Advantage Health Care Services, dba Mission Plaza Pharmacy  
3 and/or Pharmacy Permit No. PHY 55932 issued to AHCS Specialty Care, LLC and Innovative  
4 Healthcare Capital, LLC, dba AHCS Specialty Care while Respondent Kinjal Ghanshyam Patel  
5 has been a manager, owner, officer or director and had knowledge of or knowingly participated in  
6 any conduct for which the licensees were disciplined, he shall be prohibited from serving as a  
7 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for  
8 five years if the Pharmacy Permits are placed on probation or until the Pharmacy Permits are  
9 reinstated, if they are revoked.

10           93. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY  
11 51109 issued to Respondents Advantage Health Care HIV & Compounding, Inc., dba Garden  
12 Grove Community Pharmacy, Pharmacy Permit No. PHY 55932 issued to AHCS Specialty Care,  
13 LLC and Innovative Healthcare Capital, LLC, dba AHCS Specialty Care and/or Pharmacy Permit  
14 No. PHY 51550 issued to Advantage Health Care Services, dba Mission Plaza Pharmacy while  
15 Respondent Shekha Dashrath Patel has been a manager, administrator, owner, member, officer or  
16 director and had knowledge of or knowingly participated in any conduct for which the licensees  
17 were disciplined, she shall be prohibited from serving as a manager, administrator, owner,  
18 member, officer, director, associate, or partner of a licensee for five years if the Pharmacy Permits  
19 are placed on probation or until the Pharmacy Permits are reinstated, if they are revoked.

20           94. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY  
21 55932 issued to Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC,  
22 dba AHCS Specialty Care while Respondent Shital J. Patel has been a manager, administrator,  
23 owner, member, officer or director and had knowledge of or knowingly participated in any  
24 conduct for which the licensees were disciplined, he shall be prohibited from serving as a  
25 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for  
26 five years if the Pharmacy Permit is placed on probation or until the Pharmacy Permit is  
27 reinstated, if it is revoked.

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1           95. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.  
2 RPH 60337 issued to Respondent Shekha Dashrath Patel, she shall be prohibited from serving as  
3 a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for  
4 five years if the Pharmacist License is placed on probation or until the Pharmacist License is  
5 reinstated, if it is revoked.

6           96. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.  
7 RPH 61294 issued to Respondent Kinjal Ghanshyam Patel, he shall be prohibited from serving as  
8 a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for  
9 five years if the Pharmacist License is placed on probation or until the Pharmacist License is  
10 reinstated, if it is revoked.

11           97. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.  
12 RPH 50125 issued to Respondent Shital J. Patel, he shall be prohibited from serving as a  
13 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for  
14 five years if the Pharmacist License is placed on probation or until the Pharmacist License is  
15 reinstated, if it is revoked.

16                           **FIRST AMENDED STATEMENT OF ISSUES AGAINST:**

17                   **ADVANTAGE HEALTH CARE SERVICES-MISSION, INC., DBA MISSION PLAZA**

18   **PHARMACY 3**

19   **CAUSE FOR DENIAL**

20   **(Various)**

21           98. Respondent Advantage Health Care Services-Mission, Inc., dba Mission Plaza  
22 Pharmacy 3's application is subject to denial under Code sections 4300, subdivision (c), 4301,  
23 subdivisions (j) and (o) and 4302 for violating the statutes referenced in the First Amended  
24 Accusation, which are incorporated herein by reference.

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1 **FIRST AMENDED STATEMENT OF ISSUES AGAINST**

2 **AHCS SPECIALTY CARE, LLC**

3 **CAUSE FOR DENIAL**

4 **(Various)**

5 99. Respondent AHCS Specialty Care, LLC's application is subject to denial under Code  
6 sections 4300, subdivision (c), 4301, subdivisions (j) and (o) and 4302 for violating the statutes  
7 and regulations referenced in the First Amended Accusation, which are incorporated herein by  
8 reference.

9 **PRAYER**

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

12 1. Revoking or suspending Pharmacy License Number PHY 51109 issued to  
13 Respondent Advantage Health Care HIV & Compounding, Inc., dba Garden Grove Community  
14 Pharmacy;

15 2. Revoking or suspending Pharmacy License Number PHY 51550 issued to  
16 Respondent Advantage Health Care Services, dba Mission Plaza Pharmacy;

17 3. Revoking or suspending Pharmacy License Number PHY 55932 issued to  
18 Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, dba AHCS  
19 Specialty Care;

20 4. Revoking or suspending Pharmacist License Number RPH 60337 issued to  
21 Respondent Shekha Dashrath Patel;

22 5. Revoking or suspending Pharmacist License Number RPH 61294 issued to  
23 Respondent Kinjal Ghanshyam Patel;

24 6. Revoking or suspending Pharmacist License Number RPH 61294 issued to  
25 Respondent Shital J. Patel;

26 7. Prohibiting Respondent Advantage Health Care HIV & Compounding, Inc., dba  
27 Garden Grove Community Pharmacy from serving as a manager, administrator, owner, member,  
28

1 officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number  
2 PHY 51109 is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked;

3 8. Prohibiting Respondent Advantage Health Care Services, dba Mission Plaza  
4 Pharmacy from serving as a manager, administrator, owner, member, officer, director, associate,  
5 or partner of a licensee for five years if Pharmacy Permit Number PHY 51550 is placed on  
6 probation or until the Pharmacy Permit is reinstated, if it is revoked;

7 9. Prohibiting Respondent AHCS Specialty Care, LLC and Innovative Healthcare  
8 Capital, LLC, dba AHCS Specialty Care from serving as a manager, administrator, owner,  
9 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit  
10 Number PHY 55932 is placed on probation or until the Pharmacy Permit is reinstated, if it is  
11 revoked;

12 10. Prohibiting Respondent Shekha Dashrath Patel from serving as a manager,  
13 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if  
14 Pharmacy Permit Numbers PHY 51109, 55932 or 51550 are placed on probation or until the  
15 Pharmacy Permits are reinstated, if they are revoked;

16 11. Prohibiting Respondent Vimal Bhanvadia from serving as a manager, administrator,  
17 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy  
18 Permit Numbers PHY 51109, 55932 and 51550 are placed on probation or until the Pharmacy  
19 Permits are reinstated, if they are revoked;

20 12. Prohibiting Respondent Kinjal Ghanshyam Patel from serving as a manager,  
21 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if  
22 Pharmacy Permit Numbers PHY 51550 and 55932 are placed on probation or until the Pharmacy  
23 Permits are reinstated, if they are revoked;

24 13. Prohibiting Respondent Shital J. Patel from serving as a manager, administrator,  
25 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy  
26 Permit Number PHY 55932 is placed on probation or until the Pharmacy Permit is reinstated, if  
27 they are revoked;

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1 14. Prohibiting Respondent Shekha Dashrath Patel from serving as a manager,  
2 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if  
3 Pharmacist License Number RPH 60337 is placed on probation or until the Pharmacist License is  
4 reinstated, if it is revoked;

5 15. Prohibiting Respondent Kinjal Ghanshyam Patel from serving as a manager,  
6 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if  
7 Pharmacist License Number RPH 61294 is placed on probation or until the Pharmacist License is  
8 reinstated, if it is revoked;

9 16. Prohibiting Respondent Shital J. Patel from serving as a manager, administrator,  
10 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist  
11 License Number RPH 50125 is placed on probation or until the Pharmacist License is reinstated,  
12 if it is revoked;

13 17. Ordering Respondents Advantage Health Care HIV & Compounding, Inc., dba  
14 Garden Grove Community Pharmacy, Advantage Health Care Services, dba Mission Plaza  
15 Pharmacy, AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, dba AHCS  
16 Specialty Care, Kinjal Ghanshyam Patel, Shital J. Patel and Shekha Dashrath Patel to pay the  
17 Board of Pharmacy the reasonable costs of the investigation and enforcement of this case,  
18 pursuant to Business and Professions Code section 125.3;

19 18. Denying the Application of Respondent Advantage Health Care Services-Mission,  
20 Inc., dba Mission Plaza Pharmacy 3 for a pharmacy permit;

21 19. Denying the Application of Respondent AHCS Specialty Care, LLC for a pharmacy  
22 permit; and,

23 20. Taking such other and further action as deemed necessary and proper.

24 DATED: 9/14/2023

Sodergren,  
Anne@DCA

Digitally signed by Sodergren,  
Anne@DCA  
Date: 2023.09.14 08:07:45 -07'00'

ANNE SODERGREN  
Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

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