



SEPTEMBER 2021

THE SCRIPT

BE AWARE & TAKE CARE: Talk to your pharmacist!

Contents

- News and FAQs about e-prescribing law taking effect 1/1/20221
- President’s message.....2
- New regulations and amendments.....8
- Top citations issued in 2020/218
- FAQs about requirements for automated drug delivery systems (ADDS)..... 11
- Monitor auto-refill programs to avoid medication errors..... 17
- Top inspection violations, corrections ordered in 2020/21 18
- DUI, convictions outside work can hurt professional license 19
- Board elects officers, welcomes new members, salutes retiring members ..20
- Report name, address changes to Board within 30 days21
- Facilities with PHY license can renew, pay online 21
- Law webinar updated for 2021 22
- Board recognizes 40-year pharmacists..... 22
- Board inspector volunteers with FEMA for COVID-19 vaccination duty..... 23
- Disciplinary actions..... 25
- Board, committee meetings scheduled through 2022...50

E-prescribing law takes effect January 1, 2022



Pharmacists and other health care providers are preparing for major changes in the way some prescriptions are issued, received, and dispensed in California.

Beginning January 1, 2022, Business and Professions Code (BPC) [section 688](#) will require most prescriptions in California to be issued in the form of an electronic data transmission, or “e-prescription.” The law also requires prescribers to have the capability to send – and pharmacists to have the capability to receive – electronic data transmission prescriptions by January 1, 2022.

The law includes other provisions and contains exceptions to e-prescription requirements in specific situations, which are summarized here. In addition, the California State Board of Pharmacy has prepared answers to frequently asked questions (FAQs) to help educate licensees about BPC section 688.

See **E-prescriptions**, Page 3



By Seung Oh, President, Board of Pharmacy

The COVID-19 pandemic continues to evolve in unpredictable ways, as cases linked to the highly transmissible Delta variant grow even as more Americans receive vaccinations. On behalf of the California State Board of Pharmacy, I hope everyone is staying healthy and safe.

As the newly elected president, I look forward to working with Board members in support of our licensees' efforts to care for patients in challenging times. The Board continues to review [Pharmacy Law waivers](#) related to COVID-19, which are amended, extended, or allowed to expire as appropriate.

In addition, the Board provides important information for licensees and consumers in areas threatened by recent wildfires. The Board emails alerts and

posts online [guidance](#) to help pharmacists provide prescription drugs to residents displaced during declared disasters.

Also, a list of [consumer tips for preparing a go bag](#) with a supply of prescription medications and other essential items in case of emergency evacuation is available on our website.

As always, licensees are reminded to check our website and [sign up to receive subscriber alerts](#) with updates about waivers related to COVID-19, declared states of emergency, and other important information from the Board.

Meanwhile, the Board is moving forward with important initiatives. This includes revising the [Notice to Consumers](#) with a fresh look and important information intended to help prevent medication errors and better inform consumers about their medications by encouraging them to speak to their pharmacist.

In addition, the Board remains committed to informing licensees about important regulatory matters and changes in the law. Recently, the Board approved frequently asked questions (FAQs) to educate licensees about [new regulations regarding automated drug delivery systems](#) and about [Business and Professions Code section 688](#), a new law effective

January 1, 2022, that will require most prescriptions in California to be issued and received electronically.

The [FAQs](#) are posted on the Board's website under "[Important Information for Licensees](#)." We continuously look for ways to clarify laws and regulations with FAQs. Please let us know if there are any other topics you feel would be helpful by developing FAQs.

The Board also has adopted important regulations, including [changes to waiver requirements for off-site storage of records](#) and [requirements for automated prescription refill programs](#).

Summaries of new pharmacy laws and regulations are provided in this newsletter as well as in Board's online [pharmacy law webinar](#), which has been updated for 2021.

These policy and regulatory actions reflect the Board's ongoing pursuit of its mission "to protect and promote the health and safety of Californians by pursuing the highest quality of pharmacist care and the appropriate use of pharmaceuticals." It is a mission that I am humbled and privileged to lead as Board president, along with newly elected Vice President Maria D. Serpa and Treasurer Jignesh "Jig" Patel.

See **President's Message**, Page 3

E-prescriptions

Continued from page 1

The FAQs are published here in The Script and posted on the Board's website. Additional questions about BPC section 688 may be directed to the Board's [Ask an Inspector](#) service.

Key provisions of BPC section 688 include:

- Beginning January 1, 2022, health care practitioners who are authorized to issue prescriptions shall have the capability to send electronic data transmission prescriptions.
- Beginning January 1, 2022, pharmacies shall have the capability to receive electronic data transmission prescriptions.
- Beginning January 2, 2022, a prescription issued by a health care practitioner shall be issued as an electronic data transmission prescription subject to some exceptions.

The law does not apply to the following specific situations:

- Prescriptions issued pursuant to section 11159.2 of the Health and Safety Code.
- An electronic data transmission prescription is not available due to a temporary technological or electrical failure – meaning failure of a computer system, application, or device; the loss of electrical power to that system, application, or device; or any other service interruption affecting the certified electronic data transmission prescription application used to transmit the prescription.
- The prescribing health care practitioner is issuing a prescription to be dispensed by a pharmacy located outside California.
- A prescription issued in a hospital emergency department or urgent care clinic when at least one of the following conditions is present:
 - a. The patient resides outside California.
 - b. The patient resides outside the geographic area of the hospital.
 - c. The patient is homeless or indigent and does not have a preferred pharmacy.
 - d. The prescription is issued at a time when a patient's regular or preferred pharmacy is likely to be closed.

See **E-prescriptions**, Page 4

President's Message

Continued from page 2

As I begin this new role, I want to thank all the past Board presidents as well as recent predecessors who set high standards for public service while leading the Board to national recognition as a consumer protection and regulatory agency. I am especially grateful to the immediate past president, Greg Lippe, for his skills as a leader and 12 years of service to the Board as a public member. I also want to acknowledge and thank recent presidents Victor Law, Amy Gutierrez, and Stan Weisser for their professional dedication and enduring contributions to California consumers.

I look forward to advancing the Board's mission in conjunction with fellow Board members and with active participation from consumers, licensees, stakeholders, and other members of the public. I encourage you to stay informed about policy matters, meetings, regulations, and other important activities by [subscribing to receive "News and Information" alerts](#) from the Board. Also, I invite all interested parties to attend as many meetings as possible to share your voice.

E-prescriptions

Continued from page 3

Under any of conditions a, b, c, and d, a prescription shall be electronically issued but does not require electronic transmission and may be provided directly to the patient.

- The prescription is issued by a veterinarian.
- The prescription is for eyeglasses or contact lenses.
- The prescribing health care practitioner and the dispenser are the same entity.
- The prescribing health care practitioner reasonably determines it would be impractical for the patient to obtain the prescribed substances in a timely manner, and the delay would adversely impact the patient's medical condition.
- The prescription includes elements not covered by the latest version of the National Council for Prescription Drug Programs' SCRIPT standard.

Other key provisions of BPC section 688 include:

- A health care practitioner who issues a prescription for a controlled substance but does not transmit the prescription as an electronic data transmission prescription shall document the reason in the patient's medical record as soon as practicable and within 72 hours of the end of the technological or electrical failure that prevented the electronic data transmission of the prescription.
- A pharmacy that receives an electronic data transmission prescription but has not dispensed the medication to the patient shall, at the request of the patient or other authorized person, immediately transfer or forward the electronic data transmission prescription to an alternative pharmacy.
- If a pharmacy or its staff is aware an attempted transmission of an electronic

data transmission prescription failed, is incomplete, or is otherwise not appropriately received, the pharmacy shall immediately notify the prescribing health care practitioner.

- A pharmacist who receives a written, oral, or faxed prescription shall not be required to verify that the prescription properly falls under one of the exceptions above and may continue to dispense medications from legally valid written, oral, or fax prescriptions.

Electronic Data Transmission Prescriptions (E-Prescriptions) – Frequently Asked Questions

1. Does the pharmacy need to have the capability of receiving electronic data transmission prescriptions from all prescribers?

Under California Business and Professions Code (BPC) section 688(b), a pharmacy must have the capability to receive an electronic data transmission prescription on behalf of a patient from a health care practitioner authorized to issue a prescription pursuant to BPC section 4040.

Reference: BPC [688\(a\)](#), [688\(b\)](#), [4040](#)

2. Does BPC section 688(b) apply to both non-controlled and controlled substances?

BPC section 688(b) applies to both non-controlled and controlled substances with regard to a pharmacy's capability to receive electronic data transmission prescriptions. However, under BPC section 688(c), a prescription for a controlled substance, as defined by BPC 4021, the electronic data transmission prescription must comply with Parts 1300, 1304, 1306, and 1311 of Title 21 of the Code of Federal Regulations (CFR). Note: The Board of Pharmacy recommends practitioners contact their respective regulatory boards for guidance on their requirements for issuing a prescription.

Reference: BPC [688\(a\)](#), [688\(b\)](#), [688\(c\)](#), [4021](#); CFR [1300](#), [1304](#), [1306](#), [1311](#)

See **E-prescriptions**, Page 5

E-prescriptions

Continued from page 4

3. On or after 01/01/2022, may a pharmacy dispense a prescription medication if it receives a prescription that is not transmitted to the pharmacy as an electronic data transmission prescription?

BPC section 688(i) states that a pharmacist who receives a written, oral, or faxed prescription is not required to verify that the prescription properly falls under one of the exceptions in subdivision (e). Pharmacists may continue to dispense medications from legally valid written, oral, or faxed prescriptions pursuant to this division.

Reference: BPC [688\(i\)](#)

4. Can an unfilled non-controlled electronic data transmission prescription received by a pharmacy be transferred or forwarded to another pharmacy?

BPC section 688(g) states a pharmacy that receives an electronic data transmission prescription from a prescribing health care practitioner who has issued the prescription but has not dispensed the medication to the patient must, at the request of the patient or a person authorized to make a request on behalf of the patient, immediately transfer or forward the electronic data transmission prescription to an alternative pharmacy designated by the requester.

Reference: BPC [688\(g\)](#)

5. Can an unfilled Schedule II-V controlled substance electronic data transmission prescription received by a pharmacy be transferred or forwarded to another pharmacy?

BPC section 688(g) states a pharmacy that receives an electronic data transmission prescription from a prescribing health care practitioner who has issued the prescription but has not dispensed the medication to the patient must, at the request of the patient or a person authorized to make a request on behalf of the patient, immediately transfer or forward the electronic data transmission prescription to an alternative pharmacy

designated by the requester.

Reference: BPC [688\(g\)](#)

The Board of Pharmacy would strongly encourage licensees to contact their local DEA office for confirmation of DEA's policy and the federal requirements related to the forwarding of an unfilled controlled substances prescription.

6. What are the record-keeping requirements for a pharmacy that transfers or forwards electronic data transmission prescriptions? What are the record-keeping requirements for a pharmacy that receives a transfer or forward of electronic data transmission prescriptions?

Record-keeping must comply with California Code of Regulations (CFR) section [1717\(e\)](#) and CFR section [1306.25](#), if applicable

7. If a licensed non-resident pharmacy is located outside of California and services a patient in California, is an electronic data transmission prescription required?

BPC section 688(b) states a pharmacy, pharmacist, or other practitioner authorized under California law to dispense or furnish a prescription pursuant to section 4040 must have the capability to receive an electronic data transmission prescription on behalf of a patient. Depending on the scenario, the pharmacy would not need to question a non-electronic data transmission prescription under BPC section 688(i).

Reference: BPC [688\(b\)](#), [688\(i\)](#)

8. How does BPC section 688 apply to out-of-state telemedicine doctors or telephonic/faxed prescriptions from out-of-state?

BPC section 688(a) states a health care practitioner authorized to issue a prescription pursuant to section 4040 must have the capability to issue an electronic data transmission prescription, as defined under section 4040 on behalf of a patient and to transmit that electronic data transmission

See **E-prescriptions**, Page 6

E-prescriptions

Continued from page 5

prescription to a pharmacy selected by the patient. Depending on the scenario, the pharmacy would not need to question a non-electronic data transmission prescription under BPC section 688(i). Note: The Board of Pharmacy recommends practitioners contact their respective regulatory boards for guidance on their requirements for issuing a prescription.

Reference: BPC [688\(a\)](#), [688\(i\)](#)

9. BPC section 688(e)(1) contains an exception to the law referencing California Health and Safety Code (HSC) section 11159.2, which discusses controlled substance prescriptions issued to terminally ill patients. Does HSC 11167.5 remain effective for those that practice in the applicable hospice and long-term care settings?

HSC section 11167.5 will remain effective in the applicable hospice and long-term care settings.

Reference: HSC [11167.5](#), [11159.2](#); BPC [688\(e\)\(1\)](#)

10. Is there an instance when an electronic data transmission prescription must be printed?

Under certain circumstances as outlined in Health and Safety Code (HSC) section 11167.5, there may be instances where a long-term care or hospice care pharmacy may need to print the electronic transmission prescription. Additionally, BPC section 688(e)(4)(A)(B) references instances when a prescription must be electronically issued but does not require electronic transmission and may be provided directly to the patient. Controlled substance prescriptions provided directly to the patient also must comply with federal law. Depending on the scenario, the pharmacy would not need to question a non-electronic data transmission prescription under BPC section 688(i).

Reference: HSC [11167.5](#); BPC [688\(e\)\(4\)\(A\)\(B\)](#), [688\(i\)](#)

11. Does the hospital retail pharmacy have the option to only receive electronic data transmission prescription from its own hospital health care practitioners, but not from any other health care practitioner?

BPC section 688(a) is inclusive of all health care practitioners authorized to issue a prescription pursuant to BPC section 4040. As indicated in BPC section 688(b), a pharmacy must have the capability to receive an electronic data transmission prescription on behalf of a patient from all types of health care practitioners pursuant to BPC section 4040. BPC section 688(e)(7) provides a potential exemption if the health care practitioner and the dispenser are the same entity.

Reference: BPC [688\(a\)](#), [688\(b\)](#), [688\(e\)\(7\)](#)

12. Is posting a prescription in a health care provider's system accessible by pharmacists in their system considered transmission?

Under BPC section 688(e)(7), if the prescribing health care practitioner and dispenser are the same entity, electronic transmission prescriptions are not required. Based on the Board's understanding of the scenario posed, "posting" of the prescription in an electronic medical record for dispensing by a pharmacy of the same entity meets the intent of California law. Controlled substance prescriptions must also comply with federal law.

Reference: BPC [688\(a\)\(d\)\(e\)\(7\)](#)

13. Under BPC 688(e)(7), what does "same entity" mean? Same location or just same health care system?

As described in BPC 688(e)(7), "same entity" refers to the same health care system which may or may not be the same physical location.

Reference: BPC [688\(e\)\(7\)](#)

See **E-Prescriptions**, Page 7

E-prescriptions

Continued from page 6

14. For prescribers working under exempted medical practices described in BPC 688(e), do they still need to comply with BPC 688(a) and have the capability of issuing and transmitting an electronic data transmission prescription?

BPC section 688(d) would not be applicable to a health care practitioner prescribing a prescription pursuant to subdivision (e). However, the health care practitioner must have the capability to issue and transmit an electronic data transmission prescription as defined under BPC section 4040 and BPC section 688(a). Note: The California State Board of Pharmacy recommends practitioners contact their respective regulatory boards for guidance on their requirements for issuing a prescription.

Reference: BPC [688\(a\)](#), [688\(d\)](#), [688\(e\)](#), [4040](#)

15. Does an e-mail qualify as “an electronic data transmission prescription,” or does the prescription need to come from an electronic prescribing platform?

BPC section 4040(c) describes an “electronic data transmission prescription” as any prescription order other than an electronic image prescription that is electronically transmitted from a licensed prescriber to a pharmacy. An email could potentially qualify as an electronic data transmission prescription for noncontrolled substances; however, this does not appear to meet the spirit of the law. However, under BPC section 688(c), a prescription for a controlled substance as defined by BPC section 4021, the electronic data transmission prescription must comply with Parts 1300, 1304, 1306, and 1311 of Title 21 of the Code of Federal Regulations (CFR). Note: The Board of Pharmacy recommends practitioners contact their respective regulatory boards for guidance on their requirements for issuing a prescription.

Reference: BPC [4040\(c\)](#), [4021](#), [688\(c\)](#); CFR [1300](#), [1304](#), [1306](#), [1311](#)

16. If after speaking with the prescriber/agent a modification is made, would the electronic data transmission prescription be voided, and does the prescription need to be rewritten as a telephone prescription?

BPC section 688 does not address the modification of an electronic data transmission prescription. For a noncontrolled and Schedule III-V prescription, a pharmacy may reduce the oral prescription to writing as described in BPC section 4070(a) and HSC section 11164(b). Note: DEA registrants also must comply with federal law regarding controlled substances.

Reference: BPC [688](#), [4070\(a\)](#); HSC [11164\(b\)](#)

17. Does a pharmacist have a responsibility to report prescribers who are not complying with BPC section 688?

The law does not require pharmacists to notify the respective regulatory agency of issues of non-compliance, but they may choose to do so.

Reference: BPC [688\(j\)](#)

18. Do health care practitioners, pharmacists, or pharmacies, when providing health care services to an inmate, individual on parole, or youth under the jurisdiction of the Department of Corrections and Rehabilitation, need to comply with BPC section 688?

BPC section 688(k) indicates this section must not apply in the scenario described. However, if an inmate, individual on parole, or youth is not under the jurisdiction of the Department of Corrections and Rehabilitation, BPC section 688 would apply.

Reference: BPC [688\(k\)](#)



and regulatory amendments

The California State Board of Pharmacy has adopted important new regulations and regulatory amendments that take effect in 2021 and 2022. Information and the Order of Adoption for each regulation is posted under “[Approved Regulations](#)” on the Board’s website, www.pharmacy.ca.gov.

- [Title 16, California Code of Regulations, section 1747](#) – This regulation permanently establishes the required criteria for training programs pharmacists must complete to independently initiate and furnish HIV preexposure (PrEP) and postexposure (PEP) prophylaxis. Effective June 8, 2021.
- [Title 16, California Code of Regulations, section 1707](#) – This change amends the waiver requirements for off-site storage of records to allow licensees previously cited for a records violation to be eligible for a waiver to store records off-site. Effective July 1, 2021.
- [Title 16, California Code of Regulations, sections 1711, 1713, and 1715.1](#) – These amendments require submission of quality assurance records to the Board; update the Board’s regulations regarding the use of automated patient dispensing systems (APDS); and identify specific requirements for the annual completion of the automated drug delivery system (ADDs) self-assessment form. Effective July 1, 2021.
- [Title 16, California Code of Regulations, section 1717.5](#) – This regulation establishes requirements for automatic prescription refill programs. Effective July 1, 2022.

Complete information about pending and approved regulations is posted on the Board’s website. In the “Quick Hits” column on the homepage, go to [Laws and Regulations](#) and click on “[Pending Regulations](#)” or “[Approved Regulations](#).”

Top citations in 2020/21

Business and Professions Code (BPC) [section 4314](#) authorizes the California State Board of Pharmacy to issue citations for violations of Pharmacy Law. Title 16, California Code of Regulations (CCR), sections 1775 to 1775.4 describe how the Board exercises this authority.

Citations are administrative actions; they are considered less serious than disciplinary actions (which may result in license probation, suspension, or revocation). Each year, the Board’s Enforcement and Compounding Committee reports the most common violations that result in citations in an effort to educate licensees and prevent violations.

Most common citations in fiscal year 2020/21

Medication errors ranked as the top reason for citations issued to both pharmacies and pharmacists during the past fiscal year.

See **Citations 2020/21**, Page 9

Citations 2020/21

Continued from page 8

Pharmacies – Top 10 Citations, FY 2020/21*

| Code Violation | Description | Number of Violations |
|--|--|----------------------|
| CCR 1716 | Medication Error | 146 |
| CCR 1761(a) | Erroneous or Uncertain Prescription | 41 |
| CCR 1764 / CIV 56.10 | Unauthorized Disclosure of Prescriptions and Medical Information | 35 |
| CCR 1714(b) | Safe and Secure Pharmacy – Maintain Facilities, etc. | 35 |
| BPC 4081(a) / CCR 1718 | Records Kept Open for Inspection for Three Years and Current Inventory Defined | 32 |
| BPC 4113 | Notify Board within 30 Days of Change of Pharmacist-in-Charge | 27 |
| CCR 1707.2 | Duty to Consult | 27 |
| CCR 1707.3 | Duty to Review Drug Therapy | 15 |
| CCR 1711(d) | Quality Assurance Program | 9 |
| HSC 11165(d) | Report Controlled Substance Dispensing to CURES | 6 |

* July 1, 2020 through June 18, 2021

Pharmacists – Top 10 Citations, FY 2020/21*

| Code Violation | Description | Number of Violations |
|--------------------------------------|--|----------------------|
| CCR 1716 | Medication Error | 147 |
| CCR 1761 | Erroneous or Uncertain Prescription | 56 |
| CCR 1707.2 | Duty to Consult | 37 |
| BPC 4081 | Records Kept Open for Inspection for Three Years | 30 |
| CCR 1764 / CIV 56.10 | Unauthorized Disclosure of Prescriptions and Medical Information | 28 |
| CCR 1714 | Operational Standards and Security | 28 |
| BPC 4301(h) | Unprofessional Conduct – Self-administer Drugs or Alcohol | 18 |
| CCR 1707.3 | Duty to Review Drug Therapy | 16 |
| BPC 4301(l) | Unprofessional Conduct – Conviction of a Crime Substantially Related to Pharmacy | 14 |
| CCR 1711(d) | Quality Assurance Program | 8 |

* July 1, 2020 through June 18, 2021

See **Citations 2020/21**, Page 10

Citations 2020/21

Continued from page 9

Intern pharmacists and pharmacy technicians were cited most often for unprofessional conduct stemming from self-use of dangerous drugs or alcohol in a manner dangerous or injurious to oneself or others, and convictions of crimes substantially related to the practice of pharmacy.

Intern Pharmacists – Top Citations, FY 2020/21*

| Code Violation | Description | Number of Violations |
|-----------------------------|---|----------------------|
| BPC 4301(h) | Self-Use of Dangerous Drug/Alcohol | 6 |
| BPC 4301(l) | Conviction of a Crime Substantially Related to Pharmacy | 6 |
| BPC 4301(o) | Violating or Attempting to Violate Federal and State Laws or Regulations Governing Pharmacy | 1 |

* July 1, 2020 through June 18, 2021

Pharmacy Technicians – Top Citations, FY 2020/21*

| Code Violation | Description | Number of Violations |
|-----------------------------|---|----------------------|
| BPC 4301(l) | Conviction of a Crime Substantially Related to Pharmacy | 58 |
| BPC 4301(h) | Self-Use of Dangerous Drug/Alcohol | 54 |
| BPC 4301(f) | Commission of an Act Involving Moral Turpitude, Dishonesty, Fraud, Deceit or Corruption | 14 |
| BPC 4301(k) | Commission of More than One Misdemeanor or Felony Involving Self-use | 6 |
| BPC 4115(e) | Unlicensed Technician | 6 |
| BPC 4301(g) | Knowingly Making or Signing Any Document that Falsely Represents the Facts | 2 |

* July 1, 2020 through June 18, 2021

This information and additional details about the Board's citation and fine program can be found in a slide presentation that is included in the July 15, 2021, Enforcement and Compounding Committee [meeting materials](#). An archived [meeting webcast](#) also is available for viewing on the [Enforcement and Compounding Committee meeting page](#).

www.pharmacy.ca.gov

Get answers to FAQs about new rules for automated drug delivery systems



The California State Board of Pharmacy has drafted answers to frequently asked questions (FAQs) to help licensees comply with [new requirements](#) for automated drug delivery systems (ADDS). These requirements are in Title 16, California Code of Regulations (CCR), sections [1711](#), [1713](#), and [1715.1](#).

1. My pharmacy has multiple licensed ADDS. Do I have to complete a self-assessment for each licensed ADDS?

Yes. Per BPC section 4427.2(c), a separate application and license is required for each ADDS. Also, per BPC section 4427.7(a), a pharmacy holding an ADDS license shall complete an annual self-assessment. The pharmacy shall maintain those records within the licensed pharmacy holding the ADDS license and separate from other pharmacy records.

Reference: BPC [4427.7\(a\)](#), [4427.2\(c\)](#); CCR [1715](#)

2. Do I have to complete a new self-assessment for each ADDS if my pharmacy received a

new permit or had a change in pharmacist-in-charge, or if the pharmacy had a change in address?

Yes. Per CCR section 1715(b), the pharmacist-in-charge of the pharmacy shall complete a self-assessment within 30 days whenever a new pharmacy permit has been issued or there is a change in PIC or a change in the licensed location of the pharmacy to a new address.

Reference: BPC [4427.7](#); CCR [1715\(b\)](#)

3. A medication error was made, and a quality assurance review was completed related to the licensed ADDS. Do I have to report to the Board?

Yes. Per CCR section 1711(f), any quality assurance record related to the use of a licensed automated drug delivery system must also be submitted to the Board within 30 days of completion of the quality assurance review. A “medication error” means any variation from a prescription or drug order not authorized by the prescriber, as described in CCR section 1716.

Reference: CCR [1711\(f\)](#), [1716](#); BPC [4427.8](#)

4. My pharmacy is in an acute care hospital and exempt from the licensing requirements for an ADDS. Do I have to report all quality assurance records of medication errors related to the use of the ADDS to the Board at the time of renewal?

Yes. Per CCR section 1711(f), any facility with an unlicensed automated drug delivery system must report the quality assurance review to the Board at the time of annual renewal. A “medication error” means any variation from a prescription or drug order not authorized by the prescriber, as described in CCR section 1716.

See **ADDS FAQs**, Page 12

ADDS FAQs

Continued from page 11

Reference: CCR [1711\(f\)](#), [1716](#), BPC [4427.8](#), [Final Statement of Reasons for CCR sections 1711 and 1716](#)

5. My pharmacy is located in an acute care hospital and exempt from the licensing requirements for ADDS. Do I have to report **ALL** quality assurance record related to the use of the ADDS to the Board at the time of renewal, including quality assurance records related to near-misses or errors caught by nursing staff?

CCR section 1711(b) defines “medication error” as any variation from a prescription or drug order not authorized by the prescriber, as described in CCR section 1716. Section 1711(b), however, expressly excludes from the definition of a medication error any variation that is corrected prior to furnishing the drug to the patient or patient’s agent or any variation allowed by law. NOTE: Only quality assurance records related to the use of the ADDS that caused the medication error, as defined by the section, are required to be reported to the Board at the time of renewal.

Reference: CCR [1711\(b\)](#), [1716](#); BPC [4427.8](#)

6. What information is required to be reported as part of the Quality Assurance Review?

CCR section 1711(e) states the record shall contain at least the following:

1. The date, location, and participants in the quality assurance review;
2. The pertinent data and other information relating to the medication error(s) reviewed and documentation of any patient contact required by subdivision (c);
3. The findings and determinations generated by the quality assurance review; and
4. Recommended changes to pharmacy policy, procedure, systems, or processes, if any.

Reference: CCR [1711\(e\)](#), [1716](#); BPC [4427.8](#)

7. What personnel are authorized to restock the ADDS (e.g., nurses and other personnel)?

This depends on the location of the ADDS. The stocking and restocking of an ADDS shall be performed by a pharmacist, or by a pharmacy technician or intern pharmacist under the supervision of a pharmacist, except for an ADDS located in a health facility licensed pursuant to section 1250 of the Health and Safety Code (HSC), where the stocking and restocking of the ADDS may be performed in compliance with section 1261.6 of the Health and Safety Code.

Pursuant to HSC section 1261.6(g), if the ADDS utilizes removable pockets, cards, drawers, or similar technology, or unit of use or single dose containers; and the facility, in conjunction with the pharmacy, has developed policies and procedures to ensure the removable pockets, cards, drawers, or unit of use or single dose containers are properly placed into the ADDS, then the facility and contracted personnel authorized by law to administer drugs may also restock the ADDS.

Reference: [June 2017 Script Newsletter](#); BPC [4427.3](#), [4427.4](#), [4186](#), [4187.5](#), [4119.11](#); HSC [1261.6 \(g\)](#)

8. Are drugs required to be restocked immediately into the ADDS?

Per BPC section 4427.4(f), if drugs are not immediately transferred into an ADDS upon arrival at the ADDS location, the drugs may be stored for no longer than 48 hours in a secured room within the ADDS location. Upon retrieval of these drugs from secured storage, an inventory must be taken to detect any losses or overages.

Reference: BPC [4427.4](#)

See **ADDS FAQs**, Page 13

ADDS FAQs

Continued from page 12

9. The pharmacy uses an ADDS device with an open-matrix design allowing the user to access multiple drugs. What are the requirements for the facility?

Facilities using an automated drug delivery system with an open-matrix design shall contact the California Department of Public Health for a clear understanding of the requirements for use.

Reference: HSC [1261.6](#)

10. Does my pharmacy have to review the ADDS on a monthly basis?

Yes. A review shall be conducted on a monthly basis by a pharmacist and shall include a physical inspection of the drugs in the automated drug delivery system, an inspection of the automated drug delivery system machine for cleanliness, and a review of all transaction records in order to verify the security and accountability of the system.

Reference: HSC [1261.6\(h\)](#); BPC [4186\(d\)](#), [4119.11\(h\)](#)

11. Can an ADDS be licensed in other locations such as psychiatric health facilities, jails, etc.?

Answer: No, an ADDS may be placed only in locations listed under BPC section 4427.3:

- (1) Adjacent to the secured pharmacy area of the pharmacy holding the ADDS license.
- (2) A health facility licensed pursuant to section 1250 of the Health and Safety Code that complies with section 1261.6 of the Health and Safety Code.
- (3) A clinic licensed pursuant to section 1204 or 1204.1 of the Health and Safety Code, or section 4180 or 4190 of the Business and Professions Code.
- (4) A correctional clinic licensed pursuant to section 4187.1.

- (5) If the ADDS is an APDS, in a location as provided in section 4427.6.

There is currently pending legislation (Assembly Bill 1533) that, if enacted, would expand the permissible locations for ADDS.

Reference: BPC [4427.3](#)

12. Is the pharmacy required to obtain a separate Drug Enforcement Administration (DEA) registration for each licensed ADDS if the device contains controlled substances?

Pharmacies should consult federal regulations to ensure compliance with DEA requirements and contact the DEA for any necessary clarifications regarding federal rules regarding controlled substances. Cited below are some authorities from the DEA regarding ADDS.

Reference: Code of Federal Regulations (CFR) [1301.27](#); [ADDS FAQ](#); [Dispensing of Controlled Substances to Residents at Long Term Care Facilities](#)

13. Our pharmacy offers an APDS to dispense to patients. What is required for patient consultation?

The APDS shall only be used for patients who have signed a written consent form demonstrating their informed consent to receive drugs from an APDS and if the APDS has a means to identify each patient and only releases the drugs to the patient or the patient's agent.

All prescribed drugs and devices dispensed from the APDS for the first time must be accompanied by a consultation conducted by a pharmacist licensed by the Board via a telecommunications link that has two-way audio and video.

Reference: BPC [4119.11\(d\)\(6\)](#), [4427.6\(f\)](#)

See **ADDS FAQs**, Page 14

ADDS FAQs

Continued from page 13



14. Can the pharmacist provide consultation via telephone for new prescriptions prior to placing the medication in the APDS?

No. All prescribed drugs and devices dispensed from the APDS for the first time shall be accompanied by a consultation conducted by a pharmacist licensed by the Board via a telecommunications link that has two-way audio and video.

Reference: BPC [4427.6\(f\)](#)

15. Who can provide the consultation for patients using the APDS?

A pharmacist licensed by the Board shall perform all clinical services conducted as part of the dispensing process, including but not limited to drug utilization review and consultation.

Reference: BPC [4427.6\(d\)](#)

16. What drugs can be placed in the APDS?

The pharmacy should have policies and procedures to determine which drugs and devices are appropriate for placement in the automated patient dispensing system.

Reference: BPC [4119.11\(d\)\(\(1\)\(B\)](#), [4427.6\(a\)\(2\)](#)

17. What shall a pharmacy do if a patient cannot use the APDS due to the drug not being in stock or the APDS is not in service?

The pharmacy must develop policies and procedures orienting participating patients on the use of the APDS, notifying patients when expected prescription medications are not available in the APDS, and ensuring that patient use of the APDS does not interfere with delivery of drugs and devices. The pharmacy shall ensure the delivery of drugs and devices to patients expecting to receive them from the APDS in the event the APDS is disabled or malfunctions.

Reference: BPC [4427.6\(a\)](#)

18. We are a hospital with fewer than 100 beds and have a licensed drug room. When patients are discharged from the hospital, the physician sometimes writes an order for the patient to be discharged with a 72-hour supply, which is taken from the ADDS. The physician will remove the drugs from the ADDS and dispense the drugs to the patient that are properly labeled and meet the patient-centered labeling requirements. Is the drug room exempt from licensing the ADDS located at the nursing station if the ADDS is primarily used to administer doses to patients in the hospital but occasionally used for dispensing no more than a 72-hour supply of discharge medications to the patient?

See **ADDS FAQs**, Page 15

ADDS FAQs

Continued from page 14

No, the drug room is not exempt from licensing the ADDS if the location is dispensing medications to discharge patients. The drug room will be required to license the ADDS location. The drug room is exempt only if the drugs in the ADDS are solely used for administration to patients while in the acute care hospital. When drugs from the ADDS are used for dispensing, not solely for administration, the exemption no longer applies.

Should your hospital provide discharge medication from the drug stock contained within an ADDS, the Board respectfully requests your facility secure licensure to be compliant with these requirements.

Reference: BPC [4427.2\(i\)](#), BPC [4056](#)

19. Can a facility start using the ADDS device as soon as the ADDS application is submitted, or do I need to wait until the Board issues the ADDS permit?

The ADDS device cannot be used until the Board issues the ADDS permit.

Reference: BPC [4427.1](#), [4427.2\(a\)](#), [4119.11\(a\)\(1\)](#)

20. We are a hospital with a 24-hour pharmacy. Can we utilize an ADDS to dispense a 72-hour supply of medication from our ER if we request a license from the Board for the ADDS.

No. A prescriber may dispense a prescription medication to an emergency room patient only if the pharmacy is closed and there is no pharmacist available.

Reference: BPC [4068\(a\)\(1\)](#)

21. In the emergency room, when the pharmacy is not open, the physician will remove from the ADDS and dispense no more than a 72-hour supply of drugs to a patient to ensure a drug regimen is immediately commenced and continued pursuant to Business and Professions Code section 4068. Is the

hospital pharmacy required to license the ADDS in the emergency room if the ADDS is primarily used for the administration of doses to patients in the emergency room but occasionally used to dispense a 72-hour supply of drugs to a patient discharged from the emergency room for doses removed from the ADDS by the physician?

Yes, the ADDS will be required to be licensed. The hospital pharmacy is exempt from licensing the ADDS only when the acute care hospital pharmacy solely uses the ADDS to administer drugs. When an ADDS is used to dispense drugs to a patient, the exemption no longer applies. While the ADDS must be licensed, as long as the physician removes the dangerous drug or device from the ADDS to dispense to the patient, the ADDS is not considered to be an APDS and need not follow the APDS requirements found in BPC section 4427.6.

Should your hospital provide discharge medication from the drug stock contained within an ADDS when the pharmacy is closed, the Board respectfully requests your facility secure licensure for each ADDS used for such a function to be compliant with these requirements. Note: Under BPC section 4068, medications can be dispensed from the emergency room only if the hospital pharmacy is closed and there is no pharmacist available in the hospital.

Reference: BPC [4017.3](#), [4068](#), [4427.2\(i\)](#), [4427.6](#).

This information is posted on the Board's website in addition to FAQs related to other topics. To see all FAQs, go to www.pharmacy.ca.gov, scroll down to "Important Information for Licensees," and click on the link to "[Frequently Asked Questions](#)."

Auto-refill programs require vigilance

Auto-refill prescription programs can increase compliance with drug therapy by reminding patients to pick up prescriptions before they run out of their medication. However, auto-refill programs can also lead to patient confusion, medication errors and patient harm if implemented incorrectly or if policies and procedures are not followed correctly.

Complaints to the California State Board of Pharmacy related to auto-refills are often related to several types of errors:

- Failing to discontinue previous prescriptions when a new prescription for the same drug class is prescribed.
- Failing to perform a drug regimen review to detect duplicate therapy or a change in therapy.
- Requesting renewal of a medication(s) the patient is no longer taking.
- Overriding drug-drug warning during the data entry verification and or prescription verification without reviewing the patient's medication profile for duplicate therapy.
- Refilling prescriptions the patient has not requested to be added to the auto-refill program.

Below are two case studies involving problems with an auto-refill program.

Case No. 1:

The patient complained that the pharmacy dispensed the wrong birth control pills. The first prescription was prescribed on 1/18/2018 for a 3-month supply of Femynor 0.25/0.035 with 3 additional refills. The prescription was processed under Rx 1003737 on 1/8/2018 but was not filled until 4/19/2018, then the prescription was subsequently refilled on 7/10/2018 and 9/29/2018, resulting in one refill remaining.

On 10/9/2018, the physician changed the

medication to a month supply of NorEE 0.18/0.215/0.25/0.03 with 12 additional refills. The prescription was processed and dispensed on 10/9/2018 under Rx 1093646. Prescription Rx 1093646 was refilled on 11/3/2018 and 11/28/2018, with 10 refills remaining.

On 12/8/2018, Rx 1003737 for Femynor 0.25/0.035, which was placed in the auto-refill program, was processed to be refilled. During the process of filling prescription Rx1003737, a warning of "duplicate therapy" was displayed. However, the pharmacist ignored the warning and overrode the warning and allowed the prescription to be filled, and the prescription was subsequently dispensed to the patient on 12/18/2018.

In this scenario, Rx1003737 for Femynor was automatically processed for refill on 12/8/2018 because the prescription was still active since the prescription was not discontinued on 10/9/2018 when the medication was changed to NorEE 0.18/0.215/0.25/0.03, and the prescription was due for refill since the prescription was last refilled on 9/29/2018. On 12/8/2018, when Rx1003737 for Femynor was processed, the pharmacist should have heeded the duplicate therapy warning. Had the pharmacist reviewed the patient's prescription profile, it would have shown that a new medication, NorEE 0.18/0.215/0.25/0.03, was prescribed and filled on 10/9/2018 and the medication was subsequently refilled on 11/3/2018 and 11/28/2018.

Case No. 2:

A patient was notified by the pharmacy that her prescription was ready for pick up. When the patient picked up her prescription for amitriptyline 50 mg, she questioned why she was picking up a prescription for amitriptyline 50 mg when she had just picked up amitriptyline 25mg two days prior.

- The patient was originally prescribed Rx 659545 for amitriptyline 25 mg by her physician that was dispensed up to 11/15/2016. Rx 659545 had one refill remaining.

See **Auto-refill**, Page 17

Auto-refill

Continued from page 16

- On 12/7/2016, the dose of amitriptyline was increased by the complainant's new physician to 50mg with 2 additional refills and an annotation stating, "replaces previous prescription." While processing the prescription under Rx 695766, there was an alert stating, "duplicate therapy" because Rx 659545 for amitriptyline 25 mg was still active and the pharmacist should have discontinued Rx659545.
- Rx 695766 for amitriptyline 50 mg was refilled on 1/3/2017 and 2/1/2017 with no refills remaining.
- On 1/17/2017, the pharmacy received a new prescription for amitriptyline 50 mg with 2 additional refills. The prescription was processed under Rx 704461 but was placed on hold and was not filled until 3/5/2017.
- On 3/13/2017, the pharmacy received a new prescription changing the dose of amitriptyline to 25 mg with instructions to discontinue previous amitriptyline prescriptions. The prescription was processed under Rx 717534 and placed on hold. The pharmacist who completed the data entry verification should have discontinued Rx704461.
- Due to the pharmacy's auto-refill program and the pharmacist's failure to discontinue Rx 704461, prescription Rx 704461 for amitriptyline 50 mg was refilled on 4/3/2017 instead of the new prescription Rx 717534 for amitriptyline 25 mg.
- Due to the pharmacy's auto-refill program and the failure of the pharmacist to discontinue Rx 659545 on 12/7/2016, Rx 659545 for amitriptyline 25 was refilled on 4/30/2017 instead of Rx 717534 for amitriptyline 25 mg prescribed by the complainant's current physician.
- Due to the pharmacy's auto-refill and program and failure of the pharmacist to discontinue Rx 704461 for amitriptyline 50 mg, prescription Rx 704461 for amitriptyline 50 mg was auto-refilled on 5/5/2017 instead of Rx 717534 for amitriptyline 25 mg.

In this scenario, the pharmacist failed to discontinue Rx704461 on 3/13/2017. The pharmacist also failed to act on the duplicate therapy alerts. As a result, the auto-refill program continued to recognize prescription Rx 704461 for amitriptyline 50 mg as an active and valid prescription. Consequently, prescription Rx 704461 was refilled on 4/3/2017 and 4/30/2017 when in fact the complainant's physician had changed the amitriptyline dose to 25 mg and discontinued amitriptyline 50 mg on 3/13/2017.

In addition, the pharmacist failed to discontinue prescription Rx 659545 for amitriptyline 25mg on 12/7/2016 when the current physician discontinued amitriptyline 25 mg on 12/7/2016 and change the medication to amitriptyline 50 mg. Consequently, prescription Rx 659545 for amitriptyline prescribed by the complainant's previous physician was inadvertently filled on 5/5/2017.

As a result of failing to discontinue the previous prescriptions as directed by the prescriber and placing the new prescriptions on hold, the auto-refill program processed the incorrect dose of amitriptyline. This prompted the complainant to question the strength of amitriptyline she should take and placed the complainant in potential harm.

Auto-refills can help decrease workload and improve a pharmacy's efficiencies. However, a poorly designed auto-refill program can be a potential source of confusion and harm to consumers when the program does not include: active patient and pharmacist engagement to correctly identify which medications should be auto-refilled; continuous review of a patient's

See **Auto-refill**, Page 21

Top inspection violations, corrections in 2020/21

Inspecting all pharmacies at least once every four years is an important goal of the California State Board of Pharmacy. Inspections are performed for a variety of reasons – including consumer complaints, as a condition of license issuance or renewal, to monitor probation activities, and as a routine visit to verify compliance with state and federal laws and regulations.

While inspections provide Board staff an opportunity to observe and evaluate for compliance, they also provide an opportunity to educate licensees. During an inspection, an inspector may order a correction for a minor violation of Pharmacy Law or issue a written notice for a more substantial violation.

Each year, the Board’s Enforcement and Compounding Committee reports on the most common corrections ordered and violation notices issued during inspections in an effort to educate licensees and prevent future violations.

Top 10 Corrections Ordered during Routine Pharmacy Inspections, FY 2020/21*

| Code Violation | Description |
|----------------------------------|--|
| CCR 1714(c) | Pharmacy Clean and Orderly |
| CCR 1707.5(a)(1) | Prescription Label Requirements – Patient-Centered Labeling, 12pt Font |
| CCR 1715.65(a) | Inventory Reconciliation Report of Controlled Substances |
| CCR 1714(b) | Safe and Secure Pharmacy – Maintain Facilities |
| BPC 4058 | License Display |
| CCR 1715(a) | Self-Assessment |
| CCR 1707.5(d) | Policies and Procedures – Provide Interpretive Services |
| CCR 1707.2(b)(1) | Written Notice of Right to Consultation When Patient or Agent is Not Present (including drugs shipped by mail) |
| BPC 4076.6(a) | Provide Translated Directions for Use if Requested by Patient |
| CCR 1707.6(c) | Notice to Consumer – Requirements |

*July 1, 2020 through June 18, 2021

Top Violation Notices Issued during Routine Inspections, FY 2020/21*

| Code Violation | Description |
|----------------------------------|---|
| CCR 1714(d) | Security of Prescription Department |
| CCR 1714(b) | Safe and Secure Pharmacy – Maintain Facilities |
| CCR 1735.3(a)(2) | Recordkeeping for Compounded Drugs – Log Requirements |
| CCR 1776 | Prescription Drug Take Back – Authorization |
| CCR 1716 | Variation from Prescription |

*July 1, 2020 through June 18, 2021

See **Inspections 2020/21**, Page 19

DUI, other criminal convictions outside workplace can have consequences for professional license

Driving under the influence (DUI) is a criminal offense. But did you know a DUI conviction also can result in serious consequences for your California State Board of Pharmacy license?



Under Business and Professions Code (BPC) [section 4301](#), the Board shall take disciplinary action against any licensee who is guilty of “unprofessional conduct.” The provisions of BPC section 4301 define specific types of acts that constitute “unprofessional conduct,” including:

- Subsection (k): “The conviction of more than one misdemeanor or any felony involving the use, consumption, or self-administration of any dangerous drug or alcohol, or any combination of those substances.”
- Subsection (l): “The conviction of a crime substantially related to the qualifications, functions, and duties of a licensee under this chapter.”

What does “substantially related” mean? California Code of Regulation, title 16, [section 1770](#) states that for the purpose of a license denial, suspension, or revocation,

“(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.”

In addition, BPC [section 4311](#) authorizes license suspension for conviction of a felony. BPC 4311(c)

states a Board license shall be suspended “if the Board determines that the felony conviction ... is substantially related to the qualifications, functions, or duties of the licensee.”

Licensees should remember that criminal behaviors outside the workplace – including

DUI – can result in denial, suspension, or revocation of a license issued by the Board of Pharmacy. Don’t drink or take dangerous drugs and drive.

This information is posted on the Board’s website, www.pharmacy.ca.gov. In the “Quick Hits” column on the homepage, click on [Enforcement Actions](#) > [Warning Regarding DUI Convictions](#).

Inspections 2020/21

Continued from page 18

This information and additional details about the Board’s inspection program can be found in a slide presentation that is included the July 15, 2021, Enforcement and Compounding Committee [meeting materials](#). An archived [meeting webcast](#) also is available for viewing on the [Enforcement and Compounding Committee meeting page](#).

Licensees also may visit the [Board’s website](#) to watch an [informational video](#) about how to prepare for a pharmacy inspection and download a [brochure](#) about pharmacy inspections. Click on the “Licensees” tab at the top of the homepage and follow the links to Important Information for Licensees > [Board Inspections](#).

Board elects officers, changes members

The California State Board of Pharmacy has elected officers for terms beginning June 1, 2021. In addition, two members have joined the Board following the departure of two veteran members.

Officers

The Board elected Dr. Seung Oh of San Diego as president. Dr. Oh, who joined the Board in 2020, has worked as a pharmacist, pharmacist-in-charge, and director of operations at retail pharmacies since 2014.



Seung Oh



Maria Serpa

Members also elected Dr. Maria Serpa of Elk Grove as vice president and Jignesh “Jig” Patel of Roseville as treasurer. Dr. Serpa, a system support pharmacist at Sutter Medical Center, Sacramento, joined

the Board in 2018. Mr. Patel, a division pharmacy manager for Safeway since 2006, joined the Board in 2020.



Jig Patel

New members

Jose De La Paz of Southgate was appointed as a public member by the Speaker of the Assembly in July 2021. His term expires in 2024.



Nicole Thibeau

In addition, Nicole D. Thibeau of Los Angeles was appointed as a licensee member by Governor Gavin Newsom in July 2021. Her term expires in 2024.



Jose De La Paz

Ms. Thibeau has been director of pharmacy services at the Los Angeles LGBT Center since 2013. She was pharmacist in charge at Target Pharmacy from 2012 to 2013 and pharmacist in charge at CVS Pharmacy from 2009 to 2012.

Retired members

The Board said thank you and goodbye to Greg Lippe and Albert Wong, who served California consumers and the pharmacy profession as longtime members of the Board.



Greg Lippe

Mr. Lippe served 12 years as a public member. He was first appointed in 2009 and reappointed in 2012 and 2016 by Governor Edmund G. Brown Jr. He chaired Board committees and was elected vice president in 2018. He filled a vacancy as acting president and was elected president in 2019 and in 2020.

Mr. Lippe was widely respected by stakeholders for his knowledge and active engagement in policy matters. In addition to serving on the Board, he built a successful career as a certified public accountant and company president in Southern California.



Albert Wong

Mr. Wong was first appointed as a licensee member in 2012 and reappointed in 2016 by Governor Edmund G. Brown Jr. He co-owns a pharmacy in Oakland and earned a doctor of pharmacy degree from University of California, San Francisco.

Mr. Wong’s experience as a pharmacist and a business owner influenced the Board’s consideration of many important policies. He advocated for licensee education and supported training programs, publications, and other resources to assist professional development of pharmacists.

Report name, address changes on time

Licensed individuals who change their name or address are required to notify the California State Board of Pharmacy within 30 days, pursuant to Business and Professions Code [section 4100](#) and Title 16, California Code of Regulations, [section 1704](#).

A change of name must be supported with any of the following documents:

- Copy of marriage certificate.
- Copy of court document authorizing a legal name change.
- Copy of driver's license and Social Security card with new name.



The Board will not automatically issue a new license. To obtain an updated license with a changed name, submit an [Application for Reissue of License](#) with the appropriate fee.

A change of address can be submitted [online](#) or by mailing a [change of address form](#) to

the Board. Although licensee addresses are not available on the [License Search](#) on the Board's website, the information is public and will be released upon request to the Board.

For complete information about changing name or address records with the Board, go online to www.pharmacy.ca.gov. Click on the "Applicants" tab, and go to "[Address/Name Change](#)."

Auto-refill

Continued from page 17

drug therapy; making notes for the next pharmacist dispensing the next refill; addressing computer alerts; and communicating with the consumer and prescribers when needed.

The Board has recently adopted a regulation – [Title 16, California Code of Regulations, section 1717.5](#) – establishing requirements for automated prescription refill programs. The new regulation takes effect July 1, 2022. Complete information about the regulation is posted on the Board's website; in the "Quick Hits" column on the homepage, go to "[Laws and Regulations](#)," click on "[Approved Regulations](#)," and scroll to the "Automatic Refill Programs" section.

Facilities with PHY license can renew, pay online

Pharmacy facility licenses issued by the California State Board of Pharmacy with a PHY prefix can now be renewed online with a credit card.

Online payments may be made no earlier than 60 days before the license expiration date. Please allow two business days for processing.

In addition to facility PHY licenses, personal licenses issued to pharmacists, advanced

practice pharmacists, pharmacy technicians, and designated representatives also can be renewed online with a credit card.

Information about license renewals and links to [renew and pay online](#) can be found on the Board's website under the "Licensees" tab. Click on "[Personal License Information/Renewal](#)" or "[Facility License Information/Renewal](#)."

2021 law webinar available online

The [California Pharmacy Law Update 2021 Edition](#), a free continuing education (CE) webinar from the California State Board of Pharmacy, is now available for viewing online.

The webinar covers important pharmacy laws enacted by the Legislature that took effect this year. In addition, the presentation includes new regulations adopted by the Board; an overview of the Board's structure and activities; and tips on how to find additional information about laws and regulations on the Board's website.

[California Code of Regulations, title 16, section 1732.5\(b\)](#) requires at least two of the 30 hours of CE required for renewal of a pharmacist license be completed by participating in law and ethics courses provided by the Board of Pharmacy. In addition to the law webinar, a CE webinar on ethics is available for viewing on the Board's website. Each webinar meets one of the two hours required for law and ethics CE courses provided by the Board.

The video player for each webinar asks pharmacists to enter their name, email address, and license number. Upon completion, the Board automatically receives electronic notification of licensees who view the webinar. However, licensees must download a completion certificate at the end of each video and save it for four years in case evidence of completing the CE requirement is requested.

To find the law and ethics webinars on the Board's [website](#), click on the "Applicants" tab at the top of the homepage; go to "Important Information for Licensees"; and click on [Law and Ethics Webinars](#).

Besides law and ethics courses, the Board has online webinars that provide important training for licensees on [corresponding responsibility](#), [furnishing naloxone](#), and [preparing for a Board inspection](#). Visit "Important Information for Licensees" on the Board's website for additional information.

Board recognizes pharmacists with 40 years of active service to California consumers

The California State Board of Pharmacy proudly celebrates licensed pharmacists who have dedicated 40 years of service or more to California consumers! Your decades of contributions to patient care and the pharmacy profession are widely acknowledged and deeply appreciated.



In honor of their service, pharmacists who have been on active status with the Board for at least 40 years will receive certificates of appreciation. Because of the high volume of eligible candidates, there may be a delay in issuing certificates.

The names of 40-year pharmacists also are posted on the Board's website. To see the names of these dedicated professionals, go to the www.pharmacy.ca.gov, scroll down to "Important Information for Licensees," and click on [Congratulations to California's 40-Year Pharmacists!](#)

Inspector volunteers for COVID-19 duty

By Christopher Woo



Christopher Woo, second from left, with other FEMA pharmacy volunteers in Chesapeake, Va.

In early 2021, national pharmacy groups solicited volunteers to administer COVID-19 vaccines at sites organized by the Federal Emergency Management Agency (FEMA). California pharmacist Christopher Woo took personal leave from his position as an inspector for the California State Board of Pharmacy to sign up and serve patients this spring in Virginia and currently in New Mexico. Here is his experience in Virginia:

In May 2021, I had the honor of volunteering for a FEMA COVID-19 vaccination mission in Norfolk, Va. While I am not licensed as a pharmacist in Virginia, the federal Public Readiness and Emergency Preparedness Act was amended to allow health care professionals to administer vaccines in states where they are not licensed as part of a COVID-19 immunization effort by a federal, state, local, tribal, or territorial authority.

I joined volunteer pharmacists in Norfolk from California, Maryland, Michigan, Texas, Washington state, Illinois, Massachusetts, Virginia, North Carolina, and Idaho. The goal of the mission was to broaden access to COVID-19 vaccines in underserved communities. People signed up for appointments or walked in and received either the Pfizer or Janssen COVID-19 vaccine. During

my time at the FEMA site in Norfolk from May 2 to May 9, I served with a team of pharmacists and Navy corpsmen who administered 8,951 COVID-19 vaccines.

Volunteers also joined outreach efforts at churches in Norfolk, Chesapeake, and Newport News, VA. I served as pharmacy lead at three events at First Baptist Church in Chesapeake from May 17 to May 22. Amid pots and pans in the church kitchen, pharmacists and pharmacy technicians prepared vaccines while pharmacists and Army medics in another room screened patients and administered COVID-19 vaccines. A total of 559 vaccinations were administered at these events with assistance from volunteers nationwide, including California pharmacists Peter Chen and Irwin Chow and pharmacy technicians Dana Clancy and Yamileth Simmons.

Immunization events also were held at high schools in Portsmouth and Virginia Beach. Although not all students were attending classes on site, many arrived just to receive a COVID-19 immunization. During one event, I met a Washington pharmacist who had served with a FEMA vaccination mission in Pueblo, Colo., where volunteers visited homes to administer vaccines to housebound and mobility-challenged patients.

Everywhere we served, volunteers were heartened by the patience and gratitude of people who waited in long lines to receive COVID-19 vaccines. It felt good helping people during the pandemic, and I was proud to play a part in this effort.

I am grateful for the efforts of all health care professionals to protect the health and safety of the public. I encourage pharmacists, pharmacy technicians, and intern pharmacists to consider volunteering for COVID-19 vaccination missions sponsored by FEMA. (Find out about volunteering or donating through FEMA at <https://www.fema.gov/disaster/volunteer-donate>). Pharmacy is a valuable health care profession, and volunteering in this way demonstrates the benefits of pharmacy for public health and welfare.

Disciplinary terms explained

Accusation – An accusation is the document containing the charges and allegations of violations of the law that is filed when an agency is seeking to discipline a licensee.

Effective Date of Action – The date the disciplinary action goes into operation.

Revocation or Revoked – The license is taken back by the Board as a result of disciplinary action, and the licensee's right to practice or operate a Board-licensed entity is ended.

Revoked, Stayed – The license is revoked, but the revocation is not effective as long as the licensee complies with specific probationary conditions, which may include a temporary suspension of the licensee's right to practice.

Stipulated Settlement – The Board and a licensee mutually agree to settle a disciplinary case brought by the board by way of a settlement agreement.

Stayed – The revocation or suspension action is not immediately effective, and the operation or practice may continue so long as the licensee fully complies with any specified terms and conditions.

Probation – The licensee may continue to practice or operate a board-licensed entity under specific terms and conditions for a specific period of time.

Voluntary Surrender – The licensee has agreed to surrender his or her license, and the right to practice or operate a Board-licensed entity is ended. The Board may agree to accept the surrender of a license through a "stipulation" or agreement.

Suspension – The licensee is prohibited from practicing or from operating a Board-licensed entity for a specific period of time.

Suspension/Probation – The right to practice or operate is contingent on compliance with specific terms and conditions during the probationary period, including a term of suspension.

PC 23 Order Issued – The licensee is restricted from practicing or operating by the terms of a court order issued under the provisions of Penal Code section 23.

Public Reprimand – Resulting from a disciplinary action, the licensee is issued a letter of public reprimand.

Reinstatement of License – A previously revoked or suspended license is reinstated with or without specified terms and conditions.

Statement of Issues – A legal document that details the factual or legal basis for which a license was denied.

Disciplinary actions: January through June 2021

Click on a licensee name/number to read the details of each case.

January 1 – March 31, 2021

Personal Licenses

[Abergel, Joel \(aka Joelle Abergel\), RPH 41192, AC 5321](#)

Santa Clarita, CA

Cause for discipline: Failing to exercise corresponding responsibility by clearly excessive

furnishing of controlled substances; compounding or dispensing prescriptions that contained significant error, omission, irregularity, uncertainty, ambiguity or alteration; failing to contact prescribers to obtain information to validate the prescription; filling prescriptions for habitual doctor shoppers and erroneous/uncertain prescriptions. Also failing to keep complete

accountability of controlled substances; failing to notify the Board of the loss of controlled substances.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 3/5/2021.

See **Disciplinary actions**, Page 25

Disciplinary actions

Continued from page 24

[Agustin, Christopher M., TCH 57650, AC 6956](#)

Torrance, CA

Cause for discipline: Conviction of crimes substantially related to the qualifications, functions, and duties of a pharmacy technician; repeatedly stealing dangerous drugs; possession of controlled substance without a prescription.

Action: The license is revoked. Effective 2/11/2021.

[Al Roubae, Rousl N., RPH 72775, AC 6777](#)

Bonita, CA

Cause for discipline: Failing to exercise corresponding responsibility, repeatedly furnishing prescriptions for controlled despite obvious and systemic "red flags"; dispensing prescriptions for controlled substances that contained significant errors, omissions, irregularities, uncertainties, ambiguities, or alterations; failing to exercise professional judgment in dispensing controlled substances despite "red flags"; dispensing controlled substances from noncompliant prescription forms; failing to compile inventory reconciliation reports of Schedule II controlled substances; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for three years subject to the terms and conditions in the decision. Effective 2/04/2021.

[Ambriz, Noel A., TCH 141614, AC 7017](#)

Stockton, CA

Cause for discipline: Conviction of a crime substantially related to qualifications, functions, and duties as a pharmacy technician, i.e., DUI; giving misleading information to officer during DUI arrest; use of alcohol to dangerous or injurious extent; conviction of more than one misdemeanor involving use of alcohol.

Action: The license is revoked. Effective 3/26/2021.

[Ando, Christopher Kenji, RPH 51762, AC 6896](#)

Redwood City, CA

Cause for discipline: Diverting bottle of morphine from pharmacy where employed; possessing controlled substance without a prescription; self-furnishing a controlled substance without a prescription; using a controlled substance in dangerous manner; acts involving moral turpitude; unprofessional conduct.

Action: The license is voluntarily surrendered. Effective 2/11/2021.

[Andrade, Gabriel Eliseo, TCH 149977, AC 7069](#)

Santa Rosa, CA

Cause for discipline: Conviction of a crime substantially related to qualifications, functions, and duties as a pharmacy technician, i.e., DUI; dangerous use of alcohol; having more than one alcohol-related convictions.

Action: The license is revoked. Effective 3/19/2021.

[Bischoff, Renee Sue, TCH 1061, AC 6945](#)

Bakersfield, CA

Cause for discipline: Conviction of two felony counts of conspiracy to ship with intent to distribute at least 80,000 tablets of tramadol 50 mg without a prescription; furnishing a dangerous drug without a prescription; furnishing a controlled substance without a prescription.

Action: The license is revoked. Effective 3/5/2021.

[Blanks, John C., RPH 46087, AC 6803](#)

Palm Springs, CA

Cause for discipline: Failing to maintain current inventory and account for promethazine with codeine and alprazolam missing from pharmacy; failing to maintain drug security; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 2/04/2021.

[Centeno, Aleili Bantegui, RPH 48641, AC 6692](#)

Culver City, CA

Cause for discipline: Failing to maintain accurate records of acquisition and disposition; maintaining misbranded drugs in pharmacy stock; labeling bubble card expiration dates with incorrect expiration dates for the medication; failing to register with DEA and using improper receptacle for drug take-back service; failure of pharmacy technician to have name tag.

See **Disciplinary actions**, Page 26

Disciplinary actions

Continued from page 25

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 2/11/2021.

[Chang, Jill, RPH 66782, AC 6647](#)

Anaheim, CA

Cause for discipline: Failing to comply with required sterile compounding policies and procedures; failing to comply with facility and equipment standards for sterile compounding; delivering adulterated medications to patients; failing to exercise education, training, or experience as a pharmacist in practice or operation of a pharmacy; failing to exercise professional judgment in dispensing dangerous drugs.

Action: The license is publicly reprovved. Effective 3/19/2021.

[Cheung, Ainslie Hoi Li, RPH 64668, AC 6647](#)

Poway, CA

Cause for discipline: Failing to comply with required sterile compounding policies and procedures; failing to comply with facility and equipment standards for sterile compounding; delivering adulterated medications to patients; failing to comply with compounding quality assurance requirements; failure to include compounding date on product labels; failing to justify the maximum allowable beyond-use date for preparations in the master formula; failing to exercise education, training,

or experience as a pharmacist in practice or operation of a pharmacy; failing to exercise professional judgment in dispensing dangerous drugs.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for eighteen months. Effective 3/19/2021.

[Dang, Danh H., RPH 45368, AC 6468](#)

Claremont, CA

Cause for discipline: Denying Board inspectors access to facility; failing to complete self-assessment; allowing non-pharmacist to sign for drug deliveries.

Action: The license is publicly reprovved. Effective 3/5/2021.

[Dang, Michael, TCH 63245, AC 6468](#)

Claremont, CA

Cause for discipline: Denying Board inspectors access to facility; removing prescription records from pharmacy without authorization.

Action: The license is publicly reprovved. Effective 3/5/2021.

[Dangtran, Helen Munirah, RPH 55589, AC 6490](#)

Fairfield, CA

Cause for discipline: Failing to maintain facility in a secure manner, resulting in large amount of promethazine with codeine syrup missing from inventory.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for

two years. Effective 3/5/2021.

[Gotlinsky, Dimitry, RPH 60239, AC 6238](#)

Encino, CA

Cause for discipline:

Convicted of submitting false prescription claims for Medicare reimbursement; committing acts warranting license denial; having outdated medications among medications ready to be dispensed to patients; having overfill bottles among medications ready to be dispensed; conviction of a crime substantially related to qualifications, functions, or duties of a pharmacist.

Action: The license is voluntarily surrendered. Effective 2/04/2021.

[Hasan, Afm N., RPH 36127, AC 6803](#)

Hemet, CA

Cause for discipline: Failing to maintain current inventory and account for promethazine with codeine and alprazolam missing from pharmacy; failing to maintain drug security; repeatedly failing to report controlled substance dispensing to CURES; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 2/04/2021.

[Hazama, Wayne G., TCH 20638, AC 7013](#)

North Hills, CA

Cause for discipline: Taking metoprolol tablets from pharmacy where employed

See **Disciplinary actions**, Page 27

Disciplinary actions

Continued from page 26

without prescription for self-use; dishonest act.

Action: The license is voluntarily surrendered. Effective 3/5/2021.

[Henderson, Brandalyn Marie, TCH 141434, AC 6841](#)

Bay Point, CA

Cause for discipline: Act involving moral turpitude, dishonesty, fraud, and deceit, i.e., selecting store merchandise matching a found receipt and returning those items in order to gain store credit, resulting in job termination.

Action: The license is revoked. Effective 3/5/2021.

[Hernandez, David G., TCH 168976, AC 6939](#)

Santa Ana, CA

Cause for discipline: Colliding vehicle with a police vehicle while driving under the influence, causing bodily injury to another person; dangerous use of alcohol; multiple convictions involving alcohol; conviction of crimes substantially related to the qualifications, functions, and duties of a pharmacy technician.

Action: The license is revoked. Effective 2/04/2021.

[Herrera, Vivian Jao, RPH 44484, AC 6839](#)

Anaheim, CA

Cause for discipline: Shipping dangerous drugs outside California without a license; incorrectly labeling compounded pain cream; compounding drug

with ingredient not authorized by prescriber; dispensing compounded prescription containing controlled substances pursuant to preprinted, multiple-checkoff, prescription blanks.

Action: The license is revoked. Effective 2/04/2021.

[Huizar, David, TCH 150247, AC 7021](#)

Bakersfield, CA

Cause for discipline: Conviction of a crime substantially related to the qualifications, functions, and duties of a pharmacy technician, i.e., DUI and hit-and-run; dangerous use of alcohol; act involving moral turpitude, dishonesty, fraud, or deceit, i.e., hit-and-run.

Action: The license is revoked. Effective 1/20/2021.

[Ignatyeva, Natalya, INT 39269, AC 6947](#)

San Diego, CA

Cause for discipline: Stealing tramadol from pharmacy where employed; committing act involving moral turpitude, dishonesty, fraud, deceit, or corruption; self-administering a controlled substance in a dangerous manner; possessing a controlled substance without a prescription; furnishing a dangerous drug without a valid prescription.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 2/11/2021.

[Jajeh, Raymond Paul, RPH 47418, AC 6819](#)

South San Francisco, CA
Cause for discipline: Responsible for deviation from Coumadin prescription for patient who instead received warfarin and for failure to review patient records; responsible for beyond-use dates assigned to compounded preparations that exceeded ingredient expiration dates.

Action: The license is publicly reproved. Effective 3/19/2021.

[Kidwell, Patricia Nichol, TCH 146167, AC 6704](#)

Napa, CA

Cause for discipline: Unprofessional conduct, i.e., child endangerment, maintaining place for trafficking of controlled substances, child neglect; acts involving moral turpitude; dangerous use of drugs and alcohol.

Action: The license is revoked. Effective 2/11/2021.

[Kieffer, Dwight Lee, RPH 70160, AC 6702](#)

Los Angeles, CA

Cause for discipline: DUI conviction; criminal conviction substantially related to the qualifications, functions, and duties of a pharmacist.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 2/11/2021.

[Kolta, Noha Wasfi Benyam, RPH 59346, AC 6864](#)

Rancho Cucamonga, CA

Cause for discipline: Allowing pharmacist technician to perform intern pharmacist duties

See **Disciplinary actions**, Page 28

Disciplinary actions

Continued from page 27

without a valid intern pharmacist license.

Action: The license is publicly reprovved. Effective 1/20/2021.

[Leano, Rosalinda S., TCH 10968, AC 6351](#)

West Covina, CA

Cause for discipline: Improperly possessing pharmacy key and accessing pharmacy with key.

Action: The license is voluntarily surrendered. Effective 1/20/2021.

[Low-Blunt, Christine, RPH 47198, AC 6988](#)

Vacaville, CA

Cause for discipline: Theft of phentermine tablets from pharmacy where employed; acts involving moral turpitude, dishonesty, fraud, or deceit; unlawful possession of a controlled substance; obtaining a controlled substance by fraud, deceit, or subterfuge; administering a controlled substance without a valid prescription; self-administering a controlled substance without a valid prescription; violating statutes regulating controlled substances.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 3/26/2021.

[Macavinta, Ryan, TCH 145542, AC 6920](#)

Gardena, CA

Cause for discipline: Conviction of a crime substantially related to the qualifications, functions,

or duties of a licensee, i.e., possession of child pornography; conviction of a crime warranting denial of a license.

Action: The license is revoked. Effective 2/04/2021.

[Markos, Roufes R., RPH 74602, AC 6171](#)

Beaumont, CA

Cause for discipline: Violating pharmacist-to-pharmacist technician ratio; violating pharmacist technician trainee ratio; violating requirement for pharmacist technician trainees to wear identification.

Action: The license is publicly reprovved. Effective 1/20/2021.

[Namikas, Joanne Leslie, RPH 30259, AC 6760](#)

Ojai, CA

Cause for discipline: Diverting controlled substances; unlawful use or possession of controlled substances; unlawful furnishing of dangerous drugs; conviction of a crime substantially related to the qualifications, functions, or duties of a licensee, i.e., embezzlement under \$950.

Action: The license is revoked. Effective 1/20/2021.

[Nasrah, Iyad I., RPH 40241, AC 6213](#)

San Francisco, CA

Cause for discipline: Failing to retain readily retrievable sale and disposition records for three years; improperly furnishing dangerous drugs to another pharmacy; failing to reverse billing claims for returned substances; billing Medi-Cal

for more tablets than actually dispensed to patient; failing to return to stock prescriptions that were not delivered to patients; holding misbranded drugs.

Action: The license is publicly reprovved. Effective 2/04/2021.

[Newman, Nathan R., TCH 121454, AC 6933](#)

Foresthill, CA

Cause for discipline: Unlawfully obtaining and possessing controlled substances, including morphine, fentanyl, and heroin; self-administering morphine, fentanyl, and heroin; fraud.

Action: The license is voluntarily surrendered. Effective 1/20/2021.

[Nguyen, Chi L., RPH 46977, AC 6877](#)

Sacramento, CA

Cause for discipline: Billing for prescriptions not picked up within 14 days; failing to maintain accurate inventory records; entering incorrect information on prescription label; failing to have a required sink with hot and cold running water.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 2/11/2021.

[Nover, Thomas R., TCH 8273, AC 6821](#)

Santa Clarita, CA

Cause for discipline: Diverting 1,500 Norco tablets; furnishing a dangerous drug to himself, furnishing a controlled substance to himself, and possessing a controlled substance without a

See **Disciplinary actions**, Page 29

Disciplinary actions

Continued from page 28

valid prescription; engaging in conduct involving dishonesty, fraud, or deceit.

Action: The license is revoked. Effective 3/19/2021.

[Olson, Mark E., RPH 46825, AC 6861](#)

Forestville, CA

Cause for discipline: Failing to properly maintain pharmacy records, resulting in overages and shortages of controlled substances; failing to exercise corresponding responsibility in dispensing controlled substance prescriptions with irregularities and “red flags”; failing to perform inventory reconciliation for Schedule II controlled substances; failing to report dispensing of controlled substances to CURES; failing to maintain physical security of controlled substance stock; gross negligence; clearly excessive furnishing of controlled substances.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 3/26/2021.

[Ouellette, Randy K., INT 40873, AC 6853](#)

Corona, CA

Cause for discipline: Unlawful possession of controlled substances MDMA and cocaine.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 3/5/2021.

[Ouellette, Randy K., RPH 84113, AC 6853](#)

Corona, CA

Cause for discipline: Unlawful possession of controlled substances MDMA and cocaine.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 3/5/2021.

[Ouellette, Randy K., TCH 135321, AC 6853](#)

Corona, CA

Cause for discipline: Unlawful possession of controlled substances MDMA and cocaine.

Action: The license is voluntarily surrendered. Effective 3/5/2021.

[Pai, James Sungjin, RPH 54731, AC 6313](#)

Anaheim, CA

Cause for discipline: Acting as a wholesaler without a license; attempting to buy, trade, sell, or transfer adulterated drugs; holding adulterated drugs; attempting to buy, trade, sell, or transfer misbranded drugs; holding misbranded drugs; failing to maintain facilities, space, fixtures, and equipment so that drugs are safely and properly prepared, maintained, secured, and distributed.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 2/04/2021.

[Pajouhi, Annamariam, RPH 56332, AC 6521](#)

El Dorado Hills, CA

Cause for discipline: Failing to supervise pharmacy technician

compounding drugs; holding adulterated drugs; assigning beyond-use dates that exceeded ingredient expiration date; selling adulterated drugs.

Action: The license is publicly reprobated. Effective 1/20/2021.

[Paredes, Andres, TCH 133857, AC 6884](#)

San Diego, CA

Cause for discipline: Arrest and felony conviction for unlawfully importing more than 5 kilograms of cocaine, a controlled substance; unprofessional conduct.

Action: The license is voluntarily surrendered. Effective 3/26/2021.

[Park, Hee-Joo, RPH 58102, AC 6673](#)

Auburn, CA

Cause for discipline: Shipping nonsterile-to-sterile batched preparations into California before confirming sterility; assigning incorrect beyond-use dates; extending beyond-use dates without required testing; master formulas lacking storage and handling instructions; compounding adulterated injectable using non-pharmaceutical grade ingredient; selling adulterated drug.

Action: The license is publicly reprobated. Effective 3/26/2021.

[Patel, Rikesh A., RPH 76644, AC 6811](#)

Los Angeles, CA

Cause for discipline: Dispensing unapproved drugs from an unlicensed facility as generic

See **Disciplinary actions**, Page 30

Disciplinary actions

Continued from page 29

drugs; dispensing drug that varied from prescription; dispensing controlled substance prescriptions lacking required security features; committing dishonest, fraudulent, corrupt acts; purchasing misbranded drugs from unlicensed entity; purchasing, trading, selling, or transferring misbranded drugs; failing to comply with labeling requirements; dispensing controlled substances pursuant to preprinted multiple checkoff prescription blank; dispensing ambiguous prescription; allowing unauthorized employee and pharmacist intern to have keys to pharmacy.

Action: The license is publicly reprobated. Effective 3/26/2021.

[Patton, Nicole L., Applicant, SI 6892](#)

Valley Center, CA

Cause for discipline: Conviction of crimes substantially related to the qualifications, functions, or duties of a pharmacy technician, i.e., DUI, possession of drug paraphernalia, possession of methamphetamine; using alcohol in a manner dangerous to self or others; violating controlled substance laws.

Action: The application for pharmacy technician is denied. Effective 2/04/2021.

[Perez, Claudia J., TCH 120924, AC 6973](#)

Arleta, CA

Cause for discipline: Unlawful use of methamphetamine.

Action: The license is revoked. Effective 3/19/2021.

[Perez, Jacqueline Zentyatce, Applicant, SI 6968](#)

San Pablo, CA

Cause for discipline: Conviction of a crime substantially related to the qualifications, functions, or duties of a pharmacy technician, i.e., three alcohol-related driving offenses; having more than one misdemeanor alcohol-related conviction; dangerous use of alcohol; unprofessional conduct.

Action: The application for pharmacy technician is denied. Effective 1/20/2021.

[Perez, Ramiro M., RPH 55547 AC 6521](#)

Folsom, CA

Cause for discipline: Failing to make interpretive services available to consumers; failing to post Notice to Consumers; storing controlled substances in unsecured bin; failing to supervise pharmacy technician; intermingling expired drugs in active drug stock and preparing prescriptions with expired drugs; assigning beyond-use dates that exceeded ingredient expiration date; selling adulterated drugs and drugs after beyond-use date; failing to follow procedures to guard against using expired products for compounding and failing to have current, dated procedures; failing to comply with training requirements for compounding personnel; failing to complete self-assessment; gross negligence.

Action: The license is revoked, the revocation stayed, and the

license is placed on probation for five years. Effective 1/20/2021.

[Perryman, Ragina D., TCH 13941, AC 6827](#)

Merced, CA

Cause for discipline: Using alcohol in a dangerous manner by driving and reporting to work with blood-alcohol content of 0.225 percent.

Action: The license is revoked, and the right to practice or operate has ended. Effective 2/04/2021.

[Porchia, Jr., Lawrence Kirk, TCH 156391, AC 6815](#)

Citrus Heights, CA

Cause for discipline: Conviction of a crime substantially related to the qualifications, functions, duties of a pharmacy technician, i.e., possession of assault weapon; act involving moral turpitude; possessing controlled substance without a valid prescription.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 1/20/2021.

[Randhawa, Karandeep S., TCH 140331, AC 7039](#)

Elk Grove, CA

Cause for discipline: Diverting codeine/acetaminophen tablets; unlawful possession of controlled substances; furnishing of controlled substances without valid prescription; violating pharmacy laws.

Action: The license is revoked. Effective 3/19/2021.

See **Disciplinary actions**, Page 31

Disciplinary actions

Continued from page 30

[Ramirez, Sarina M., TCH 74107, AC 6810](#)

Stockton, CA

Cause for discipline: Failing to comply with terms of probation for previous discipline, [case no. 6113](#).

Action: The license is revoked. Effective 1/20/2021.

[Rashidi, Masoud, RPH 56324, AC 6683](#)

Folsom, CA

Cause for discipline: Maintaining inaccurate dispense records; compounding a commercially available preparation without documentation of shortage or medical need; failing to maintain disposition records; failing to obey pharmacy laws and regulations while on probation.

Action: The license is revoked, the revocation stayed, and the terms in [case no. 5663](#) shall remain in effect. Effective 3/5/2021.

[Razo, Erin Renee, TCH 59517, AC 6984](#)

Bakersfield, CA

Cause for discipline: Improperly accessing an inmate's protected health information.

Action: The license is publicly reprovved. Effective 3/26/2021.

[Read, Bruce Caddle, RPH 35955, AC 6941](#)

Goleta, CA

Cause for discipline: DUI conviction; dangerous use of alcohol.

Action: The license is voluntarily surrendered. Effective 3/26/2021.

[Reese, Clark A., TCH 156186, AC 6930](#)

Citrus Heights, CA

Cause for discipline: Conviction of DUI and grand theft; act involving moral turpitude; dangerous use of alcohol.

Action: The license is voluntarily surrendered. Effective 1/20/2021.

[Sakla, Silvana A., RPH 58281, AC 6500](#)

Newport Beach, CA

Cause for discipline: Attempting to subvert investigation by making false statements to Board inspectors; failing to safely quarantine expired medications from active pharmacy stock; failing to complete self-assessment; failing to keep written policies and procedures on pharmacy operations during pharmacist absence; failing to have written policies and procedures on assistance to patients with limited English proficiency; failing to properly exercise education, training, or experience as a pharmacist by not safely quarantining expired medications.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 3/5/2021.

[Saliba, Shukri F., RPH 45530, AC 6843](#)

Paramount, CA

Cause for discipline: Improperly billing for returned-to-stock prescriptions; transferring prescriptions between

pharmacies without documentation; dispensing prescriptions with incorrect labels; failing to report required information to CURES.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years Effective 3/26/2021.

[Sioson, Augusto B., RPH 50095, AC 6915](#)

Chula Vista, CA

Cause for discipline: Acts of moral turpitude related to violent outbursts; unauthorized disclosure of patients' prescriptions; unprofessional conduct.

Action: The license is voluntarily surrendered. Effective 1/20/2021.

[Sun, Seung Pil, RPH 72473, AC 6826](#)

Los Angeles, CA

Cause for discipline: Failing to exercise corresponding responsibility in dispensing controlled substances despite presence of "red flags"; filling controlled substance prescriptions that did not comply with form requirements or contained significant error, omission, irregularity, uncertainty, ambiguity, or alteration.

Action: The license is publicly reprovved. Effective 1/20/2021.

[Tatevossian, Armen G., RPH 47251, AC 6870](#)

Glendale, CA

Cause for discipline: Refilling prescriptions that were not authorized; failing to keep

See **Disciplinary actions**, Page 32

Disciplinary actions

Continued from page 31

complete accountability for dangerous drugs.

Action: The license is publicly reprimanded. Effective 3/5/2021.

[Tavakkoli Isfahani, Seid Amir F., RPH 72910, AC 6907](#)

Irvine, CA

Cause for discipline: Dispensing controlled substance prescriptions that contained significant errors, omissions, irregularities, uncertainties; dispensing controlled substance prescriptions written on unauthorized forms; failing to exercise judgment in dispensing controlled substances on noncompliant forms; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for eighteen months. Effective 1/20/2021.

[Valenzuela, Fidel H., RPH 39708, AC 6728](#)

Corona, CA

Cause for discipline: Conviction of interstate transportation in aid of a racketeering enterprise; conviction of a crime substantially related to the qualifications, functions, duties of a licensee.

Action: The license is revoked. Effective 2/6/2021.

[Vo, Jacqueline H., RPH 45816, AC 6647](#)

Los Angeles, CA

Cause for discipline: Failing to complete self-assessment; failing

to complete compounding self-assessment; responsible for pharmacy failing to comply with immediate-use compounding requirements; responsible for pharmacy failing to comply with written policies and procedures; failing to exercise education, training, or experience as a pharmacist when pharmacy dispensed at least 150 medium-risk level CSPs as "immediate-use"; failing to exercise professional judgment when pharmacy dispensed at least 150 medium-risk level CSPs as "immediate-use."

Action: The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 3/19/2021.

[Wagner, Christina Lynn, Applicant, SI 6970](#)

Clearlake Oaks, CA

Cause for discipline: Conviction of driving with blood-alcohol content of 0.8 percent or greater; dangerous use of alcohol; lying about conviction on application; unprofessional conduct.

Action: The application for registration as a pharmacy technician is granted. Upon satisfaction of all statutory and regulatory requirements, the pharmacy technician license is issued, immediately revoked, the revocation stayed, and the license is placed on probation for five years. Effective 3/19/2021.

[Williams, Jezimine D., TCH 137559, AC 6759](#)

Sacramento, CA

Cause for discipline: Diversion of a promethazine with codeine

syrup, a controlled substance; unlawful possession of a controlled substance.

Action: The license is revoked. Effective 3/26/2021.

[Yasavolian, Martha Elisabeth, RPH 41591, AC 6774](#)

Los Altos, CA

Cause for discipline: Failing to meet criteria to compound immediate-use sterile drug preparations; assigning incorrect beyond-use dates; failing to document quality reviews and post-compounding process and procedures; failing to document compounding date in logs; failing to document beyond-use date and time of final compounded drug preparations in logs.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 1/20/2021.

[Zartoshti, Shahriar, RPH 66143, AC 6532](#)

Encino, CA

Cause for discipline: Unlawful possession of controlled substances heroin and amphetamine; possessing paraphernalia to unlawfully use controlled substances; possessing controlled substances without a prescription.

Action: The license is revoked. Effective 2/04/2021.

See **Disciplinary actions**, Page 33

Disciplinary actions

Continued from page 32

Facility Licenses

[Anchor Drugs III, PHY 48787, AC 6819](#)

San Francisco, CA

Cause for discipline: Deviating from Coumadin prescription for patient who instead received warfarin and failing to review patient records; assigning beyond-use dates to compounded preparations that exceeded ingredient expiration dates.

Deviating from prescription requirements; assigning beyond-use dates that exceeded the ingredient expiration dates.

Action: The license is publicly reprovved. Effective 3/19/2021.

[Apha Drugstore, PHY 51665, AC 6468](#)

Claremont, CA

Cause for discipline: Denying physical access to Board inspectors; renewing license but not engaging in practice of pharmacy; failing to perform self-assessment; allowing purchased drugs to be left at door or signed for by non-pharmacist.

Action: The license is publicly reprovved. Effective 3/5/2021.

[Cari Boyd's Prescription Shop, NSF 109, NSF 126, AC 6694](#)

Hurst, TX

Cause for discipline: Failing to have appropriate standard operating procedures and protocols for quality control unit; failing to ensure personnel wore

required protective apparel; failing to ensure to adequate space for orderly placement of equipment and materials; failing to appropriately test each drug component for purity, strength, and quality; failing to have written procedures for production and process control; failing to establish and follow procedures to describe the in-process controls and tests to be conducted on appropriate samples of in-process materials of each batch; failing to determine expiration dates by appropriate stability testing; failed to ensure laboratory control mechanisms were documented and followed, and deviations were recorded and justified; failing to conduct appropriate laboratory testing for each batch of controlled-release dosage to determine conformance to the specifications for the rate of release of each ingredient; failing to properly assure uniformity from batch to batch. Also misbranding progesterone and tadalafil capsules; selling misbranded products; falsely advertising products; failing to notify the Board within 24 hours of a recall.

Action: The licenses are voluntarily surrendered. Effective 2/11/2021.

[CVS Pharmacy #3944, PHY 49620, AC 6740](#)

Oakdale, CA

Cause for discipline: Failing to secure drug stock from diversion by employee; failing to maintain accurate inventory of dangerous

drugs and controlled substances.

Action: The license is publicly reprovved. Effective 2/18/2021.

[CVS Pharmacy #9708, PHY 47872, AC 6759](#)

Pomona, CA

Cause for discipline: Failing to properly secure drugs from employee diversion; failing to maintain proper records and produce records for missing controlled substances and dangerous drugs.

Action: The license is publicly reprovved. Effective 3/26/2021.

[CVS Pharmacy #9858, PHY 49676, AC 6919](#)

Santa Clarita, CA

Cause for discipline: Failing to provide oral consultation to patients.

Action: The license is publicly reprovved. Effective 3/26/2021.

[Daniels Pharmacy, PHY 36740, AC 6213](#)

San Francisco, CA

Cause for discipline: Failing to retain records of sale and disposition in readily retrievable form for three years; improperly furnishing drugs to another pharmacy; failing to reverse bill claims for returned prescriptions; billing Medi-Cal for more medication than actually dispensed to patient; holding or offering for sale misbranded drugs.

Action: The license is publicly reprovved. Effective 2/04/2021.

See **Disciplinary actions**, Page 34

Disciplinary actions

Continued from page 33

[Del's Pharmacy I, PHY 50935, AC 6864](#)

Rancho Cucamonga, CA

Cause for discipline: Employing an intern pharmacist with expired license.

Action: The license is publicly reapproved. Effective 1/20/2021.

[Folsom Medical Pharmacy, PHY 48577, AC 6521](#)

Folsom, CA

Cause for discipline: Failing to make interpretive services available to consumers; failing to post Notice to Consumers; storing Schedule II controlled substances in unsecured bin in main drug stock area; failing to supervise pharmacy technician compounding drugs; mingling expired drugs with active stock and preparing products with adulterated drugs; assigning beyond-use dates exceeding ingredient expiration date; sale of adulterated drugs; failing to comply with compounding training; failing to complete self-assessment; gross negligence.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 1/20/2021.

[Forestville Pharmacy, PHY 50031, AC 6861](#)

Forestville, CA

Cause for discipline: Failing to keep adequate inventory and having overages and shortages of controlled substances with no records to account for the difference; failing to exercise

corresponding responsibility in dispensing controlled substance prescriptions with irregularities and "red flags"; failing to perform inventory reconciliation for Schedule II controlled substances; failing to report dispensing information to CURES; failing to properly store controlled substances to prevent loss or theft; gross negligence; excessive furnishing of controlled substances.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 3/26/2021.

[Grove Harbor Medical Center Pharmacy, PHY 55281, AC 6907](#)

Garden Grove, CA

Cause for discipline: Dispensing controlled substance prescriptions with significant errors, omissions, irregularities, uncertainties, ambiguities, or alterations; dispensing controlled substance prescriptions written on unauthorized forms; unprofessional conduct.

Action: The license is publicly reapproved. Effective 1/20/2021.

[Highland Hospital Pharmacy, HPE 14210, AC 6755](#)

Oakland, CA

Cause for discipline: Approving a prescription that contained an uncertainty, resulting in patient death.

Action: The license is publicly reapproved. Effective 1/20/2021.

[Innovative Compounding Pharmacy, LSC 99600, PHY 48417, AC 6683](#)

Folsom, CA

Cause for discipline: Maintaining inaccurate dispense records; compounding a drug preparation that was commercially available without documentation of a shortage or a specific medical need; failing to keep disposition records for a compounded preparation; violating pharmacy laws and regulations.

Action: The licenses are revoked, the revocation stayed, and the terms in [case no. 5663](#) shall remain in effect. Effective 3/5/2021.

[Key Compounding Pharmacy, NRP 1396, NSC 100631, AC 6673](#)

Federal Way, CA

Cause for discipline:

Shipping nonsterile-to-sterile preparations into California before confirming sterility; assigning beyond-use dates without first confirming sterility; extending beyond-use dates without required tests; having incomplete master formula; compounding an injectable with non-pharmaceutical grade ingredient; selling adulterated dangerous product; discipline by out-of-state pharmacy board.

Action: The licenses are publicly reapproved. Effective 3/26/2021.

[Key Drug Company, PHY 51127, AC 6313](#)

Los Angeles, CA

Cause for discipline: Acting as wholesaler without a license; attempting to purchase, trade, sell, or transfer adulterated drugs; holding adulterated

See **Disciplinary actions**, Page 35

Disciplinary actions

Continued from page 34

drugs; purchase, attempting to trade, sell, or transfer misbranded drugs; holding misbranded drugs; failing to maintain operational standards and security.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 2/04/2021.

[Kim Pharmacy #3, PHY 51051, AC 6877](#)

Sacramento, CA

Cause for discipline: Billing for prescriptions not picked up within 14 days; failing to maintain accurate inventory records to account for drug overages and shortages; entering incorrect information on prescription label; lacking sink with hot and cold running water.

Action: The license is publicly reprovved. Effective 2/11/2021.

[Market Pharmacy LTC, PHY 51030, AC 6870](#)

Northridge, CA

Cause for discipline: Filling prescriptions that were not authorized; failing to keep complete records of dangerous drugs to account for inventory variances.

Action: The license is publicly reprovved. Effective 3/5/2021.

[Montebello Pharmacy, PHY 41430, AC 6692](#)

Montebello, CA

Cause for discipline: Failing to keep accurate records of

acquisition and disposition to account for drug overages and shortages; maintaining misbranded drugs in pharmacy stock; labeling bubble cards with incorrect medication expiration dates; failing to register with DEA and have proper receptacle for drug take-back service; pharmacy technician lacking name tag.

Action: The license is voluntarily surrendered. The effective date shall be stayed until April 30, 2021, at which time the pharmacy shall be sold or closed. Effective 2/11/2021.

[Pacific Side Pharmacy, PHY 47284, AC 6478](#)

Huntington Beach, CA

Cause for discipline: Refilling prescriptions without prescriber authorization; furnishing dangerous drugs without a prescription; furnishing controlled substances without a prescription; labeling compounded product with improper beyond-use date; failing to ensure the security, integrity, authority, and confidentiality of electronically received prescriptions; failing to maintain complete accountability of dangerous drugs; failing to report to CURES; failing to retain prescriptions; failing to maintain patient medication profiles; failing to maintain compounding log; failing to exercise corresponding responsibility corresponding responsibility to ensure that a controlled substance prescription is for a legitimate medical purpose.

Action: The license is voluntarily surrendered. The effective date shall be stayed until July 3, 2021, at which time the pharmacy shall be sold or closed. Effective 3/5/2021.

[Raley's Pharmacy #332, PHY 53516, AC 6490](#)

Fairfield, CA

Cause for discipline: Failing to maintain operational standards and security, resulting in large shortage of promethazine with codeine cough syrup.

Action: The license is publicly reprovved. Effective 3/5/2021.

[Royal Care Pharmacy, PHY 44271, AC 6238](#)

Los Angeles, CA

Cause for discipline: Submitting false Medicare claims for reimbursement; committing violations of law that would warrant license denial; keeping overfill bottles among medications ready to be dispensed to patients.

Action: The license is revoked. Effective 2/04/2021.

[Seton Medical Center, HSP 45703, AC 6774](#)

Daly City, CA

Cause for discipline: Failing to meet criteria to compound immediate-use sterile drug preparations; incorrectly assigning beyond-use dates greater than 12 hours to preparations compounded in a segregated area; failing to document quality reviews and post-compounding process and procedures in compounding

See **Disciplinary actions**, Page 36

Disciplinary actions

Continued from page 35

logs; failing to document the compounding date in compounding logs; failing to document beyond-use date and time of final compounded drug preparation in compounding logs.

Action: The license is voluntarily surrendered. The effective date shall be stayed until May 20, 2021, at which time the pharmacy shall be sold or closed. Effective 1/20/2021.

[Seton Medical Center, LSC 100405, AC 6774](#)

Daly City, CA

Cause for discipline: Failing to meet criteria to compound immediate-use sterile drug preparations; incorrectly assigning beyond-use dates greater than 12 hours to preparations compounded in a segregated area; failing to document quality reviews and post-compounding process and procedures in compounding logs; failing to document the compounding date in compounding logs; failing to document beyond-use date and time of final compounded drug preparation in compounding logs.

Action: The license is voluntarily surrendered. The effective date shall be stayed until May 20, 2021, at which time the pharmacy shall be sold or closed. Effective 1/20/2021.

[Southern California Hospital at Culver City, HSP 51172, AC 6647](#)

Culver City, CA

Cause for discipline: Failing to maintain written policies and procedures addressing actions for CFUs detected during viable surface and air sampling; failing to comply with policy requiring immediate investigation when environmental monitoring action levels were exceeded on viable testing; delivering adulterated dangerous drugs to patients; negligence in addressing repetitive microbial air contamination of the ISO 5 CAI; failing to conduct potency testing annually; failing to include compounding date on labeling; failing to justify maximum allowable beyond-use dates in master formula; failing to complete self-assessment; failing to complete compounding self-assessment; violating written policies and procedures prohibiting compounding medium- and high-risk products as immediate-use.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 3/19/2021.

[The Druggist, Inc., PHY 50146, AC 5321](#)

Valencia, CA

Cause for discipline: Failing to exercise corresponding responsibility by clearly excessive furnishing of controlled substances; compounding or dispensing prescriptions that contained significant error, omission, irregularity,

uncertainty, ambiguity or alteration; failing to contact prescribers to obtain information to validate the prescription; filling prescriptions for habitual doctor shoppers and erroneous/uncertain prescriptions. Also failing to keep complete accountability of controlled substances; failing to notify the Board of the loss of controlled substances.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 3/5/2021.

[The Medicine Shoppe, PHY 55851, AC 6777](#)

San Diego, CA

Cause for discipline: Failing to exercise corresponding responsibility, repeatedly furnishing prescriptions for controlled despite obvious and systemic "red flags"; dispensing prescriptions for controlled substances that contained significant errors, omissions, irregularities, uncertainties, ambiguities, or alterations; dispensing controlled substance prescriptions written on unauthorized forms; failing to compile inventory reconciliation reports of Schedule II controlled substances; unprofessional conduct.

Action: The license is voluntarily surrendered. The effective date shall be stayed until June 4, 2021, at which time the pharmacy shall be sold or closed. Effective 2/04/2021.

See **Disciplinary actions**, Page 37

Disciplinary actions

Continued from page 36

[United Family Pharmacy, PHY 55735, AC 6803](#)

San Jacinto, CA

Cause for discipline: Failing to maintain current inventory of promethazine with codeine and alprazolam; failing to maintain security of promethazine with codeine and alprazolam; failing to report controlled substance dispensing to CURES; unprofessional conduct.

Action: The license is voluntarily surrendered. The effective date shall be stayed until June 4, 2021, at which time the pharmacy shall be sold or closed. Effective 2/04/2021.

[United Pharmacy LLC, NRP 1278, NSC 99795, AC 6969](#)

West Palm Beach, FL

Cause for discipline: Extending beyond-use dates for compounded products without required studies; improper stability testing of products; compounding a manufacturer drug without proof of medical necessity; failing to report dispensing of Schedule III controlled substances to CURES.

Action: The licenses are publicly reprovved. Effective 3/26/2021.

[Verdugo Plaza Pharmacy & Compounding, PHY 51780, AC 6500](#)

Glendale, CA

Cause for discipline: Ceasing pharmacy operations but maintaining permit without filing Discontinuance of Business or notifying patients; using

pharmacy license to obtain retail license, drugs, and equipment without paying for them; misrepresenting its ownership to the Board; failing to notify the Board before transferring drugs to another pharmacy; failing to respond to letters from the Board; failing to assign a pharmacist-in-charge; allowing unsupervised possession and transport of drugs to another pharmacy; failing to maintain security of drugs during transport; subverting efforts of the PIC; failing to disclose true pharmacy ownership to Board; failing to furnish owner's name to Board inspector; obstructing patients from picking up medications by closing without notice.

Action: The license is voluntarily surrendered. Effective 3/5/2021.

[Vernbro Medical Pharmacy Inc., PHY 50188, AC 6500](#)

Los Angeles, CA

Cause for discipline: Attempting to subvert Board investigation with false statements to inspectors; failing to quarantine expired medications from active inventory shelves; failing to complete self-assessment; failing to have written policies and procedures regarding pharmacy operations during temporary absence of the pharmacist; failing to have written policies and procedures to help patients with limited or no English proficiency understand label information.

Action: The license is revoked, the revocation stayed, and the

license is placed on probation for five years. Effective 3/5/2021.

[Vibrant Care Pharmacy Inc, PHY 51969, AC 6482](#)

Oakland, CA

Cause for discipline: Failing to reduce oral or electronic prescriptions to writing; filling or refilling a Schedule III or IV controlled substance prescription more than six months after the issue date or more than five times in total; failing to maintain complete accountability of inventory by storing an overage of dangerous drugs; failing to maintain accurate records of billed and dispensed medication; obstructing a patient from receiving a legally prescribed drug.

Action: The license is publicly reprovved. Effective 3/5/2021.

April 1 – June 30, 2021

Personal Licenses

[Bertrand, Brianna C., EXC 23938, TCH 146875, AC 6601](#)

Oxnard, CA

Cause for discipline: Failing to complete self-assessment; failing to maintain records of disposition of dangerous drugs or dangerous devices; failing to maintain records of receiving dangerous drugs and devices; failing to secure dangerous drugs in lockable area and limit entry to authorized personnel; actions related to procuring license by fraud or misrepresentation; actions related to reformulating commercially available products

See **Disciplinary actions**, Page 38

Disciplinary actions

Continued from page 37

under a proprietary name for sale and suspicious billing practices.

Action: The licenses are voluntarily surrendered. Effective 4/14/2021.

[Bibona, Donald Enslin, TCH 116132, AC 7051](#)

Ladera Ranch, CA

Cause for discipline: Conviction of a crime substantially related to the qualifications, functions, and duties of a pharmacy technician, i.e., arson of an inhabited property and possession of flammable material with the intent to set fire to and burn a structure; unprofessional conduct.

Action: The license is revoked. Effective 4/28/2021.

[Billena-Serna, Malissa M., TCH 46225, AC 7006](#)

Murrieta, CA

Cause for discipline: Acts of dishonesty and unprofessional conduct in accessing, printing, copying, and sharing patient information without authorization.

Action: The license is revoked. Effective 5/12/2021.

[Concepcion, Anne Rose L., RPH 61050, AC 6887](#)

Buena Park, CA

Cause for discipline: Failing to maintain current inventory of drugs; falsifying pharmacy records; making or signing false documents; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 4/28/2021.

[Cortez, Gerardo, TCH 50799, AC 7030](#)

Santa Ana, CA

Cause for discipline: Acts of moral turpitude, dishonesty, and deceit related to taking retail merchandise without paying on several occasions.

Action: The license is revoked. Effective 5/26/2021.

[Desai, Dhansukhlal B., RPH 32783, AC 6697](#)

Long Beach, CA

Cause for discipline: Failing to exercise corresponding responsibility in filling prescriptions despite factors suggesting they were not written for legitimate purposes; filling controlled substance prescriptions on noncompliant forms; failing to report controlled substance prescriptions to CURES; deviating from prescriptions by dispensing multiple prescriptions under the incorrect prescriber.

Action: The license is voluntarily surrendered. Effective 6/9/2021.

[Doan, Linh KH, RPH 43569, AC 6478](#)

Nipomo, CA

Cause for discipline: Refilling prescriptions after prescriber denied request; furnishing dangerous drugs without prescriptions; furnishing controlled substances without prescriptions; falsely reporting prescriber approval of prescription for person who was

not prescriber's patient; self-furnishing controlled substances without a prescription; failing to maintain compounding log identifying manufacturer or supplier of ingredients; failing to exercise corresponding responsibility to ensure controlled substance prescribed for legitimate medical purpose.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 4/28/2021.

[Ellis, Latrisa E., TCH 57206, AC 7059](#)

Mentone, CA

Cause for discipline: Conviction of a crime substantially related to the qualifications, functions, and duties of a pharmacy technician, i.e., assault with a firearm on a person; committing an act involving moral turpitude, deceit, or corruption.

Action: The license is revoked. Effective 4/28/2021.

[England, David E., RPH 36116, AC 6882](#)

Las Vegas, NV

Cause for discipline: Failing to comply with various federal and state regulations related to compounding; failing to ensure pharmacy compliance with compounding regulations; compounding controlled substances without DEA registration; failing to ensure pharmacy compliance with DEA registration requirements.

Action: The license is publicly reproved. Effective 5/12/2021.

See **Disciplinary actions**, Page 39

Disciplinary actions

Continued from page 38

[Farmer, Leanne E., TCH 61787, AC 6912](#)

Merced, CA

Cause for discipline: Selling or dispensing drugs while under the influence of dangerous drugs.

Action: The license is revoked. Effective 6/16/2021.

[Forde, Esan N., RPH 57162, AC 6724](#)

Hollywood, CA

Cause for discipline: Allowing products to have potency over time for an extended beyond-use date; allowing staff violations of attire requirements for sterile compounding; allowing violations of facility and equipment standards for sterile compounding; allowing dusty and dirty flat surfaces in ISO 8 formulation area; allowing violations in compounding area for parenteral solutions; allowing violation of sterility testing requirements; allowing compounding of commercially available product without a shortage and specific medical need; allowing missing elements from master formulas; allowing labels for compounded products without full ingredient names and strengths; improperly allowing sterile water for irrigation to be left open with no date of opening or expiration; allowing compounded products with no potency testing; allowed no hand washing during compounding of sterile product; allowing required information

to be missing from sterile compounding labels; allowing dispensing of controlled substance with preprinted, check-box prescription forms; allowed pharmacy to fail to submit controlled substance information to CURES; allowing violations of requirements for dispensing compounded preparations for prescriber use.

Action: The license is publicly reproved. Effective 6/9/2021.

[Figueroa, Alejandra N., TCH 159381, AC 7030](#)

Santa Ana, CA

Cause for discipline: Acts of moral turpitude, dishonesty, and deceit related to taking retail merchandise without paying on several occasions.

Action: The license is revoked. Effective 5/26/2021.

[Foth, Darrel W., RPH 52592, AC 6889](#)

Sacramento, CA

Cause for discipline: Stealing controlled substances from pharmacy were employed; self-administering oxycodone and amphetamine-dextroamphetamine to a dangerous extent; acts involving moral turpitude, dishonesty, fraud, deceit, or corruption; endangering public by taking controlled substances at work; failing to maintain security of controlled substances; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 4/28/2021.

[Gak, Eun J., RPH 54146, AC 6514](#)

Granada Hills, CA

Cause for discipline: Selling dangerous drugs without prescriptions; transacting dangerous drugs at wholesale with an entity that is not licensed with the Board as a wholesaler or pharmacy; transacting misbranded drugs; holding misbranded drugs; providing drug take-back service in violation of regulations and DEA requirements; failing to exercise corresponding responsibility in dispensing excessive controlled substance prescriptions with irregularities and red flags and not ensure the prescriptions were issued for legitimate medical need; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 5/12/2021.

[Harbert, Krystal S., TCH 63567, AC 7045](#)

Riverdale, CA

Cause for discipline: Conviction of crimes substantially related to the qualifications, functions, or duties of a pharmacy technician, i.e., DUI; dangerous use of alcohol; conviction of more than one misdemeanor involving use of alcoholic beverages.

Action: The license is revoked. Effective 4/14/2021.

[Haverstock, Cara L., TCH 166451, AC 7016](#)

Davis, CA

Cause for discipline: DUI conviction; using alcohol

See **Disciplinary actions**, Page 40

Disciplinary actions

Continued from page 39

to dangerous extent or in a dangerous manner; conviction of a crime involving alcohol.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 5/26/2021.

[Horne, Gary Lynn, RPH 42499, AC 6756](#)

Carson City, NV

Cause for discipline: Assigning incorrect beyond-use dates for sterile compounded preparations; failing to keep complete compounding records; failing to document annual review of policies and procedures; failing to document staff training related to garbing; violating federal regulations regarding comingling and biennial inventory of controlled substances; using hard-to-clean floor mats in compounding area; failing to follow written policies and procedures in assigning beyond-use dates; failing to maintain complete compounding logs; compounding hazardous drugs in an environment failing to meet pressure, venting, and air change requirements.

Action: The license is publicly reprovved. Effective 6/23/2021.

[Hummel-Ceballos, Sierra A., TCH 26047, AC 6818](#)

Fontana, CA

Cause for discipline: Acts of moral turpitude, dishonesty, fraud, and/or deceit, i.e., obtaining prescription for

hydrocodone by fraudulent means; unlawful possession of controlled substance; obtaining controlled substances or procuring a prescription for controlled substances by fraud, deceit, misrepresentation, or subterfuge.

Action: The license is revoked. Effective 4/14/2021.

[Jalali Farahani, Korush, RPH 70445, AC 6715](#)

West Hills, CA

Cause for discipline: Failing to exercise corresponding responsibility to ensure controlled substances were dispensed for a legitimate medical purpose; dispensing controlled substances despite "red flags" and irregularities suggesting they were not for legitimate medical purpose; dispensing controlled substance prescriptions issued on noncompliant forms; dispensing prescriptions with incorrect prescriber on label and in electronic pharmacy record; unprofessional conduct; violated requirements for completing biennial inventory of controlled substances; failing to maintain facilities, space, fixtures, and equipment, resulting in significant

shortage of controlled substances; failing to maintain complete accountability of all dangerous drugs; failing to complete and have self-assessment on file; failing to compile quarterly inventory reconciliation report for all Schedule II controlled

substances; failing to timely report drug loss to Board in writing; failing to countersign reconciliation reports; deviating from prescriptions without prescriber consent; failing to properly identify dispensing pharmacist on prescription documents or in electronic dispensing data; failing to keep controlled substance inventory on file and available for inspection upon request for three years; failing to report controlled substance loss to Board; acts involving moral turpitude, dishonesty, fraud, deceit, or corruption; unprofessional conduct.

Action: The license is revoked. Effective 5/12/2021.

See **Disciplinary actions**, Page 41

Disciplinary actions

Continued from page 40

[Joaquin, Zenaida B., RPH 46432, AC 6847](#)

Pasadena, CA

Cause for discipline: Failing to complete controlled substance inventories; failing to perform inventory reconciliation for Schedule II controlled substances; billing insurance companies and Medi-Cal for dispensing more drugs than actually purchased; failing to perform corresponding responsibility in dispensing controlled substance prescriptions with irregularities and "red flags"; inappropriately exercising training, education, and experience in dispensing over 35,000 tablets of Schedule II-IV controlled substances despite objective signs of irregularity and without ensuring they were issued for a legitimate medical purpose and failing to reference patient and prescription records to identify trends and patterns of illegitimacy.

Action: The license is revoked. Effective 4/14/2021.

[Khlghatyan, Margarita, RPH 64079, AC 5513](#)

Burbank, CA

Cause for discipline: Failing to have pharmacist on duty; allowing unlicensed staff to receive and sign for delivery of dangerous drugs; failing to comply with compounding quality assurance by allowing unlicensed staff to receive and sign for delivery of dangerous drugs; allowing unlicensed individual to act as a pharmacist in transferring prescriptions over the phone to a pharmacy; failing to maintain acquisition and disposition records for dangerous drugs; allowing staff to order Schedule II controlled substances without a power of attorney; acting as a reverse distributor without a wholesaler license; maintaining dispensed bottles with patient labels on shelves in active stock; involvement in Medi-Cal billing scheme.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 6/9/2021.

[Kopooshian, Michael, TCH 154835, AC 7095](#)

Glendale, CA

Cause for discipline: Conviction of felony vandalism; acts involving moral turpitude.

Action: The license is revoked. Effective 6/9/2021.

[Lasso De La Vega, Cristian, TCH 146504, AC 6948](#)

Pacoima, CA

Cause for discipline: Unprofessional conduct, i.e.,

smoking marijuana during meal break; unlawful possession of controlled substance; sale, dispensing or compounding while under the influence of drugs.

Action: The license is revoked. Effective 4/28/2021.

[Lee, Michael Myung Y., RPH 44619, AC 6847](#)

Montebello, CA

Cause for discipline: Failing to exercise corresponding responsibility in dispensing controlled substance prescriptions despite "red flags" of illegitimacy; clearly excessive furnishing of controlled substances.

Action: The license is revoked, the revocation is stayed, and the license is placed on probation for five years. Effective 5/12/2021.

[Levin, Steven A., RPH 46443, AC 6927](#)

Woodland Hills, CA

Cause for discipline: Purchasing, trading, selling, or transferring a misbranded dangerous drug, ammonium tetrathiomolybdate (ATTM), which is not FDA approved and is intended only for research and development use; gross negligence; dispensing 280 prescriptions containing ATTM, which was obtained from entity not registered by the FDA nor licensed by Board.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for an additional two years. Effective 6/23/2021.

See **Disciplinary actions**, Page 42

Disciplinary actions

Continued from page 41

[Lo, Jenny Tzuning, RPH 70581, AC 6747](#)

Diamond Bar, CA

Cause for discipline: Allowing unlicensed employees to prepackage medications, a task for which a pharmacy technician license is required.

Action: The license is publicly reprobated. Effective 4/14/2021.

[Love, David Jordan, TCH 145541, AC 6938](#)

Ben Lomond, CA

Cause for discipline: Conviction of crime substantially related to the qualifications, functions, and duties of a pharmacy technician, i.e., DUI; dangerous use of alcohol.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 6/9/2021.

[Matias, Jennifer Cunanan, TCH 73435, AC 7096](#)

Suisun City, CA

Cause for discipline: Conviction of an offense substantially related to the qualifications, functions, and duties of a pharmacy technician, i.e., embezzlement and grand theft; acts involving moral turpitude, dishonesty, fraud, deceit, or corruption, diverting and selling large quantities of opioid and narcotic pain medications from employer; self-administering controlled substance in dangerous manner.

Action: The license is revoked. Effective 6/16/2021.

[Mendoza, Daniel Casey, TCH 159524, AC 7044](#)

Sunnyvale, CA

Cause for discipline: Conviction of possession of child pornography and contact with a minor with the intent to commit a sex crime; acts involving moral turpitude.

Action: The license is revoked. Effective 4/28/2021.

[Mumphrey, Tenishia Patrice, TCH 85431, AC 7037](#)

Highland, CA

Cause for discipline: Diverting tramadol tablets from pharmacy where employed; violation of laws regulating controlled substances.

Action: The license is revoked. Effective 5/26/2021.

[Palmer, Jamie L., TCH 23577, AC 6928](#)

Thousand Oaks, CA

Cause for discipline: Failing to comply with terms and conditions of probation.

Action: The license is revoked. Effective 4/28/2021.

[Perez, Nichole Alanna, TCH 84811, AC 6448](#)

San Jose, CA

Cause for discipline: Mental illness affecting competency.

Action: The license is revoked. Effective 6/4/2021.

[Petoyan, Suren, EXC 20715, TCH 43450, AC 5514](#)

North Hollywood, CA

Cause for discipline: Involvement in Medi-Cal billing scheme; failing to complete application

of ownership during ownership transfer; conviction of conspiracy to engage in the unlawful wholesale distribution of drug, a crime substantially related to the qualifications, duties, and functions of a pharmacy technician.

Action: The licenses are voluntarily surrendered. Effective 4/28/2021.

[Phair, Stephen Allen, TCH 4066, AC 6880](#)

Watsonville, CA

Cause for discipline: Conviction of crime substantially related to the qualifications, duties, and functions of a pharmacy technician, i.e., assault with great bodily injury and sexual battery.

Action: The license is revoked. Effective 4/28/2021.

[Pham, Dong N., RPH 47062, AC 6478](#)

Huntington Beach, CA

Cause for discipline: Labeling compounded product with beyond-use date past ingredient expiration date; failing to ensure the security, integrity, authority, and confidentiality of erroneous or uncertain electronic prescriptions; failing to maintain current inventory, resulting in drug losses and shortages; failing to report dispensing controlled substance to CURES; failing to retain prescriptions; failing to maintain proper patient medication profiles; failing to maintain compounding log identifying manufacturer or supplier of ingredients; failing to exercise corresponding

See **Disciplinary actions**, Page 43

Disciplinary actions

Continued from page 42

responsibility to ensure controlled substance prescribed for legitimate medical purpose.

Action: The license is publicly reprovved. Effective 4/28/2021.

[Phan, Chau Thanh, RPH 62912, AC 6905](#)

Hayward, CA

Cause for discipline:

Compounding and selling diazepam suppositories containing silica gel; selling dangerous drugs after beyond-use date; failing to justify product use after beyond-use date; failing to document quality reviews of compounding products in the master formula; failing to complete compounding log; failing to document quality reviews of compounding products in the compounding record or log; failing to include instructions for storage on labels of compounded preparations; failing to list date of compounding on preparation labels; failing to follow written policies and procedures; failing to annual review policies and procedures; failing to provide documentation of compounding skills and training; failing to document demonstration knowledge before compounding; failing to provide documentation demonstrating quality assurance; inappropriately exercising education, training, or experience as a pharmacist.

Action: The license is revoked,

the revocation stayed, and the license is placed on probation for two years. Effective 5/12/2021.

[Quinn, Robert Denis, RPH 32154, AC 6922](#)

San Luis Obispo, CA

Cause for discipline: Failing to maintain records of the manufacture, acquisition, receipt, sale and disposition of compounded cannabidiol (CBD) products; manufacture and sale of adulterated and misbranded drugs; unlicensed manufacturing of drugs; making false or misleading statements to Board inspectors about compounding activities; attempting to subvert Board investigation; inappropriate exercise of education, training, or expertise as a pharmacist in compounding CBD products.

Action: The license is revoked. Effective 5/12/2021.

[Quitoriano, Allyn Marie K., TCH 154206, AC 6940](#)

Whittier, CA

Cause for discipline: Conviction of a crime substantially related to the qualifications, functions, or duties of a licensee, i.e., infliction of corporal injury on spouse/cohabitant; conduct warranting denial of a license.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 4/28/2021.

[Rahbaran, Rebecca, RPH 66477, AC 6758](#)

Woodland Hills, CA

Cause for discipline: Aiding and abetting unlicensed outsourcing

activity; inappropriate exercise of education, training, or experience by allowing unlicensed outsourcing activity; failing to exercise or implement best professional judgment by allowing unlicensed activity;

Action: The license is publicly reprovved. Effective 5/12/2021.

[Raleigh, Frederick Ronan, RPH 27362, AC 6226](#)

Templeton, CA

Cause for discipline: Failing to complete compounding self-assessment; failing to end test compounded products for sterility or potency; allowing pharmacists to compound without first demonstrating knowledge; failing to annually review compounding policies and procedures; failing to have procedure for notifying compounding staff of any changes in policies or procedures; using converted patient room as compounding room; failing to clean compounding room; assigning inappropriate beyond-use dates.

Action: The license is publicly reprovved. Effective 5/26/2021.

[Rayos, Denise E., TCH 83569, AC 6910](#)

Bellflower, CA

Cause for discipline: Failing to disclose DUI conviction on license renewal application.

Action: Through a disciplinary action of the Board, the license is publicly reprovved and subject to the terms and conditions in the decision. Effective 6/9/2021.

See **Disciplinary actions**, Page 44

Disciplinary actions

Continued from page 43

[Seleh, Moshe, RPH 58075, AC 6754](#)

Los Angeles, CA

Cause for discipline: Dispensing controlled substances prescriptions on forms missing required security features; excessively furnishing controlled substances despite multiple cues of uncertainty and irregularity and failing to comply with corresponding responsibility to ensure they are dispensed for a legitimate medical purpose; holding misbranded drugs.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 5/26/2021.

[Semones, Jacob Alexander, TCH 172575, AC 7052](#)

Culver City, CA

Cause for discipline: Gross negligence in arriving at work under influence of alcohol; acts involving moral turpitude, dishonesty, fraud, deceit, or corruption; dangerous use of alcohol.

Action: The license is voluntarily surrendered. Effective 4/28/2021.

[Shemtoub, Rozita, RPH 49785, AC 6510](#)

Los Angeles, CA

Cause for discipline: Issuing key allowing pharmacy technician full access to pharmacy and dangerous drugs with no pharmacist present; pharmacy created and processed prescriptions not prescribed or authorized by the prescriber

or not received by the patient; pharmacy stored compounded drug products in containers not labeled with expiration dates; allowing pharmacy technician to be present in pharmacy with no pharmacist present and in possession of pharmacy key; pharmacy had compounded drug products in containers not labeled with expiration dates; pharmacy issued false prescriptions; responsibility as PIC.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 6/9/2021.

[Shird, Ashiley Shiann, TCH 169947, AC 7012](#)

Camarillo, CA

Cause for discipline: Possession of controlled substances; unlawfully taking hydrocodone/acetaminophen and vyvanse pills from pharmacy where employed; committing acts involving dishonesty, fraud, or deceit.

Action: The license is revoked. Effective 4/14/2021.

[Xiong, Chor Neng, EXC 23029, AC 7043](#)

Sacramento, CA

Cause for discipline: Conviction of vehicular manslaughter while intoxicated; dangerous use of alcohol; conviction of a crime involving alcohol.

Action: The license is voluntarily surrendered. Effective 5/26/2021.

Facility Licenses

[Allied Health Pharmacy, PHY 52501, AC 6715](#)

Van Nuys, CA

Cause for discipline: Failing to exercise corresponding responsibility to ensure controlled substances were dispensed for a legitimate medical purpose; dispensing controlled substances despite "red flags" and irregularities suggesting they were not for legitimate medical purpose; dispensing controlled substance prescriptions issued on noncompliant forms; dispensing prescriptions with incorrect prescriber on label and in electronic pharmacy record; unprofessional conduct; violated requirements for completing biennial inventory of controlled substances; failing to maintain facilities, space, fixtures, and equipment, resulting in significant shortage of controlled substances; failing to maintain complete accountability of all dangerous drugs; failing to complete and have self-assessment on file; failing to compile quarterly inventory reconciliation report for all Schedule II controlled substances; failing to timely report drug loss to Board in writing; failing to countersign reconciliation reports; deviating from prescriptions without prescriber consent; failing to properly identify dispensing pharmacist on prescription documents or in electronic dispensing data; failing to keep controlled substance

See **Disciplinary actions**, Page 45

Disciplinary actions

Continued from page 44

inventory on file and available for inspection upon request for three years; failing to report controlled substance loss to Board; acts involving moral turpitude, dishonesty, fraud, deceit, or corruption; unprofessional conduct.

Action: The license is revoked. Effective 5/12/2021.

[Alpha Medical Pharmacy II, PHY 54632, AC 6747](#)

Monterey Park, CA

Cause for discipline: Allowing unlicensed employees to prepackage medications, a task for which a pharmacy technician license is required.

Action: The license is publicly reprovved. Effective 4/14/2021.

[Apothecary Options, PHY 45637, AC 6862](#)

Chico, CA

Cause for discipline: Incorrectly dispensing prescription to wrong patient; disclosing protected health information without authorization; failing to document quality assurance report for medication error; maintaining as inventory outdated compounding ingredients and compounding solutions; continuing to store misbranded drugs after advised by Board inspectors to dispose of them; failing to verify authenticity of controlled substance prescriptions sent electronically by facsimile; dispensing compounded medications to residents of

three states without obtaining nonresident pharmacy licenses from those states.

Action: The license is publicly reprovved. Effective 4/28/2021.

[Balboa Pharmacy, PHY 51136, AC 6514](#)

Granada Hills, CA

Cause for discipline: Selling dangerous drugs without prescriptions; transacting dangerous drugs at wholesale with an entity that is not licensed with the Board as a wholesaler or pharmacy; transacting misbranded drugs; holding drug take-back service in violation of regulations and DEA requirements; failing to exercise corresponding responsibility in dispensing excessive controlled substance prescriptions with irregularities and red flags and not ensure the prescriptions were issued for legitimate medical need; unprofessional conduct.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 5/12/2021.

[California Pharmaceuticals LLC, WLS 7048, AC 6601](#)

Camarillo, CA

Cause for discipline: Failing to complete self-assessment; failing to maintain records of disposition of dangerous drugs and devices; failing to maintain records of receiving dangerous drugs and devices; submitting false or misleading information for wholesaler permit; actions related to reformulating

commercially available products under a proprietary name for sale; failing to have off-site storage waiver for records.

Action: The license is voluntarily surrendered. Effective 4/14/2021.

[California Pharmaceuticals LLC, WLS 7179, AC 6601](#)

Camarillo, CA

Cause for discipline: Failing to complete self-assessment; failing to secure dangerous drugs in lockable area and limit entry to authorized personnel; failing to maintain records of acquisition of dangerous drugs and devices; failing to maintain records of receiving dangerous drugs and devices; submitting false or misleading information for wholesaler permit; actions related to reformulating commercially available products under a proprietary name for sale; failing to have off-site storage waiver for records.

Action: The license is voluntarily surrendered. Effective 4/14/2021.

[Complete Pharmacy and Medical Solutions LLC, NRP 1371, AC 6724](#)

Miami Lakes, FL

Cause for discipline: Compounding products having potency over time for an extended beyond-use date; staff violations of attire requirements for sterile compounding; allowing violations for facility and equipment standards for sterile compounding; violations of facility and equipment standards for sterile compounding; dusty and dirty

See **Disciplinary actions**, Page 46

Disciplinary actions

Continued from page 45

flat surfaces in ISO 8 formulation area; violations in compounding area for parenteral solutions; violation of sterility testing requirements; compounding commercially available product without a shortage and specific medical need; missing elements from master formulas; labeling compounded products without full ingredient names and strengths; leaving sterile water for irrigation open with no date of opening or expiration; compounding with no potency testing; staff not washing hands during compounding of sterile product; required information missing from sterile compounding labels; dispensing controlled substance with preprinted, check-box prescription forms; failing to submit controlled substance information to CURES.

Action: The license is publicly reprovved. Effective 6/9/2021

[First Choice Pharmacy, PHY 51130, AC 6866](#)

North Hollywood, CA

Cause for discipline: Allowing pharmacy technician to possess pharmacy key with access to controlled substances and dangerous drugs; willful failure to keep or permit inspection of records of prescriptions and other records; making false statements on Discontinuance of Business application regarding prescription inventory and all records of acquisition and disposition; signing document

falsely representing the location of pharmacy records; subverting Board investigation by failing to provide location of records.

Action: The license is revoked. Effective 4/28/2021.

[George L. Mee Memorial Hospital, HSP 43395, AC 6226](#)

King City, CA

Cause for discipline: Failing to complete compounding self-assessment; failing to end test compounded products for sterility or potency; allowing pharmacists to compound without first demonstrating knowledge; failing to annually review compounding policies and procedures; failing to have procedure for notifying compounding staff of any changes in policies or procedures; using converted patient room as compounding room; failing to clean compounding room; assigning inappropriate beyond-use dates.

Action: The license is publicly reprovved. Effective 5/26/2021.

[George L. Mee Memorial Hospital, LSC 100083, AC 6226](#)

King City, CA

Cause for discipline: Failing to complete compounding self-assessment; failing to end test compounded products for sterility or potency; allowing pharmacists to compound without first demonstrating knowledge; failing to annually review compounding policies and procedures; failing to have procedure for notifying compounding staff of any changes in policies or

procedures; using converted patient room as compounding room; failing to clean compounding room; assigning inappropriate beyond-use dates.

Action: The license is voluntarily surrendered. Effective 5/26/2021.

[Guaranteed Returns, OSD 4256, AC 6252](#)

Holbrook, NY

Cause for discipline: Conviction of crime substantially related to practice of pharmacy, i.e., multiple counts of fraud, conspiracy, obstruction of justice, and other counts related to schemes defrauding pharmacies of reimbursements for returned drugs; acts involving moral turpitude, dishonesty, fraud, deceit, or corruption.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 5/12/2021.

[GVHC PMQ FS Pharmacy, PHY 57228, AC 6912](#)

Modesto, CA

Cause for discipline: Failing to maintain facilities, space, fixtures, and equipment such that drugs were safely and properly prepared, maintained, secured, and distributed, resulting in tramadol shortage.

Action: The license is publicly reprovved. Effective 6/16/2021.

[GVHC PMQ West Modesto, PHY 57229, AC 6912](#)

Modesto, CA

Cause for discipline: Failing to maintain facilities, space, fixtures, and equipment such that

See **Disciplinary actions**, Page 47

Disciplinary actions

Continued from page 46

drugs were safely and properly prepared, maintained, secured, and distributed, resulting in shortages of acetaminophen/codeine, lorazepam, and tramadol.

Action: The license is publicly reprovved. Effective 6/16/2021.

[Kohana Pharmacy and Center for Regenerative Medicine, PHY 50264, AC 6922](#)

San Luis Obispo, CA

Cause for discipline: Failing to maintain records of the manufacture, acquisition, receipt, sale and disposition of compounded cannabidiol (CBD) products; manufacture and sale of adulterated and misbranded drugs; unlicensed manufacturing of drugs.

Action: The license is revoked. Effective 5/12/2021.

[Pleasant Care Pharmacy, PHY 51503, AC 6905](#)

Hayward, CA

Cause for discipline: Compounding and selling diazepam suppositories containing silica gel; selling dangerous drugs after beyond-use date; failing to justify product use after beyond-use date; failing to document quality reviews of compounding products in the master formula; failing to complete compounding log; failing to document quality reviews of compounding products in the compounding record or log; failing to include

instructions for storage on labels of compounded preparations; failing to list date of compounding on preparation labels; failing to follow written policies and procedures; failing to annual review policies and procedures; failing to provide documentation of compounding skills and training; failing to document demonstration knowledge before compounding; failing to provide documentation demonstrating quality assurance.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 5/12/2021.

[Robert Burns Beverly Hills Medical Tower Pharmacy, PHY 39451, AC 6464](#)

Los Angeles, CA

Cause for discipline: Failing to complete self-assessment; failing to complete compounding self-assessment; failing to maintain quality assurance policy; failing to exercise best professional judgment; dispensing prescriptions without prescriber authorization; failing to retain records of prescriptions and patient medication histories; failing to report Schedule II-IV controlled substance prescriptions to CURES and late reporting other prescriptions to CURES; dispensing controlled substance prescriptions lacking lot number and watermark; failing to exercise corresponding responsibility in dispensing prescriptions with significant factors of irregularity; furnishing dangerous drugs without

prescriptions.

Action: The license is revoked. Effective 5/26/2021.

[San Mateo Medical Center Outpatient, HPE 19576, LSE 100358, AC 6756](#)

San Mateo, CA

Cause for discipline: Assigning incorrect beyond-use dates for sterile compounded preparations; failing to keep complete compounding records; failing to document annual review of policies and procedures; failing to document staff training related to garbing; violating federal regulations regarding comingling and biennial inventory of controlled substances; using hard-to-clean floor mats in compounding area; failing to follow written policies and procedures in assigning beyond-use dates; failing to maintain complete compounding logs; compounding hazardous drugs in an environment failing to meet pressure, venting, and air change requirements.

Action: The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 6/23/2021.

[Specialty Med Services, PHY 51985, AC 7081](#)

Inglewood, CA

Cause for discipline: Convictions of substantially related crimes, i.e., conspiracy, fraud conspiracy, and health care fraud; committing acts of dishonesty, fraud, or deceit to defraud health care benefit

See **Disciplinary actions**, Page 48

Disciplinary actions

Continued from page 47

programs in scheme involving misleading advertisements for nutritional shakes for bariatric surgical patients; making and signing documents with false statements.

Action: The license is revoked. Effective 6/23/2021.

[Superior Pharmacy, PHY 48287, AC 5513](#)

North Hollywood, CA

Cause for discipline: Failing to have a pharmacist on duty in the pharmacy for more than 30 minutes; allowing unlicensed pharmacy staff to receive and sign for delivery of dangerous drugs; failing to comply with compounding quality assurance by allowing unlicensed staff receive and sign for controlled substance deliveries; allowing unlicensed individual to act as pharmacist in transferring prescriptions over the phone for patient; failing to maintain records of acquisition and disposition for Abilify and Seroquel products; allowing unlicensed individual to order 18 Schedule II controlled substances on behalf of pharmacy without power of attorney; acting as reverse distributor without wholesaler license.

Action: The license is voluntarily surrendered. The effective date shall be stayed 180 days from date settlement signed, at which time the pharmacy shall be sold or closed. Effective 4/28/2021.

[Superior Pharmacy II, PHY 49215, AC 5513](#)

North Hollywood, CA

Cause for discipline: Allowing unlicensed pharmacy staff to receive and sign for delivery of dangerous drugs; failing to comply with compounding quality assurance by allowing unlicensed staff receive and sign for controlled substance deliveries; failing to maintain records of acquisition and disposition for Abilify and Seroquel products; holding in active stock prescription drugs dispensed by another pharmacy; having medications with patient labels dispensed by another facility on the active stock shelves.

Action: The license is voluntarily surrendered. The effective date shall be stayed 180 days from date settlement signed, at which time the pharmacy shall be sold or closed. Effective 4/28/2021.

[Tenth Street Medical Pharmacy, PHY 48956, AC 6510](#)

Santa Monica, CA

Cause for discipline: Issuing key to pharmacy technician allowing full access to the pharmacy and dangerous drugs with no pharmacist present; creating and processing prescriptions not prescribed or authorized by the prescriber or not received by the patient; storing compounded drug products in containers labeled with no expiration dates; pharmacy technician in the pharmacy with no pharmacist present and in possession of a pharmacy key; compounded drug products in containers not

labeled with expiration dates; issuing false prescriptions.

Action: The license is voluntarily surrendered. Effective 6/9/2021.

[Tropicana Drugs, PHY 17122, AC 6469](#)

San Jose, CA

Cause for discipline: Failing to maintain pharmacy, i.e., unsecured will-call area, significant dust on pharmacy fixtures, disorderly conditions; failing to maintain pharmacy in clean and orderly conditions; failing to have policy and procedure for repacking of drugs; failing to keep records regarding acquisition and disposition of patient medications to be repackaged; misbranding drugs by labeling in a false or misleading manner; stocking unadulterated drugs; submitting documents with inconsistent and contradictory statements of ownership; billing Medi-Cal for purchases not supported by invoices.

Action: The license is voluntarily surrendered. Effective 5/26/2021.

[University Care Pharmacy, PHY 51603, AC 6840](#)

Los Angeles, CA

Cause for discipline: Operating pharmacy without a valid permit; failing to notify Board and follow instructions for discontinuance of business; forging signatures.

Action: The license is revoked. Effective 4/14/2021.

See **Disciplinary actions**, Page 49

Disciplinary actions

Continued from page 48

[Van Nuys Pharmacy, PHY 52545, AC 6709](#)

Van Nuys, CA Cause for discipline: Failing to maintain and produce pharmacy records for Board audits; failing to provide requested records to Board; engaging in conduct subverting a Board investigation.

Action: The license is revoked. Effective 4/28/2021.

[Verdugo Care Pharmacy, PHY 54451, AC 6964](#)

Sun Valley, CA

Cause for discipline: Failing to maintain acquisition records related to dozens of syringe kits and thousands of Abilify tablets; selling or transferring drug inventory to another pharmacy upon discontinuance of business before notifying the Board; signing documents with false representations regarding transfer of drug inventory and the maintenance of acquisition and disposition records upon discontinuation of business; failing to comply with multiple Board requests for drug acquisition and disposition records; subverting a Board investigation; subverting PIC's efforts to comply with pharmacy laws; allowing non-pharmacist to act as pharmacy supervisor or manager; unprofessional conduct.

Action: The license is voluntarily surrendered. Effective 5/12/2021.

[Village Road Pharmacy, PHY 36027, AC 6697](#)

Long Beach, CA

Cause for discipline: Failing to exercise corresponding responsibility in filling prescriptions despite factors suggesting they were not written for legitimate purposes; filling controlled substance prescriptions on noncompliant forms; failing to report controlled substance prescriptions to CURES; deviating from prescriptions by dispensing multiple prescriptions under the incorrect prescriber.

Action: The license is publicly reprovved. Effective 6/9/2021.

Contact [The Script](#)

Do you have any questions or comments about *The Script*? Are there topics you would like to see in the newsletter?

Let us know! Send a note to editor Bob Dávila at Bob.Davila@dca.ca.gov.

California State Board of Pharmacy
Department of Consumer Affairs
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
(916) 518-3100
Fax: (916) 574-8618
www.pharmacy.ca.gov

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Make plans to attend 2021/22 Board, committee meetings

Get involved with the California State Board of Pharmacy! Consumers, licensees, stakeholders, and other members of the public are encouraged to attend and participate at Board and committee meetings.

Visit [Board and Committee Meetings](#) on the Board's [website](#) for comprehensive information, including dates, agendas and materials, live and recorded webcasts, and minutes. Notices are emailed when agendas and materials for posted online; to receive notices, visit the [email registration](#) page and follow the instructions to subscribe to "News and Information" alerts.

Pursuant to Executive Order N-08-21, signed June 11, 2021, by Governor Gavin Newsom, meetings are expected to return from teleconference to in-person events October 1, 2021, unless Executive Order N-08-21 is extended before October 1, 2021. However, conditions and meeting dates are subject to change during the COVID-19 pandemic. Check the meetings page on the Board's website for current information.

Mark your calendar for Board and committee meetings scheduled for 2021 and early 2022.

2021

- **October 20:** Licensing, Enforcement/Compounding.
- **October 27:** Communication/Public Education.
- **October 27-28:** Board of Pharmacy.
- **December 2:** Board of Pharmacy.

2022

- **January 18:** Enforcement/Compounding, Legislation/Regulation.
- **January 19:** Licensing, Communication/Public Education.
- **February 1-2:** Board of Pharmacy.
- **March 16:** Board of Pharmacy.
- **April 19:** Licensing.
- **April 20:** Enforcement/Compounding
- **April 26:** Communication/Public Education, Legislation/Regulation.
- **April 26-27:** Board of Pharmacy.