



MARCH 2022

# THE SCRIPT

BE AWARE & TAKE CARE: Talk to your pharmacist!

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## New year brings changes for pharmacy laws in 2022



Gov. Gavin Newsom has signed a variety of bills adding or amending laws that govern the practice of pharmacy in California. Unless specified otherwise, the new laws took effect January 1, 2022.

Many of the key provisions are summarized below. Click on the bill number to read the full text for a more complete understanding of each new law.

### **AB 107 Licensure: Veterans and Military Spouses** (Salas, Chapter 693, Statutes of 2021)

This law requires the Board to issue temporary licenses to practice within 30 days of receiving fingerprint background checks. In addition, the law requires pharmacist applicants to take and pass the CPJE before the temporary license is issued. This law becomes effective July 1, 2023. In the meantime, the Board will develop regulations to implement the law, possibly including requirements related to

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**By Seung Oh, President,  
Board of Pharmacy**

Entering the third year of the pandemic, I am reminded about why I chose this profession – to improve the health and the lives of Californians. Our individual and our collective efforts to serve Californians during this public health crisis have not gone unnoticed. We are serving on the front lines performing COVID tests, providing COVID immunizations, and taking care of hospitalized patients, while working to balance all of the other critical health care services Californians have come to expect from pharmacists and other pharmacy personnel. California has relied heavily on our profession during this crisis, and the Board is truly grateful to its licensees for stepping up to meet this moment of challenge we have not seen in a century.

With these new services have come some new challenges. As you will learn in this newsletter, the Board is interested in learning more about conditions in community pharmacies. The Board has created a Medication Error Reduction and Workforce Ad Hoc Committee to evaluate some of these challenges and determine what actions may be possible and necessary to ensure pharmacy personnel are well positioned to provide appropriate and safe pharmaceutical care. I encourage anyone interested to follow the work of this committee and actively participate in meetings.

The Board is also hosting listening sessions for pharmacy technicians and pharmacists to learn more about responsibilities for pharmacy technicians. Please watch for additional information. This information gained from these sessions will be discussed as part of the upcoming Pharmacy Technician Summit.

Additionally, the Board has completed its five-year strategic plan, which will help guide our organization in better protecting California consumers. There are numerous other initiatives and engagement opportunities, and I welcome all licensees and stakeholders to be active

participants in our committee and regular Board meetings and to share your thoughts and ideas.

With the new year also come changes in Pharmacy Law, including significant provisions to improve patient health. Please be sure to review [Pharmacy Law Changes for 2022](#), which lays out all significant pharmacy law changes that took effect in 2022. Provisions include expansion of pharmacist's provided CLIA waived tests, expanded authority for pharmacists to work under collaborative practice agreements, and changes in the law to provide greater autonomy for advanced practice pharmacists. Additional legislation prohibits a chain community pharmacy from establishing workload quotas as defined. Please continue reading to learn more.

I hope the information shared in this newsletter is helpful to you and your practice. Please keep abreast of all of the Board's activities by [enrolling](#) in the Board's News and Information email alert system. As always, we thank you for your continued dedication and passion for taking care of California patients.

[www.pharmacy.ca.gov](http://www.pharmacy.ca.gov)

## New laws

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evidence needed to demonstrate marriage or domestic partnership. In addition, the Board will update application and instruction forms, develop systems for tracking applications, create education materials, and take other steps to implement the law.

### **AB 527 Controlled Substances**

(Wood, Chapter 618, Statutes of 2021)

This law exempts specified non-narcotic combination product controlled substances from the California controlled substances schedule.

### **AB 1064 Pharmacy Practice: Vaccines: Independent Initiation and Administration**

(Fong, Chapter 655, Statutes of 2021)

This law authorizes pharmacists to independently initiate and administer any vaccine that has been approved or authorized by the U.S. Food and Drug Administration and received an ACIP recommendation published by the U.S. Centers for Disease Control and Prevention for persons 3 years of age and older.

### **AB 1533 Pharmacy**

(Assembly Committee on Business and Professions, Chapter 629, Statutes of 2021)

This law amends and adds sections of the Business and Professions Code (BPC). Key sections include:

**BPC 4001, BPC 4003:** Extend the operations of the California State Board of Pharmacy until January 1, 2026; and modify the allocation of pharmacist members to include a representative of compounding pharmacies specializing in human drug preparation.

**BPC 4052(a)(13):** Expands authority for pharmacists to initiate, adjust, or discontinue drug therapy for a patient under a collaborative practice agreement with a health care provider with prescriptive authority.

**BPC 4052(a)(14):** Expands authority for pharmacists to provide medication-assistance treatment pursuant to a state protocol. The Board's Licensing Committee will develop the protocol as part of a regulation to implement the new law.

**BPC 4052.6:** Expands authority for an advanced

practice pharmacist to initiate, adjust, or discontinue drug therapy beyond health care facilities. These actions must be done in coordination with the patient's primary care provider or diagnosing prescriber.

**BPC 4110, BPC 4126.10:** Require a pharmacy to report, as part of the license renewal application, notification to the Board regarding compounding practices and reporting requirements for pharmacies distributing compounded human drug preparations. Impacted licensees should watch for updated renewal forms.

**BPC 4129:** Expands authority for outsourcing facilities licensed by the Board to dispense patient-specific compounded drug preparations under specified conditions, including complying with the same requirements of a pharmacy. The Board recently approved FAQs to help licensed outsourcing facilities identify the specific statutes and rules applicable for them to dispense patient-specific prescriptions in California.

**BPC 4161:** Creates alternative pathways to licensure as a nonresident third-party logistics provider to allow for a prelicensure inspection by the Board or evidence of accreditation by the NABP Drug Distributor Accreditation program.

**BPC 4210:** Alters the application requirements for an advanced practice pharmacist to allow for qualification under a single pathway if the pathway requires completion of a second criterion. The Board recently approved initiation of a rulemaking to make conforming changes to regulation sections. Advanced practice pharmacist applicants may email [aphstatus@dca.ca.gov](mailto:aphstatus@dca.ca.gov) to check their application status.

**BPC 4232.5:** Requires a pharmacist with authority to prescribe a controlled substance to complete an education course on the risks of addiction to Schedule II drugs. The Board recently approved initiation of a rulemaking to make it clear to licensees the steps necessary to confirm compliance with the law.

**BPC 4301.3:** Requires the Board to convene a working group of interested stakeholders to discuss whether moving to a standard-of-care enforcement model would be feasible and appropriate; and

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## New laws

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requires the Board to make recommendations to the Legislature after these discussions. The Board's [Standard of Care Ad Hoc Committee](#) will convene its first meeting on March 9, 2022. All interested stakeholders are encouraged to participate.

[Information on meetings](#) will be posted on the Board's website under [Board and Committee Meetings](#).

**BPC 4317.5:** Authorizes the Board to issue fines of up to \$100,000 for repeated violations within five years by three or more community chain pharmacies operating under common ownership and fines up to \$150,000 for any violation of this chapter demonstrated to be the result of a written policy or which was expressly encouraged by the owner or manager. The law also provides an opportunity to cure a violation as long as the violation did not result in actual harm to any consumer or pose serious potential harm to the public.

**BPC 4427.65:** Expands the locations where unit-dose automated drug delivery systems (ADDS) may be located. The Board will update ADDS application and instruction forms.

### **SB 306 Sexually Transmitted Disease: Testing**

(Pan, Chapter 486, Statutes of 2021)

This law allows a pharmacist to dispense a medication without an individual name if the prescription includes "expedited partner therapy," or EPT. The law also requires a pharmacist to provide a written notice that describes the right of an individual receiving EPT to consult with a pharmacist about the therapy and potential drug interactions.

### **SB 310 Unused Medications: Cancer Medication Recycling**

(Rubio, Chapter 541, Statutes of 2021)

This law creates a cancer medication collection and distribution program under the direction of a surplus medication collection and distribution intermediary licensed by the Board. The law also allows patients to donate previously dispensed medications back to a participating practitioner for redistribution to other patients of the same

practitioner or medical practice. In addition, the law authorizes the Board to request records to evaluate for compliance with the provisions and to prohibit a practitioner from participating under specified conditions.

### **SB 311 Compassionate Access to Medical Cannabis or Ryan's Law**

(Hueso, Chapter 384, Statutes of 2021)

This law requires health care facilities to allow a terminally ill patient to use medical cannabis under specified conditions and specifies health care facilities permitting patient use of medicinal cannabis in hospitals.

### **SB 362 Chain Community Pharmacies: Quotas**

(Newman, Chapter 334, Statutes of 2021)

This law prohibits a community chain pharmacy from using a quota to evaluate the performance of a pharmacist or pharmacy technician. The Board will provide education or resources about the new law, whistleblower protections, and a process for licensees to file complaints. The Board's Communication and Public Education Committee is developing educational materials for pharmacy employees regarding the provisions of the law. Stakeholders are encouraged to attend the [committee meetings](#).

### **SB 409 Pharmacy Practice: Testing**

(Caballero, Chapter 604, Statutes of 2021)

This law expands authority for pharmacists to provide CLIA-waived tests under specified conditions.

# Adequate staffing, consultation are key to a successful vaccination program

Pharmacy personnel are playing a vital role in California's response to COVID-19, serving on the front lines of both vaccine administration and COVID-19 testing. The Board of Pharmacy truly appreciates all of the efforts undertaken to keep Californian's healthy.



The Board wishes to remind all licensees about obligations to fulfill all professional requirements required for patient care including several important components necessary to improve patient outcomes. Pharmacists are tasked with many responsibilities that only a pharmacist can perform including drug utilization reviews, prescription verification, and consultation.

Having adequate staffing of pharmacists to perform these tasks and to manage a vaccination and testing program can resolve many potential patient care issues, including providing patient consultation. It is essential both prior to and after vaccination that a pharmacist can provide education regarding the vaccine(s), review what is being administered, explain what to expect during the administration process, and make recommendations on managing side effects.

To assist licensees with compliance, the Board has compiled several categories and examples of issues related to vaccine administration. It is strongly encouraged that licensees read this information and make any necessary operational changes.

## Administration Issues:

- **Wrong COVID-19 manufacturer vaccine**

- The consumer requests the Pfizer COVID-19 vaccine. Instead, the consumer receives a different COVID-19 vaccine.

- **Wrong type of vaccine**

- The consumer should get the vaccine requested. Examples of erroneous vaccines administered could include:
  - The consumer requests a Pneumovax 23 but receives Prevnar 13.
  - The consumer requests a tetanus shot and receives a COVID-19 shot.
  - The consumer requests the pneumococcal pneumonia vaccine and receives the a COVID-19 vaccine.
  - The consumer requests Shingrix and receives a COVID-19 vaccine.
  - The consumer requests Hepatitis B vaccine and receives a Hepatitis A vaccine.
  - The consumer receives the booster dose of a COVID-19 vaccine rather than the higher dosage for a required second dose.

- **Wrong vaccine based on age:**

- The consumer receives a COVID-19 vaccine unapproved for her age.

- **Miscalculation in the Days Between First and Second Dose or Booster Shot**

- Pharmacists should take care in calculating the days between the first and second dose of a two-dose vaccine and the days between the second dose and booster shot to ensure that the administration is consistent with CDC recommendations.

- **Administering expired vaccine:**

- COVID-19 vaccines must be properly

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# Vaccinations

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stored and/or disposed of, and administering vaccines from improperly stored or expired vaccines should not occur.

- **Refuse to administer:**
  - Pharmacies should not refuse to administer vaccines to persons eligible to receive them or require proof from adults of being immunocompromised in order to receive a COVID-19 booster shot.
- **Consultation:**
  - Pharmacists, **not pharmacy technicians**, must provide the consultation addressing side effects and OTC recommendations on managing side effects of the COVID-19 vaccines.
- **Clean Vaccine Administration Area:**
  - Vaccination areas must be kept clean and disinfected or wiped down between consumers receiving vaccinations.

## Technique Issues:

- **Improper technique:**
  - Pharmacy staff eligible to administer vaccines should follow proper placement of the shot and have appropriate medical supplies, such as bandages, ready.
- **Incorrect preparation:**
  - Pharmacy personnel must ensure proper dilution of the vaccine in accordance with manufacturer instructions to ensure that consumers are not over- or under-dosed with the vaccine.
- **Unlabeled prefilled syringe/vial:**
  - COVID-19 vials must be date and time stamped when the vial is reconstituted and available for visual inspection by consumer.

## Vaccination administration record (VAR) Issues:

- **Incorrect/missing information:**
  - Pharmacists must document the correct information, including the correct COVID-19 vaccine received by the consumer.
  - All required information, including the injection site, must be documented on the VAR.
  - The consumer's vaccination card must be documented with all required information including the lot number of the COVID-19 vaccine received.
- **Stolen vaccination cards:**
  - Pharmacies must ensure the safety and security of blank COVID-19 vaccination cards to prevent diversion.
  - Pharmacies must re-issue a lost vaccination card.

## Billing Issue:

- **Fraud:**
  - Pharmacies may not charge patients for the COVID-19 vaccine.

## Staffing Issues:

- **Inadequate staffing:**
  - Pharmacies should ensure adequate staffing for vaccination activities and regular duties. For instance, vaccine appointment times should be reasonably spaced to adequately administer vaccines, and appointments should not be overbooked.
- **Misinformation :**
  - Pharmacists should not discourage patients from receiving COVID-19

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## Vaccinations

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vaccines unless contraindications from the FDA approved warnings are indicated.

Periodic reviews of the pharmacy's policies and procedures and training of staff regarding the pharmacy's vaccination program will also help with consistency, confidence, and efficiency for a successful vaccination program.

As a reminder, COVID-19 vaccines are free to everyone in the United States. If your pharmacy is participating in the Health Resources and Service Administration COVID-19 Uninsured Program, explain to the consumer your pharmacy is required to request patient information (Social Security Number, driver license number, etc.) to assist in verifying their uninsured status and that it is not a requirement for vaccination.

Also, pharmacies administering vaccinations are required by law to report vaccination administration errors and serious adverse events to the Vaccine Adverse Events Reporting System (VAERS). For information on VAERS, go to: <https://vaers.hhs.gov/reportevent.html>.

### COVID-19 Resources

The Board of Pharmacy provides links to many online resources for pharmacies and pharmacy personnel administering COVID-19 vaccines. Visit the Board's website at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov) and click on the "[COVID-19 Updates and Resources](#)" button to find a list of links to important information, including:

- [Age-Related COVID-19 Vaccine Mix-Ups](#)
- [Mix-Ups Between the Influenza \(Flu\) Vaccine and COVID-19 Vaccines](#)
- [Coadministration with Other Vaccines](#)
- [CDPH COVID-19 Vaccination Resources for Pharmacists](#)

# New CURES vendor chosen to collect data from licensees

The California Department of Justice (DOJ) recently [announced](#) the selection of a new vendor to collect required prescription data from pharmacies, clinics, and other dispensers for the Controlled Substance Utilization Review and Evaluation System, or CURES.

**Beginning January 1, 2022**, dispensers currently submitting data to Atlantic Associates Inc. (AAI) will be required to begin registering with the new vendor, Bamboo Health. Dispensers will receive additional registration information and instructions from Bamboo Health, including a guide on submitting data to the vendor's PMP Clearinghouse system.

Dispensers will continue submitting data to AIA at [www.aaicures.com](http://www.aaicures.com) through February 22, 2022.

**Beginning February 23, 2022**, dispensers will be required to submit data to the Bamboo Health PMP Clearinghouse system.

Dispensers who already submit data to PMP Clearinghouse in other states do not need to register for a new account with Bamboo Health. Instead, current submitters will be able to add California to their existing account for data submissions. Instructions on this process will be included in the data submission guide for PMP Clearinghouse.

Dispensers with questions about submitting data may contact Bamboo Health at (855) 502-0999 or submit a ticket at <https://pmpclearinghouse.zendesk.com/hc/en-us>. The website includes a with answers to frequently asked questions (FAQs) about the following topics:

- Creating an account.
- Learning the basics and submitting and correcting data.
- Getting help with errors.

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This alert is based on information from the National Medication Errors Reporting Program (MERP) operated by the Institute for Safe Medication Practices (ISMP).

# Age-related COVID-19 vaccine mix-ups



Ever since the US Food and Drug Administration (FDA) authorized the emergency use of a specific formulation (10 mcg/0.2 mL) of the Pfizer-BioNTech coronavirus disease 2019 (COVID-19) vaccine for children ages 5 through 11 years, reports of mix-ups with the Pfizer-BioNTech COVID-19 vaccine formulation intended for individuals 12 years and older (30 mcg/0.3 mL) have been pouring in. Most of the mix-ups occurred in outpatient or ambulatory care settings such as public health clinics, community pharmacies, physician practices, and outpatient clinics. Based on reports sent to the *ISMP National Vaccine Errors Reporting Program* (ISMP VERP) involving hundreds of children, and the fact that adverse event reporting programs do not receive all the actual cases, it is likely that thousands have been impacted. Some children ages 12 and older received the formulation intended for children 5 to 11 years, resulting in underdoses. Other children ages 5 to 11 years received the formulation intended for individuals 12 years and older, resulting in overdoses.

Some errors are due to vial or syringe mix-ups. The label on the pediatric formulation states: “Age 5y to < 12y” (Figure 1), but this is not as prominent as instructions to “**DILUTE PRIOR TO USE**” and could be missed. Surprisingly, only the injection volume is listed on Pfizer-BioNTech COVID-19 vaccine labels. The dose in mcg is not listed, which would have been helpful in differentiating this product from the 30 mcg/0.3 mL formulation for patients 12 years and older. The 30 mcg/0.3 mL adult formulation vial has a purple cap, while the 10 mcg/0.2 mL pediatric formulation has an orange cap. While different color caps might help prevent some mix-ups,

once the cap is removed and discarded, doses may be prepared one at a time rather than all at once, which will render the cap color irrelevant. Also, it is unlikely that the vial will accompany prepared syringes, so the vial label cannot be verified by those administering the vaccine or parents/patients receiving the vaccine.

In other errors, healthcare providers incorrectly thought it was acceptable if only 10 mcg of the formulation intended for individuals 12 years or older was administered to children 5 to 11 years, either as 0.1 mL (10 mcg) or by diluting the 10 mcg dose in a syringe to 0.2 mL. Neither method would be correct, though, since the pediatric vaccine is specifically formulated to be less concentrated to ensure accurate measurement. Withdrawing 0.1 mL of the 30 mcg/0.3 mL vaccine in a

1 mL syringe will likely result in an inaccurate volume being delivered to the patient, as it is recommended that no less than 20% of the nominal syringe capacity should be measured. Also, if a needle different from the one used for drawing up the

vaccine is used for administration, some of the 0.1 mL dose would likely be lost to dead space in the needle. If a 0.1 mL dose is drawn up and the same needle and syringe are used to draw up a 0.9% sodium chloride diluent, then the vaccine initially in any dead space of the needle and syringe hub would be drawn into the syringe as it is pulled back to withdraw the diluent. Depending on how uniformly the antigen content is then distributed within the suspension, this could result in too much or too little vaccine reaching the patient upon injection. Simply put, the vaccine vial with the purple cap (intended for individuals 12 years and older) should never be used to prepare doses for children 5 through 11.



Figure 1. The vaccine vial label for ages 5 through 11 years has an orange border, and the vial (not pictured) has an orange cap.

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This alert is based on information from the National Medication Errors Reporting Program (MERP) operated by the Institute for Safe Medication Practices (ISMP).

## Age-related COVID-19 vaccine mix-ups Continued from page 8

News media have sometimes reported that parents expressed vaccine hesitancy after hearing about these COVID-19 vaccine errors ([www.ismp.org/ext/804](http://www.ismp.org/ext/804)). Because more than 4 million children ages 5 through 11 have been vaccinated to date, the number of errors described above may seem small in comparison. However, we certainly do not want mix-ups between these vaccine formulations to raise concerns even more and further undermine public health efforts to have as many children vaccinated as possible, even though these errors are not expected to cause serious adverse events, and children receiving underdoses can be revaccinated.

If clinics, physician practices, and/or pharmacies will be administering adult and pediatric COVID-19 vaccines:

- Develop a plan for segregating and storing the vaccines in refrigerators and freezers that are organized and properly labeled.
- Store the adult (12 years and older) and pediatric COVID-19 vaccines apart from one another, such as in separate labeled plastic bins.
- Make it a policy to clearly label all individual syringes containing vaccines. To facilitate proper labeling, the pharmacy should print labels for each patient or provide vaccine preparers with strips of preprinted labels that differentiate adult and pediatric doses. Ideally, prior to administration, barcode scanning should confirm the correct vaccine.
- When checking in a patient to receive a vaccine, ask the parent or patient to provide at least two patient

identifiers—their full name and date of birth. Repeat this process immediately prior to vaccination. For pediatric patients, also verify the patient’s actual age with the parent or caregiver and be sure to ask which vaccine(s) they have requested.

- Only bring the intended and labeled vaccine syringe(s) for one patient into the vaccination area at a time. Involve the parent or patient in verifying the vaccine by reading the label to confirm the correct vaccine.
- Document the lot number and date of manufacture prior to vaccine administration, and document administration afterwards in the patient’s profile, on vaccination records, and via state or other immunization registries.

Report all vaccine errors internally as well as to the FDA/CDC (Centers for Disease Control and Prevention) Vaccine Adverse Event Reporting System (VAERS, <https://vaers.hhs.gov/>), which is mandatory for COVID-19 vaccine errors under an Emergency Use Authorization (EUA). ISMP also asks providers to report vaccine errors to the **ISMP National Vaccine Errors Reporting Program** (ISMP VERP; [www.ismp.org/VERP](http://www.ismp.org/VERP)). Additional vaccine information can be found at: [www.cvdvaccine-us.com](http://www.cvdvaccine-us.com), and in the latest vaccine *Fact Sheets* for healthcare providers ([www.ismp.org/ext/803](http://www.ismp.org/ext/803), [www.ismp.org/ext/813](http://www.ismp.org/ext/813)).



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**The National Alert Network (NAN)** is a coalition of members from the National Coordinating Council for Medication Error Reporting and Prevention (NCC MERP). The network, in cooperation with the Institute for Safe Medication Practices (ISMP) and the American Society of Health-System Pharmacists (ASHP), distributes NAN alerts to warn healthcare providers about the risk of medication errors that have caused or may cause serious harm or death, or to warn them about new findings that could cause harm and/or are being reported with unusual frequency. NCC MERP, ISMP, and ASHP encourage the sharing and reporting of medication errors both nationally and locally, so that lessons learned can be used to increase the safety of the medication use system.

# Got questions about e-prescribing law? Get answers in Script, online FAQs



A state law mandating “e-prescribing” took effect January 1, 2022, requiring most prescriptions in California to be issued by prescribers and received by pharmacists as electronic data transmissions. The law, Business and Professions Code (BPC) [section 688](#), also contain other requirements and provides exceptions in specific situations.

As a reminder, a pharmacist may continue to

dispense medications from legally written, oral, or faxed prescriptions pursuant to provisions of the law and does not have to verify that such a prescription qualifies for an exemption from the e-prescription requirements.

The Board of Pharmacy summarized key provisions and exceptions in the [September 2021 issue of The Script](#). The article also contains answers to frequently asked questions (FAQs) about BPC section 688, which are also posted on the Board’s website at Licensees > Important Information for Licensees > Frequently Asked Questions > [E-Prescribing FAQs](#).

In addition, Board inspectors can assist with questions about the e-prescribing. Visit the Board’s [Ask an Inspector](#) section to learn when and how to reach a Board inspector. Also be sure to [sign up to receive email alerts](#) from the Board.

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- Getting help when you’re unable to login.
- People in my organization have already registered. How do I create an account to be joined with their organization?
- How to update my organization information.
- SFTP assistance.

In addition, dispensers and prescribers should check the DOJ’s [CURES website](#) for information and updates at <https://oag.ca.gov/cures>.

Health and Safety Code [section 11165\(d\)](#) requires pharmacies, clinics, and other dispensers to report information about dispensed Schedule II-V controlled substances to CURES within one working day after the date a controlled substance is released to the patient or patient’s representative.

## Email addresses required by Board

Facilities, pharmacists, pharmacy technicians, intern pharmacists and designated representatives are required to register for email notifications from the Board of Pharmacy within 60 days of obtaining a license or at the time of license renewal. In addition, licensees must update their registration within 30 days of changing their email address.

The process is easy! To register your email address and receive email notifications from the Board, visit the Board’s [website](#) and click on the link in the “Quick Hits” to [sign up for subscriber alerts](#). Email addresses are confidential and are not posted in the Board’s online license verification system.

# Board adopts compounding statement

On October 27, 2021, the Board of Pharmacy adopted the following policy statement providing guidance to licensees regarding proposed revisions to USP General Chapters 795 and 797:

In light of the September 1, 2021, release by USP of proposed updates to USP General Chapters <795> and <797>, the California State Board of Pharmacy (Board) wishes to update its stakeholders on the anticipated next steps the Board will be taking and also remind stakeholders about the current status of legal requirements for pharmacies compounding drug preparations.

It is the Board's understanding that USP published proposed revisions to USP General Chapter <795> Pharmaceutical Compounding – Nonsterile Preparations and General Chapter <797> Pharmaceutical Compounding – Sterile Preparations for public comment. It is the Board's understanding that comments may be submitted on or before January 31, 2022. Further, USP will host virtual Compounding Open Forum Series in January 2022.

The Board understands that based on the appeals to the 2019 proposed revisions to Chapters <795> and <797>, further changes were made to these proposed chapters. Accordingly, the current Chapters <795> (last revised in 2014) and <797> (last revised in 2008) remain the official versions of USP standards. In addition, all licensees must adhere to all relevant sections of Pharmacy Law and regulations, including but not limited to the Board's current regulations: Title 16, California Code of Regulations, section 1735 et seq. (Article 4.5, Compounding); section 1751 et. seq. (Article 7, Sterile Compounding); and section 1708.3 to section 1708.5 (related to radioactive drugs); and Business and Professions Code section 4126.8 and other relevant state and federal provisions.

It is the Board's understanding that USP is not offering any additional changes to Chapter <800> or Chapter <825>. Because Chapter <800> and Chapter <825> are not referenced in the current versions of Chapters <795> and <797>, Chapters



<800> and <825> appear informational and not compendially applicable (or a required standard under USP) until the amendments in Chapters <795> and <797> are finalized. Like USP, the Board encourages utilization of amended Chapter <800> in the interest of advancing public health before it becomes a required USP standard by USP adoption of revised Chapters <795> and <797>. States and other regulators with jurisdiction also may incorporate USP chapters that are not compendially applicable (required USP standards) into their own statutes or regulations, or “through other steps in accordance with their own policy making processes” to apply or enforce chapters that are not yet required USP standards.

As required in Business in Professions Code section 4127(c), the Board's Enforcement and Compounding Committee intends to resume its discussion of the new proposed revised chapters. Although it is the Board's goal to seek conformity with USP where possible, consistent with the Board's consumer protection mandate and the authority granted to the Board by the Legislature in Business and Professions Code section 4126.8, it is anticipated that the Board's efforts may result in updates to its current regulations, including higher standards if deemed necessary for public protection. Information on meetings will be posted on the website and meeting materials made available in advance.

# Mitigation strategies overview:

## Preventing pharmacy drug diversion



Diversion of medications remains an ongoing problem for pharmacies. The following overview highlights important considerations that can help a pharmacy better account for its drug stock.

The Board of Pharmacy recommends these tips to help prevent drug diversion. Additional information is provided at periodic continuing education (CE) events on prescription drug abuse and drug diversion provided by the Board. Licensees can [sign up to receive subscriber alerts](#) about upcoming CE events at the Board's website, [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov).

### Ordering Medications

- Develop policy and procedure (PnP) to know who is ordering, what is being ordered, when the orders are being made, and the expected delivery date. Identify anomalies.
- When a list of items to order is prepared by one person, consider having a different person review the order to ensure its accuracy before submitting it to a wholesaler.

### Receiving Medications

- [Business and Professions Code section 4059.5\(a\)](#) requires a pharmacist to sign for and receive a drug delivery.

- Consider checking to ensure some or all the items on the invoice are physically present before the delivery driver leaves.

### Stocking Medications

- Develop PnP to ensure an appropriate level of supervision of pharmacy staff during drug delivery intake and stocking.

### Medication Storage/Access

- Develop PnP to ensure an appropriate level of supervision of the pharmacy stock. Consider video surveillance and unannounced camera position changes.
- Consider securing high diversion risk drugs in locked cabinets or safes.
- Limit access to locked cabinets and safes. Limit general access to drugs only to employees who need the access to fulfill a job duty.

### Document Management

- Consider use of perpetual inventories. These on-hand counts can be used as data points in an audit.
- Comply with [Title 21 Code of Federal Regulation section 1304.11](#) related to biennial inventories for controlled substances.
- Comply with [California Code of Regulations section 1715.65](#) related to inventory reconciliation reports of controlled substances.
- Compare invoices to dispensing information to estimate if there is a logical connection from what is being dispensed to what is being ordered.

# PIC apologizes for dereliction of duties

Under California law, the pharmacist-in-charge (PIC) is responsible for a pharmacy's compliance with state and federal laws applicable to a pharmacy. (Business and Professions Code (BPC) sections 4036.5 & 4113(c); Title 16, California Code of Regulations (CCR), section 1709.1(a)). The scope of a PIC's potential responsibility can be broad. For example, the Board of Pharmacy has designated the [Sternberg decision](#) as a precedential decision, and in that case the PIC was disciplined for a pharmacy's violation of BPC section 4081 resulting from a pharmacy technician's theft of controlled substances without the pharmacist having actual knowledge of or authorizing the violations. Finally, the pharmacy owner must give the PIC adequate authority to assure compliance with the laws governing the operation of a pharmacy. (CCR section 1709.1(b)).

From some disciplinary cases, it appears some PICs are unaware of their role and responsibilities for a pharmacy's compliance with state and federal laws and the potential impact to their pharmacist license. To further the Board and the staff's goal to educate licensees, under the terms and conditions of probation in some disciplinary cases licensees may be required to submit to the Board a letter of apology regarding the incident that gave rise to disciplinary action. The letter is intended to educate and prepare other Board licensees, including those who have taken on the role of pharmacist-in-charge or other managerial positions at a pharmacy.

This article contains excerpts from a recent apology letter received by the Board. The letter was submitted by a pharmacist who served as a pharmacist-in-charge at a closed-door pharmacy. (The excerpts are printed verbatim in italics below.) The complaint included multiple causes for discipline against the pharmacy license, a sterile compounding license, three pharmacists' licenses and the license of one pharmacy technician.

**The PIC has substantial responsibilities under California law to ensure a pharmacy's compliance with state and federal laws that help ensure drugs dispensed by the pharmacy are safe for California consumers.**

*I still vividly remember I was offered a pharmacist-in-charge role by [a chain] pharmacy right after graduating from pharmacy school. The [] district manager painted a rosy future: a higher hourly wage with a managerial title, and likelihood to climb higher and faster in the corporate hierarchy. It is not a secret that many pharmacists in charge are new graduates because more seasoned and experienced pharmacists know the responsibility and risk they are taking. According to American Association of College of Pharmacy, nearly 50% of students who were enrolled in a Pharm.D program is age 25 or younger. With more pharmacy schools open up, the average age of a new graduate will only get younger and younger, and this also means average age of pharmacist in charge will also be younger than it was before. I was a pharmacist in charge for two separate locations, and the reason I am writing this letter is to exam my culpability and to educate my fellow pharmacists from my mistakes. ...*

*... I was asked to take over the PIC role in the middle of an investigation that I was somewhat aware of. Accepting such role in the middle of an investigation may not be the best idea given the risk taken, and the first advice I would give to my fellow pharmacists is: do not accept a PIC role until you know the policies and procedure of the pharmacy and all applicable state and federal pharmacy laws. The reason I emphasize this is because there are many things happening behind the scene you aren't aware of (such as medication and DME ordering and billing), and you may be told to do things that is not in compliance with the law. Many younger pharmacists may see a promotion to PIC as a gateway for professional growth and will do what was told to impress management team.*

See **PIC apology**, Page 14

## PIC apology

Continued from page 13

**Pharmacy owners are expected to give PICs adequate authority to ensure they can fulfill their responsibilities. PICs also must exercise the authority they are given for ensuring the pharmacy's compliance with federal and state laws.**

*I failed to exercise my best judgment at multiple levels when I took over the PIC role. I was told and reassured by the management team regarding violations during investigation. My single most important advice to my fellow pharmacists as I mentioned above is "seeing is believing". Many PICs are new grads and may not know everything about how their pharmacies operate, and you may be intimidated and told to do things that may not be in line with pharmacy law. During inspections, I was told not to say or do things without running by the attorney as it may be used to against me and the pharmacy and I failed to exercise my best judgment by taking that advice. I failed to question management team and attorney regarding the accusations. I am apologetic and regret not to cooperate with board investigators during the inspection. ...*

**A PIC's failure to exercise their authority to ensure a pharmacy's compliance with state and federal laws can result in discipline imposed on their pharmacist license up to and including revocation of the license, depending on the facts and circumstances consistent with the Board's [Disciplinary Guidelines](#). At the January 2022 meeting, the Board voted to initiate rulemaking to make changes to its Disciplinary Guidelines. The proposed changes are included in Attachment 1 to the [Enforcement and Compounding Committee Report](#).**

*... The intention of pharmacist in charge is to keep pharmacy in compliance with pharmacy law. I have learned my lesson in a hard way, with years of supervising and probation, it will be hard for me and my family. I am grateful that the pharmacy board gave me an opportunity to redeem myself. The best ways to turn my mistakes into a valuable life lesson is to acknowledge my mistakes and make a plan to make sure they will not happen again. I accept full responsibility for my mistakes and have already make plans that will help me avoid making the same mistakes. I will continue to work with the board and to make myself and my coworkers a better pharmacist to service our patients.*

To further ensure PICs are aware of the responsibilities that come with the role of a PIC, the Board voted at its January 2022 meeting to initiate rulemaking to amend CCR section 1709.1 to require PICs to complete an attestation when they are designated as the PIC for a particular pharmacy that acknowledges their role and responsibilities under the law and also requires PICs to submit proof of completion of Board-provided PIC training within the past two years before being designated as a PIC. The exact language adopted by the Board is included at Attachment 1 to the [Licensing Committee Report](#). This was also discussed at the [Licensing Committee meeting](#) in January 2022. Once this rule change has been noticed, there will be a 45-day comment period. Also, the Board will be noticing regulatory changes to make changes to its existing Disciplinary Guidelines. These amendments also will be subject to a comment period.

Interested stakeholders are encouraged to submit comments on these rulemaking initiatives when noticed for comment. Pending rules are listed under [Pending Regulations](#) at the Board's website, [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov).

# Resources available to help pharmacies before inspection

Facility inspections by the Board of Pharmacy are intended to protect the health and safety of consumers. But they are also important opportunities for Board inspectors to provide education and guidance and answer questions about pharmacy laws and regulations.

The Board provides important resources to assist licensees in understanding and being prepared for an inspections:

- [Pharmacy Inspections](#) – This online brochure provides information on what licensees can expect during an inspection, what the Board expects, a list of documents and other items inspectors will expect to review, and what happens after an inspection. The brochure can be downloaded and printed at Licensees > Important Information for Licensees > Publications > [Pharmacy Inspections](#).
- [How to Prepare for a California State Board of Pharmacy Inspection](#) – This online video by a Board inspector discusses the inspection process and how licensees can facilitate inspections.

In addition, [pending disciplinary cases](#) and [final disciplinary actions](#) can provide useful education and information that can help licensees avoid violations of pharmacy laws and regulations. Visit the Board's website and click on [Enforcement Actions](#) in the "Quick Hits" column for links to various types of enforcement actions and policies. Summaries of recent disciplinary actions also are published in each issue of The Script.

# Board seeks input from pharm techs

The Board of Pharmacy is scheduling listening sessions to hear from California pharmacy technicians. The sessions will be conducted over WebEx. Please see the schedule of dates and times below. The Board requests individuals attend only one session to ensure others have the same opportunity.



- [Wednesday, March 2, 7:00 p.m.](#)
- [Monday, March 14, 7:00 p.m.](#)
- [Sunday, March 20, 10:00 a.m.](#)
- [Friday, March 25, 7:00 p.m.](#)
- [Saturday, April 2, 11:00 a.m.](#)

Space is limited, and registration is required. To register, click on the link for your preferred session above.

**Unable to attend a listening session?** The Board would welcome your comments by completing a short survey at <https://www.surveymonkey.com/r/H7627H2>.

Thank you for your interest. The information provided will be considered during the Board's upcoming Pharmacy Technician Summit scheduled for April 19, 2022. More information will be provided on the Board's website as it becomes available. We look forward to hearing from you.

# Board welcomes 2 public appointees

The California State Board of Pharmacy is pleased to welcome two new members.

## Kula Koenig, Public Member

Kula Koenig of Sacramento was appointed to the California State Board of Pharmacy by Governor Gavin Newsom in December 2021.



Ms. Koenig has been senior director of impact at the United Way California Capital Region since 2018. She founded Social Justice PolitiCorps in 2020 and served as district director for the Office of Assemblymember Roger Dickinson from 2012 to 2014 and Project Manager at Capitol Campaigns from 2007 to 2010. She previously was divestment associate at Genocide Intervention Network from 2006 to 2007.

Ms. Koenig earned a master of business administration degree in nonprofit management from George Washington University. She is a member of Black Women Organized for Political Action.

Her term will expire in 2024.

## Indira J. Cameron-Banks, Public Member

Indira J. Cameron-Banks was appointed to the California State Board of Pharmacy by Governor Gavin Newsom in February 2022.



Ms. Cameron-Banks is a lawyer and has been a sole practitioner at Cameron Banks Law since 2021. She was director of the Preventing and Ending Homeless Project for the Inner City Law Center from 2020 to 2021.

Ms. Cameron-Banks held several positions at the U.S. Department of Justice from 2007 to 2020, including assistant U.S. attorney, chief of financial litigation and special counsel to the U.S. attorney.

She was an associate at Taylor Duane Barton & Gilman from 2004 to 2006 and a law clerk for the Connecticut Superior Court from 2003 to 2004. She earned a juris doctor degree from Boston University School of Law.

Her term will expire in 2024.

# Ad hoc panels study medication errors and workforce issues, standard of care

The Board of Pharmacy has established two ad hoc committees to consider important policy matters. Stakeholders are encouraged to learn about these committees and participate at their meetings.

The [Medication Error Reduction and Workforce Ad Hoc Committee](#) held its first meeting January 27, 2022. Links to materials and a recorded webcast of the January meeting, as well as a schedule of upcoming meetings, are available on the committee's webpage.

In addition, the Board has established the [Standard of Care Ad Hoc Committee](#) as mandated by [AB 1533](#). The committee's first meeting is scheduled for March 9, 2022.

Click on the committee names above to go directly to their respective webpages. To find materials and schedules for all Board and committee meetings, visit the Board's website and click on the [Meetings](#) link in the "Quick Hits" column on the homepage.



# Registry helps patients find services

Does your pharmacy offer birth control medications, vaccinations, naloxone, or other specific health care services that pharmacists are authorized by law to provide without a prescription? Let consumers know!

The Board of Pharmacy has created an online registry to help consumers find specific health care services that qualified pharmacists may provide to patients without a prescription pursuant to provisions of the Business and Professions Code. Pharmacists providing these services also must comply with protocols and requirements specified in Title 16 of the California Code of Regulations.

These health services include:

1. Self-administered hormonal contraception.
2. Emergency contraception.
3. Vaccinations.
4. Travel medications.
5. Nicotine replacement therapy.
6. Naloxone.
7. HIV preexposure prophylaxis (PrEP).
8. HIV postexposure prophylaxis (PEP).

Licensees providing these services may sign up online to be listed in the registry. **Licensee participation in the registry is voluntary.**

Signing up for the health services registry is easy:

1. Go to the Board's website, [pharmacy.ca.gov](http://pharmacy.ca.gov).
2. Scroll down the homepage to "Important Information for Licensees" and click on [Health Services Registry – Licensee Sign-Up](#).
3. Fill out the online form and click the "Submit" button.

Staff will review the submitted information. Once reviewed, the information will be added to the registry. Depending on the volume of forms submitted, **please allow one to two weeks for the information to appear online.** Questions may be sent to [RXHealthServices@dca.ca.gov](mailto:RXHealthServices@dca.ca.gov).

Consumers looking for services can search the registry to find licensees providing these services by name, city or ZIP code. To find a participating pharmacist or pharmacy, go to the Board's website, scroll down to "Important Information for Consumers," and click on [Health Services Registry – Search](#).

## Board recognizes 40-year pharmacists

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



# 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: July - December 2021

### July 1 – September 30, 2021

#### Personal Licenses

#### Aceves, Dora B., TCH 81925, AC 6531

Visalia, CA

**Cause for discipline:** Use of dangerous drugs or controlled substances in a dangerous manner; acts of moral turpitude.

**Action:** The license is revoked. Effective 7/14/2021.

#### Aidoo, John N., TCH 60303, AC 7103

Rialto, CA

**Cause for discipline:** Conviction of battery; acts involving moral turpitude.

**Action:** The license is revoked. Effective 8/25/2021.

#### Birosel-McQuigg, Anita, RPH 42446, AC 6992

Lake Forest, CA

**Cause for discipline:** Knowingly

making or signing false statements; attempting to subvert a Board investigation; failing to secure promethazine/codeine that could not be accounted for; unprofessional conduct.

**Action:** The license is revoked. Effective 8/18/2021.

See **Disciplinary actions**, Page 19

## Disciplinary actions

Continued from page 18

[Brodbeck, Martha S., RPH 32870, AC 6982](#)

Sacramento, CA

**Cause for discipline:** Failing to maintain security of controlled substances by storing in unlocked cabinet; failing to notify Board PIC ceased acting as PIC; acting as PIC in violation of previous probation condition; supervising ancillary pharmacy staff in violation of previous probation condition; failing to enroll in and complete ethics course in violation of previous probation condition; failing to notify Board of change in status in violation of previous probation condition.

**Action:** The license is voluntarily surrendered. Effective 9/29/2021.

[Cadis, Charles I., RPH 24126, AC 7004](#)

Valencia, CA

**Cause for discipline:** Failing to correct pharmacy prescription labels as required by previous order of correction; unlicensed offsite processing of prescription documents; dispensing medications from erroneous or uncertain prescriptions; using preprinted multiple check-off prescription blanks; exchanging medication inventory with out-of-state pharmacies; unprofessional conduct; acts involving moral turpitude.

**Action:** The license is voluntarily surrendered. Effective 9/29/2021.

[Chung, Patrick Mun Kin, RPH 62941, AC 6981](#)

Irvine, CA

**Cause for discipline:** Unprofessional conduct in taking

and self-administering controlled substances from pharmacy employer without a prescription; acts involving moral turpitude; possessing controlled substances without a prescription; self-administering or furnishing controlled substances.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 8/18/2021.

[Dang Nghi V., Applicant, SI 7029](#)

Friant, CA

**Cause for denial of application:** Unprofessional conducted related to prior discipline by the Board; unprofessional conduct related to out-of-state discipline.

**Action:** The application for a pharmacist license is granted. Upon satisfaction of all statutory and regulatory requirements, the license is issued, immediately revoked, the revocation stayed, and the license is placed on probation for seven years. Effective 9/29/2021.

[Del Toro, Miguel, Applicant, SI 7002](#)

Winton, CA

**Cause for denial of application:** Conviction of crimes substantially related to duties; unprofessional conduct.

**Action:** The application for registration as a pharmacy technician is denied. Effective 8/18/2021.

[Edgar, Steven P., RPH 36563, AC 6862](#)

Chico, CA

**Cause for discipline:** Dispensing drugs that varied from prescription; disclosing protected health information

without authorization; improperly storing expired drugs; failing to verify controlled substances prescriptions received by fax; dispensing compounded medications to residents in other states without being licensed in those states.

**Action:** The license is publicly improved. Effective 7/14/2021.

[Hernandez, Richard Anthony, TCH 155639, AC 7093](#)

Hayward, CA

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

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 9/2/2021.

[Hester, Ashley, TCH 169675, AC 7063](#)

Bakersfield, CA

**Cause for discipline:** DUI conviction following two previous DUI convictions; conviction of a crime substantially related to duties; dangerous use of alcohol.

**Action:** The license is revoked. Effective 9/29/2021.

[Hoffman, Thomas A., RPH 38673, AC 6945](#)

Bakersfield, CA

**Cause for discipline:** Failing to maintain operational standards and security; failing to maintain records of manufacture and of sale, acquisition, receipt, shipment, or disposition and a current inventory; failing to maintain security by allowing access to a non-pharmacist.

**Action:** The license is publicly improved. Effective 8/18/2021.

See **Disciplinary actions**, Page 20

## Disciplinary actions

Continued from page 19

[Khachatryan, Karen Gary, RPH 57500, AC 6926](#)

Burbank, CA

**Cause for discipline:** Pharmacy technician lacking required ID or badge; not posting license; having prescription documents unauthorized by prescriber; improper prescription labeling; lacking policy and procedures for theft and impairment; not having required records on site; failing to provide electronic records requested by Board inspectors; leaving pharmacy technician unsupervised in pharmacy; failing to post Notice to Consumers poster; lacking quality assurance program; fabricating prescriptions; falsely completing self-assessment form; subverting a Board investigation; lacking policy and procedure for assisting patients with limited English proficiency; lacking "Point to Your Language" information for consumers; allowing pharmacy technician to possess pharmaceutical access key; lacking policy for pharmacist absence; lacking self-assessment by PIC; over-dispensing controlled substances to patients; lacking job description and duty statement for pharmacy technician; lacking required inventory of controlled substances; failing to maintain accurate acquisition and disposition records; unprofessional conduct.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 9/29/2021.

[Khanbekyan, Zaven, EXC 20708, AC 6281](#)

Panorama City, CA

**Cause for discipline:**

Convictions of insurance fraud and workers compensation fraud; unprofessional conducted related to acts of moral turpitude.

**Action:** The license is revoked. Effective 7/14/2021.

[Lim, Susan Louise, RPH 63428, AC 6903](#)

Los Angeles, CA

**Cause for discipline:** Conviction of battery; dangerous use of alcohol or drugs; acts involving moral turpitude.

**Action:** The license is revoked. Effective 9/15/2021.

[Medina, Christine M., TCH 89881, AC 7071](#)

Menifee, CA

**Cause for discipline:**

Criminal conviction of witness intimidation, criminal threats, and assault with a firearm.

**Action:** The license is voluntarily surrendered. Effective 9/29/2021.

[Mohan, Ajasani L., TCH 153460, AC 6737](#)

West Sacramento, CA

**Cause for discipline:** Unlawfully obtaining, self-administering and possessing controlled substances; unprofessional conduct.

**Action:** The license is voluntarily surrendered. Effective 7/28/2021.

[Nguyen, Khanh Huu Phuong, RPH 50052, AC 6859](#)

Huntington Beach, CA

**Cause for discipline:** Failing to comply with corresponding responsibility to ensure

controlled substances were dispensed for a legitimate medical purpose; dispensing controlled substances prescriptions containing significant errors, omissions, irregularities, uncertainties, ambiguities or alterations; failing to exercise best professional judgment in dispensing controlled substances; dispensing controlled substances written on unauthorized forms; unprofessional conduct.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 8/25/2021.

[Nguyen, Luu Phuong, RPH 58306, AC 6998](#)

San Jose, CA

**Cause for discipline:** Failing to obtain waiver for offsite storage of records; failing to initiate quality assurance record related to dispensing error; failing to maintain compounding policies and procedures; having misbranded drugs in inventory; deviating from prescription; failing to complete self-assessment; unprofessional conduct related to billing matters; failing to maintain records of acquisition of dangerous drugs; failing to report change in beneficial ownership of pharmacy; inappropriate exercise of education, training or experience as a pharmacist; unprofessional conduct.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 9/8/2021.

See **Disciplinary actions**, Page 21

## Disciplinary actions

Continued from page 20

### [Okereke, Obinna, RPH 65105, AC 7015](#)

Norwalk, CA

**Cause for discipline:** Failing to exercise corresponding responsibility in dispensing controlled substances; filling or dispensing improper prescriptions for controlled substances; failing to complete self-assessment.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 9/8/2021.

### [Schuler, Matthew D., RPH 42166, AC 6862](#)

Chico, CA

**Cause for discipline:** Failing to conduct quality assurance review; unprofessional conduct in dispensing compounded medications to out-of-state residents without a license in those states.

**Action:** The license is publicly reprovved. Effective 7/14/2021.

### [Tadros, Michael Edward Milad, RPH 68859, AC 6809](#)

Corona, CA

**Cause for discipline:** Failing to have required quality reviews in compounding master formulas; failing to have quality reviews and required post-compounding processes and procedures; failing to have documentation of the methodology used to validate integrity, potency, quality, and labeled strength of compounded preparations.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for an additional two months.

Effective 8/18/2021.

### [Ton, Tramanh Nu, RPH 59598, AC 6886](#)

Stanton, CA

**Cause for discipline:** Failing to exercise corresponding responsibility in dispensing or furnishing controlled substances; filling or dispensing improper prescriptions for controlled substances.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 9/29/2021.

### [Tumikyan, Varduhi, TCH 138086, AC 7004](#)

North Hollywood, CA

**Cause for discipline:** Unprofessional conduct in making false statements in connection with a Board inspections.

**Action:** The license shall be subject to public reprovval. Effective 9/29/2021.

### [Uch, Bunnaun B., RPH 48460, AC 6698](#)

Stockton, CA

**Cause for discipline:** Unprofessional conduct; failing to secure dangerous drugs; loss of dangerous drugs; failing to notify DEA of registration change; dispensing dangerous drugs without proper labeling; improperly transferring drugs from other pharmacies; dispensing prescriptions without a valid hard copy; improperly dispensing verbal prescriptions; unauthorized ordering of Schedule II controlled substances; misbranded and adulterated medications; inappropriate furnishing of

dangerous drugs; fraudulent billing of prescriptions; hidden ownership of pharmacy.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 7/14/2021.

### [Uch, Touch L., RPH 49009, AC 6698](#)

Stockton, CA

**Cause for discipline:** Inappropriate furnishing of dangerous drugs; failing to maintain prescription documents; failing to maintain accurate electronic patient prescription records; failing to maintain accurate prescription transfer records; fraudulent billing of prescriptions; failing to offer consultation on delivered prescriptions; allowing staff member to work in the pharmacy with an expired pharmacy technician license; altering self-assessment form with incorrect information; hidden ownership of pharmacy.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 7/14/2021.

### [Vinh, Khiem, RPH 43315, AC 7055](#)

Fountain Valley, CA

**Cause for discipline:** Failing to exercise corresponding responsibility to ensure controlled substances were dispensed for legitimate medical purpose; dispensing controlled substances prescriptions with significant errors, omissions, irregularities, uncertainties, ambiguities or alterations; dispensing controlled substances prescriptions written on unauthorized form;

See **Disciplinary actions**, Page 22

## Disciplinary actions

Continued from page 21

unprofessional conduct.

**Action:** The license is voluntarily surrendered. Effective 7/28/2021.

[Walsh, Timothy J., RPH 42653, AC 6932](#)

San Luis Obispo, CA

**Cause for discipline:** Failing to assign correct beyond-use date on a compounded drug preparation; failing to assign corrected beyond-use date based on expiration of ingredients; failing to support an extended beyond-use date with required tests and studies; failing to ensure the quality of compounded drug products; failing to have a single document with all the required information in compounding logs; failing in compounding logs to identify pharmacist reviewing compounded drug preparations; failing in compounding logs to document quality reviews and post-compounding processes and procedures; failing in compounding logs to provide component expiration dates; failure to complete required sterility best before releasing drug from quarantine; manufacturing and selling misbranded drugs; failing to label compounded preparation with beyond-use date; adulterating drug prepared with expired ingredient; sale of adulterated drug; furnishing dangerous drugs to an unlicensed reverse distributor; failing to maintain record of disposition of dangerous drugs; inappropriate exercise of education, training, or experience as a pharmacist.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 8/18/2021.

[Watts, Jamal D., TCH 175811, AC 7104](#)

Carson, CA

**Cause for discipline:** Acts involving moral turpitude related to a pre-employment drug test result positive for cocaine; unprofessional conduct; unlawful possession of a controlled substance.

**Action:** The license is revoked. Effective 8/18/2021.

### Facility Licenses

[AlixRx, PHY 51693, LSC 99953, AC 6995](#)

Fresno, CA

**Cause for discipline:** Failing to maintain proper pharmacist-to-pharmacy technician ratio; failing to maintain inventory accountability of dangerous drugs; failing to maintain accurate prescription records; failing to report employee theft and consumption of drug and subsequent termination; failing to complete compounding self-assessment; failing to timely reassess training needs of compounding staff; failing to timely revalidate staff competency in aseptic technique; failing to timely re-evaluate gloving practices; failing to use monthly sporicidal agent; failing to complete initial competencies before compounding; failing to ensure proper training of compounding staff; failing to maintain cleaning logs.

**Action:** The license is revoked,

the revocation stayed, and the license is placed on probation for three years. Effective 9/8/2021.

[Angkor Pharmacy, PHY 53262, AC 6698](#)

Stockton, CA

**Cause for discipline:**

Unprofessional conduct; failing to secure dangerous drugs; loss of dangerous drugs; failing to notify DEA of registration change; dispensing dangerous drugs without proper labeling; improperly transferring drugs from other pharmacies; dispensing prescriptions without a valid hard copy; improperly dispensing verbal prescriptions; misbranded and adulterated medications; inappropriate furnishing of dangerous drugs; fraudulent billing of prescriptions.

**Action:** The license is voluntarily surrendered. Effective 7/14/2021.

[Bacon East Pharmacy, PHY 53596, PHY 57144, AC 7007](#)

Concord, CA

**Cause for discipline:** Failing to maintain records to account for losses and overages of dangerous drugs; failing to maintain security of dangerous drugs inventory.

**Action:** The license is voluntarily surrendered. Effective 9/15/2021.

[Bruce Pharmacy, PHY 55523, AC 6698](#)

Stockton, CA

**Cause for discipline:** Returning previously sold bottles of prescription medication to drug stock with the intent of reselling to other consumers; failing to maintain pharmacy security; unauthorized ordering

See **Disciplinary actions**, Page 23

## Disciplinary actions

Continued from page 22

of Schedule II controlled substances; violating required pharmacist-to-pharmacy technician ratio; failing to include Schedule II controlled substances in biennial inventor. **Action:** The license is revoked. Effective 7/14/2021.

### [Buy-Rite Drugs, NRP 2087, AC 6977](#)

Harstelle, AL

**Cause for discipline:** Compounding sterile drug products for shipment into California without a sterile compounding pharmacy license. **Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 8/18/2021.

### [Caring Pharmacy, PHY 57007, AC 6949](#)

Stevenson Ranch, CA

**Cause for discipline:** Failing to maintain pharmacy security and possession of pharmacy key; permitting unlicensed individual to receive and sign for delivery of dangerous drugs; failing to comply with CURES reporting requirements; failing to maintain security of controlled substances; failing to maintain operational standards; failing to post Notice to Consumers; failing to provide interpretive services; failing to maintain self-assessment on file; failing to properly complete self-assessment; failing to maintain accurate current inventory and records of acquisition and disposition; failing to maintain operational standards and security, resulting in shortage of controlled substances; gross

negligence; attempting to subvert a Board investigation; unprofessional conduct.

**Action:** The license is revoked. Effective 8/25/2021.

### [Conversio Health, PHY 51610, LSC 99934, AC 6932](#)

San Luis Obispo, CA

**Cause for discipline:** Failing to assign correct beyond-use date on a compounded drug preparation; failing to assign corrected beyond-use date based on expiration of ingredients; failing to support an extended beyond-use date with required tests and studies; failing to ensure the quality of compounded drug products; failing to have a single document with all the required information in compounding logs; failing in compounding logs to identify pharmacist reviewing compounded drug preparations; failing in compounding logs to document quality reviews and post-compounding processes and procedures; failing in compounding logs to provide component expiration dates; failure to complete required sterility test before releasing drug from quarantine; manufacturing and selling misbranded drugs; failing to label compounded preparation with beyond-use date; adulterating drug prepared with expired ingredient; sale of adulterated drug; furnishing dangerous drugs to an unlicensed reverse distributor; failing to maintain record of disposition of dangerous drugs.

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

three years. Effective 9/1/2021.

### [CYNOB Pharmacy, PHY 55694, AC 7015](#)

Norwalk, CA

**Cause for discipline:** Failing to exercise corresponding responsibility in dispensing controlled substances; filling or dispensing improper prescriptions for controlled substances; failing to complete self-assessment.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 9/8/2021.

### [Downtown Stockton Pharmacy, PHY 56892, AC 6698](#)

Stockton, CA

**Cause for discipline:** Inappropriate furnishing of dangerous drugs; failing to maintain prescription documents; failing to maintain accurate electronic patient prescription records; failing to maintain accurate prescription transfer records; fraudulent billing of prescriptions; failing to offer consultation on delivered prescriptions; allowing staff member to work in the pharmacy with an expired pharmacy technician license.

**Action:** The license is voluntarily surrendered. Effective 7/14/2021.

### [Excel Care Pharmacy, PHY 54610, AC 6825](#)

Los Angeles, CA

**Cause for discipline:** Acts involving moral turpitude, dishonesty, fraud, deceit, or corruption; subverting a Board investigation; failing to retain records of sale, acquisition, receipt, shipment, or disposition

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## Disciplinary actions

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of dangerous drugs; failing to retain records of acquisition or disposition of dangerous drugs for at least three years and failing to provide original prescription documents related to a Board investigation; failing to give the pharmacist-in-charge adequate authority to operate the pharmacy; permitting access to dangerous drugs and devices; failing to maintain facilities, space, fixtures, and equipment so drugs were safely and properly prepared, maintained, secured, and distributed; failing to ensure all dangerous drugs and devices were delivered to the licensed premises and signed for and received by a pharmacist; failing to supervise a pharmacy technician and operating a pharmacy without a pharmacist.  
**Action:** The license is revoked. Effective 9/15/2021.

### [Family Pharmacy, PHY 55277, AC 6871](#)

San Juan Capistrano, CA

**Cause for discipline:** Dispensing prescriptions containing significant error, omission, irregularity, uncertainty, ambiguity, or alterations; engaging in acts involving dishonesty, fraud, and deceit; discipline by out-of-state pharmacy board; violating laws and regulations established by the Board or any other federal or state agency; selling and delivering dangerous drugs into another state not in compliance with the laws of that state; failing to maintain accurate inventories and records of acquisition and disposition; improperly

dispensing controlled substances prescriptions pursuant to a preprinted multiple check-off prescription form.

**Action:** The license is revoked. Effective 8/25/2021.

### [IV Med Services, PHY 50593, LSC 100436, AC 7085](#)

Los Angeles, CA

**Cause for discipline:** Conviction of federal felony count of fraud conspiracy; committing acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health care benefit program; making and signing documents that falsely represented the existence or nonexistence of a state of facts.

**Action:** The license is revoked. Effective 9/29/2021.

### [Hoffman Homecare, PHY 37014, AC 6945](#)

Bakersfield, CA

**Cause for discipline:** Failing to maintain facilities, space, fixtures, and equipment so that drugs are safely and properly prepared, maintained, secured, and distributed; failing to maintain records and current inventory of dangerous drugs; failing to maintain pharmacy security.

**Action:** The license is voluntarily surrendered. Effective 8/18/2021.

### [Meds for Vets, LLC, NRP 1720, AC 7009](#)

Sandy, UT

**Cause for discipline:** Discipline by six other state pharmacy boards.

**Action:** The license is publicly reprovved. Effective 8/18/2021.

### [Meds for Vets, LLC, Applicant, SI 7023](#)

Sandy, UT

**Cause for denial of application:** Discipline by six other state pharmacy boards.

**Action:** The application for original non-resident pharmacy sterile compounding license is granted. Upon satisfaction of all statutory and regulatory requirements, the license is issued and the license is publicly reprovved. Effective 8/18/2021.

### [Omega Care Pharmacy, PHY 53936, AC 7004](#)

Sherman Oaks, CA

**Cause for discipline:** Failing to comply with order of correction to display physical description of medication on prescription labels; processing prescription documents at unlicensed offsite location; dispensing medications from erroneous or uncertain prescriptions; utilizing preprinted multiple check-off prescription blanks; exchanging medication inventory with out-of-state pharmacies.

**Action:** The license is voluntarily surrendered.

Decision effective 9/29/2021.

### [Premier Med Services, PHY 50857, AC 7084](#)

Los Angeles, CA

**Cause for discipline:** Conviction of federal felony counts of conspiracy and fraud conspiracy; committing acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health care benefit program; making and signing documents that falsely represented the existence or nonexistence of a state of facts.

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## Disciplinary actions

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**Action:** The license is revoked. Effective 8/25/2021.

[Prescription Shoppe, PHY 56833, AC 7046](#)

Victorville, CA

**Cause for discipline:** Failing to complete a controlled substances inventory; failing to notify the Board of PIC change; failing to maintain compounding equipment and certification; unlicensed activity; unlicensed pharmacy technician activity; dispensing dangerous drugs and diabetic testing supplies pursuant to preprinted multiple checkoff prescription forms; unlicensed pharmacy staff signing for dangerous drugs; maintaining unsecured controlled substances; delivery of compounded prescription medications to doctor's office for shipment to out-of-state patients; failing to properly label compounded prescription products; failing to provide notice or offer of consultation; dispensing of sub-potent/misbranded medications; dispensing compounded medications with incorrect beyond-use dates; failing to monitor and document a proper hazardous non-sterile compounding environment; failing to maintain prescription documents; failing to notify the Board of closure; failing to arrange for maintenance of prescription records; failing to arrange for disposition of drug stock.

**Action:** The license is revoked. Effective 9/8/2021.

[Rexford Pharmacy, PHY 54567, PHY 37658, AC 7086](#)

Los Angeles, CA

**Cause for discipline:** Conviction of federal felony count of fraud conspiracy; committing acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health care benefit program; making and signing documents that falsely represented the existence or nonexistence of a state of facts.

**Action:** The license is revoked. Effective 9/15/2021.

[Science Pharmaceutical, PHY 50345, AC 7083](#)

N. Hollywood, CA

**Cause for discipline:** Conviction of federal felony counts of conspiracy and fraud conspiracy; committing acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health care benefit program; making and signing documents that falsely represented the existence or nonexistence of a state of facts.

**Action:** The license is revoked. Effective 8/25/2021.

[St. Pauls Pharmacy 2, PHY 50331, AC 6886](#)

Pico Rivera, CA

**Cause for discipline:** Failing to exercise corresponding responsibility in dispensing or furnishing controlled substances; filling or dispensing improper prescriptions for controlled substances.

**Action:** The license is voluntarily surrendered. Effective 9/29/2021.

[Studio Pharmacy, PHY 51656, AC 6466](#)

Studio City, CA

**Cause for discipline:** Acts involving dishonesty, fraud, and/or deceit; insurance fraud; making or signing documents misrepresenting facts; furnishing dangerous drugs without a prescription; forgery of prescriptions; filling erroneous or uncertain prescriptions; possession of a key by non-pharmacist personnel and operation of pharmacy without a pharmacist present; lack of acquisition records for current inventory; operational standards and security – cleanliness; misbranded drugs; variation from prescription; failing to comply with compounding records requirements; subverting an investigation; failing to supervise a pharmacy technician.

**Action:** The license is revoked. Effective 9/29/2021.

[Sun Pharmacy, PHY 54368, AC 6998](#)

San Jose, CA

**Cause for discipline:** Failing to obtain waiver for offsite storage of records; failing to initiate a quality assurance record related to dispensing error; failing to maintain compounding policies and procedures; having misbranded drugs in inventory; deviating from prescription; failing to complete self-assessment; unprofessional conduct related to billing matters; failing to maintain records of acquisition of dangerous drugs.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 9/8/2021.

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## Disciplinary actions

Continued from page 25

### [The Medicine Shoppe, PHY 51646, AC 6809](#)

Riverside, CA

**Cause for discipline:** Failing to have required quality reviews in compounding master formulas; failing to have quality reviews and required post-compounding processes and procedures; failing to have documentation of the methodology used to validate integrity, potency, quality, and labeled strength of compounded preparations.

**Action:** The license is voluntarily surrendered. Effective 8/18/2021.

### [UC Davis Medical Center, HPE 37803, AC 6881](#)

Sacramento, CA

**Cause for discipline:** Failing to provide proper documentation for compounded sterile preparations as immediate use; preparing compounded sterile preparations in a satellite pharmacy that did not have a sterile compounding license; failing to provide compounding logs from a computer; compounding records lacking identity of pharmacist engaged in compounding; compounding records lacking identity of pharmacist reviewing final preparation; failing to provide documentation of the manufacturer, expiration date, and lot number of each component; failing to provide documentation of beyond-use dates; failing to document the final quantity or amount of drug preparation compounded for dispensing; failing to document quality reviews and post-compounding process

and procedures; failing to have an action plan in policy and procedure for how to respond to highly pathogenic microorganisms; improper labeling of compounded sterile preparations.

**Action:** The license is publicly revoked. Effective 8/18/2021.

### [UMC Pharmacy, Inc., PHY 49956, AC 6926](#)

Los Angeles, CA

**Cause for discipline:** Pharmacy technician lacking required ID or badge; not posting license; having prescription documents unauthorized by prescriber; lacking policy and procedures for theft and impairment; not having required records on site; failing to provide electronic records requested by Board inspectors; leaving pharmacy technician unsupervised in pharmacy; failing to post Notice to Consumers poster; lacking quality assurance program; fabricating prescriptions; falsely completing self-assessment form; subverting a Board investigation; lacking policy and procedure for assisting patients with limited English proficiency; lacking "Point to Your Language" information for consumers; allowing pharmacy technician to possess pharmaceutical access key; lacking policy for pharmacist absence; lacking self-assessment by PIC; over-dispensing controlled substances to patients; lacking job description and duty statement for pharmacy technician; lacking required inventory of controlled substances; failing to maintain accurate acquisition and disposition records;

unprofessional conduct.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until January 27, 2022, at which time the pharmacy shall be sold or closed. Effective 9/29/2021.

### [UMC Pharmacy #2, PHY 50777, AC 6926](#)

Burbank, CA

**Cause for discipline:** Improper prescription labeling; lacking policy and procedures for theft and impairment; lacking quality assurance program; falsely completing self-assessment form; subverting a Board investigation; lacking policy and procedure for assisting patients with limited English proficiency; lacking self-assessment by PIC; lacking job description and duty statement for pharmacy technician; lacking required inventory of controlled substances.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until January 27, 2022, at which time the pharmacy shall be sold or closed. Effective 9/29/2021.

### [Walgreens #02445, NRP 1949, AC 6906](#)

Orlando, FL

**Cause for discipline:** Clearly excessive furnishing of controlled substances; dispensing erroneous or uncertain prescriptions.

**Action:** The license is publicly revoked. Effective 7/28/2021.

### [Walgreens #04517, PHY 53062, AC 6906](#)

Fremont, CA

**Cause for discipline:**

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## Disciplinary actions

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Clearly excessive furnishing of controlled substances; dispensing erroneous or uncertain prescriptions.

**Action:** The license is publicly reprobated. Effective 7/28/2021.

[Walgreens #21147, NRP 2073, AC 6906](#)

Chandler, AZ

### **Cause for discipline:**

Clearly excessive furnishing of controlled substances; dispensing erroneous or uncertain prescriptions.

**Action:** The license is publicly reprobated. Effective 7/28/2021.

[Warner Village Pharmacy, PHY 51984, AC 6859](#)

Fountain Valley, CA

**Cause for discipline:** Failing to exercise corresponding responsibility to ensure controlled substances prescriptions were for a legitimate medical purpose; dispensing controlled substances prescriptions with significant errors, omissions, irregularities, uncertainties, ambiguities, or alterations; dispensing controlled substance prescriptions written on unauthorized forms; unprofessional conduct.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 8/25/2021.

## October 1 – December 31, 2021

### Personal Licenses

[Adamian, Artin, RPH 50406, AC 6985](#)

Burbank, CA

**Cause for discipline:** Conviction of a crime substantially related to the qualifications, functions, and duties of a pharmacist; dispensing more medications than acquired from wholesalers; acts involving dishonesty, fraud, or deceit; knowingly making or signing a false statement.

**Action:** The license is voluntarily surrendered. Effective 10/7/2021.

[Altunyan, Marine Marta, RPH 75760, AC 6987](#)

Pasadena, CA

**Cause for discipline:** Verified, approved for dispensing, compounded, or dispensed an erroneous prescription and failed to appropriately review and analyze patient drug therapy; gross negligence; unprofessional conduct involving inappropriate exercise of education, training, and experience as a pharmacist.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 11/10/2021.

[Attia, Raafat Fayez, RPH 48581, AC 6993](#)

Victorville, CA

**Cause for discipline:** Failed as PIC failed to conduct a required DEA biennial inventory of controlled substances; failed to execute power of attorney forms authorizing others to sign orders for controlled substances; failed to account for inventory shortages of controlled substances; failed to account for inventory overages of controlled substances.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 12/01/2021.

[Awad, Maher Fahim, RPH 39226, AC 7001](#)

Placerville, CA

**Cause for discipline:** Failing to account for inventory shortages of dangerous drugs; failing to comply with statutes regulating dangerous drugs related to inventory shortages; failed to account for inventory overages of dangerous drugs; failing to comply with statutes regulating dangerous drugs related to inventory overages.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 11/10/2021.

[Ayrapetyan, Asmik, RPH 51512, AC 6924](#)

Glendale, CA

**Cause for discipline:** Furnishing dangerous drugs without a lawful prescription; purchasing and storing dangerous drugs from entities unlicensed by the Board; purchased, traded, sold, and/or transferred misbranded drugs; possession of misbranded foreign dangerous drugs for sale to consumers; failing to maintain records of acquisition and disposition of drugs; failure to complete self-assessment forms.

**Action:** The license is revoked. Effective 12/08/2021.

[Banerjee, Samitendu, RPH 45184, AC 6161 and AC 6175](#)

Anaheim, CA

**Cause for discipline:** Sold, delivered, held, or offered for sale adulterated drugs; sold pharmaceutical preparations and drugs not in conformance with USP standards; received returns of controlled substances without proper DEA registration; sold,

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## Disciplinary actions

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delivered, held, or offered for sale misbranded drugs; commission of acts involving dishonesty, fraud, or deceit; aiding and abetting unlicensed practice of pharmacy; sharing common files with unlicensed entity; processing prescription refills received from unlicensed entity; unprofessional conduct; failing to maintain current inventory and records of acquisition and disposition of dangerous drugs and uncontrolled substances; failing to maintain accurate inventory of controlled substances; failing to maintain security of drugs; assignment of improper beyond-use dates; lacking policies and procedures for compounding sterile drug preparations; compounding with incomplete master formulas; failing to maintain compounding log; failing to properly clean compounding facility and equipment; failing to demonstrate sterile compounding staff competency in aseptic technique and area practices; failing to conduct viable air sampling; failing to complete compounding self-assessment; failing to complete pharmacy self-assessment; failing to exercise best professional judgment.

**Action:** The license is voluntarily surrendered. Effective 11/5/2021.

[Biran, Zsuzsanna, RPH 35444, AC 7080](#)

Point Reyes Station, CA

**Cause for discipline:**

Compounding commercial drugs not found on the FDA or ASHP drug shortage list; compounding

with a master log missing essential elements; inadequate recordkeeping for compounded drug preparations; failing to document annual review in compounding policies and procedures; failing to complete annual competency evaluation and training for compounding staff.

**Action:** The probation is extended an additional one year for a total of four years. Effective 10/30/2021.

[Chahichi-Shahniani, Zahra, RPH 46003, AC 6581](#)

Glendale, CA

**Cause for discipline:** Dispensing prescriptions written by doctors without valid California medical licenses; dispensing controlled substances to patients without ensuring the prescriptions were legitimate.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 11/10/2021.

[Che-Quach, Tracy D., RPH 42661, AC 7079](#)

Anaheim, CA

**Cause for discipline:** Failed as PIC to maintain a current inventory and records of acquisition and disposition of dangerous drugs and failed to maintain dangerous drugs in a safe and secure manner.

**Action:** The license shall be subject to public reproof. Effective 12/22/2021.

[Cherian, Joseph, RPH 51944, AC 7050](#)

La Mirada, CA

**Cause for discipline:** Failing to exercise best professional

judgment or corresponding responsibility in furnishing controlled substances; filled or dispensed controlled substance prescriptions that did not comply with security prescription form requirements or contained any significant error, omission, irregularity, uncertainty, ambiguity or alteration.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 12/22/2021.

[Chinchilla, Elder Humberto, TCH 131634, AC 7114](#)

Paramount, CA

**Cause for discipline:** Possession of a controlled substance or dangerous drug without a prescription; self-administration of a controlled substance or dangerous drug; acts that would warrant denial of license.

**Action:** The license is revoked. Effective 12/22/2021.

[Clous, Anna M., TCH 95613, AC 7094](#)

Redding, CA

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

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 10/17/2021.

[Dang, Nga Tuyet, RPH 40599, AC 6918](#)

Oakland, CA

**Cause for discipline:** Failing to maintain the pharmacy, fixtures, and equipment in a clean and orderly condition;

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## Disciplinary actions

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holding adulterated drugs for sale; failing to properly complete DEA Form 222 paperwork; failing to timely report required information to CURES; failing to have written policies and procedures for addressing impairment or diversion or self-use of dangerous drugs by pharmacy personnel; failing to timely complete pharmacy self-assessment; failing to retain records of acquisition and disposition in retrievable form on premises; dispensing prescriptions labeled with incorrect or missing information; failing to ensure 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 four years. Effective 11/10/2021.

### [Day, Erika C., TCH 72583, AC 7092](#)

Wildomar, CA

**Cause for discipline:** DUI conviction; dangerous use of alcohol; multiple alcohol-related convictions.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 10/7/2021.

### [Fernandez, Jennifer B., TCH 23438, AC 7006](#)

San Diego, CA

**Cause for discipline:** Improperly obtaining and providing the protected health information of patients to an unauthorized coworker; unprofessional conduct.

**Action:** The license is voluntarily

surrendered. Effective 11/17/2021.

### [Gonzalez Navarro, Mariana L., TCH 148042, AC 7097](#)

Riverside, CA

**Cause for discipline:** Conviction of grand theft for stealing checks from pharmacy patients; unprofessional conduct involving moral turpitude, dishonesty, fraud, or deceit.

**Action:** The license is revoked. Effective 11/17/2021.

### [Hussein, Iskander M., RPH 58730, AC 7036](#)

Shafter, CA

**Cause for discipline:** Failing to conduct ordinary pharmacy business for at least one day each calendar week for more than 120 days.

**Action:** The license is publicly reprobated. Effective 12/01/2021.

### [Iglesias, Alona, Applicant, SI 7072](#)

Phoenix, CA

**Cause for denial of application:**

Criminal convictions substantially related to the qualifications, functions, or duties of a pharmacy technician.

**Action:** The application for a pharmacy technician registration is granted. Upon satisfaction of all statutory and regulatory requirements, the license is issued, immediately revoked, the revocation stayed, and the license is placed on probation for three years. Effective 11/17/2021.

### [Katpelly, Srinivas Reddy, RPH 58166, AC 7054](#)

San Anselmo, CA

**Cause for discipline:** Failing to exercise corresponding responsibility in filling controlled

substance prescriptions with objective indications of abuse or illegitimacy; failing to report dispensed controlled substances to CURES; failing to maintain correct inventory records of controlled substances.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 11/17/2021.

### [Khorsandi, Homayoon, RPH 43286, AC 6957](#)

Los Angeles, CA

**Cause for discipline:**

Dispensing controlled substance prescriptions written on forms that did not comply with security form requirements; violated corresponding responsibility to verify prescriptions.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 11/17/2021.

### [Kohan-Bash, Mehran, RPH 44499, AC 7082](#)

Beverly Hills, CA

**Cause for discipline:** Conviction of a substantially related crime (conspiracy, fraud conspiracy, and health care fraud); committed acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health-care benefit program; knowingly made and signed false documents.

**Action:** The license is voluntarily surrendered. Effective 12/01/2021.

### [Ku, Mickey, RPH 77445, AC 7008](#)

Arcadia, CA

**Cause for discipline:** Processing hundreds of fraudulent prescriptions for diabetic test

See **Disciplinary actions**, Page 30

## Disciplinary actions

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strips; failing to account for inventory discrepancies while serving as pharmacist-in-charge.

**Action:** The license is voluntarily surrendered. Effective 11/17/2021.

[Lu, Po-An, RPH 69811, AC 6175](#)

Hacienda Heights, CA

**Cause for discipline:** Sold, delivered, held, or offered for sale re-dispensed dangerous drugs that were adulterated; sold pharmaceutical preparations and drugs not in conformance with USP standards and tests as to quality and strength; received returns of controlled substances without being registered as a DEA collector; sold, delivered, held, or offered for sale re-dispensed dangerous drugs and/or compounded sterile drug preparations that were assigned improper beyond-use dates; committing acts involving dishonesty, fraud, or deceit; aiding and abetting unlicensed practice of pharmacy; sharing common files with an unlicensed entity; processing prescription refill requests from an unlicensed entity; unprofessional conduct; failing to maintain a current inventory of dangerous drugs and/or records open for inspection or retained on the premises in a readily retrievable form; failing to maintain records for nonprescription diabetes test devices dispensed pursuant to prescriptions; subverting a Board investigation; allowing pharmacy technicians to possess keys to the pharmacy where dangerous drugs and controlled substances are stored; failing to exercise best

professional judgment when compounding and/or dispensing dangerous drugs; failing to submit a pharmacy change of permit application; failing to timely provide requested records to the Board.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 11/5/2021.

[Lu, Po-An, RPH 69811, AC 6417](#)

Hacienda Heights, CA

**Cause for discipline:** Failing as PIC to ensure pharmacy compliance with all state and federal laws and regulations pertaining to the practice of pharmacy; failing as PIC to complete and maintain a self-assessment following change of ownership and failing to ensure initial DEA inventory was completed.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 11/5/2021.

[Luong, Quoc C., RPH 65421, AC 6677](#)

Fresno, CA

**Cause for discipline:** Filling and dispensing controlled substances from forms that did not comply with security prescription form requirements; permitting unlicensed clerks to perform pharmacy technician tasks.

**Action:** The license is publicly reprobated. Effective 12/01/2021.

[Miranda, Eliana, TCH 85035, AC 7098](#)

Huntington Park, CA

**Cause for discipline:** acts involving moral turpitude,

dishonesty, fraud, deceit, or corruption – diverting diabetic test strips; unprofessional conduct; subverting a Board investigation.

**Action:** The license is revoked. Effective 10/07/2021.

[Nguyen, Van Thao My, RPH 66472, AC 6161](#)

San Jose, CA

**Cause for discipline:** Acts involving dishonesty, fraud, deceit, or corruption in dispensing more diabetic test strips than purchased from wholesale dealers; failing to maintain current inventory and records; failing to maintain adequate security of controlled substances; failing to maintain current inventory and records found in waste bins; failing to reverse insurance claims for medications refused upon delivery and returned to the pharmacy; variation from prescription for dispensing medication without prescriber authorization; sold, delivered, held, or offered for sale dangerous drugs with incorrect expiration dates; failing to timely dispense prescription drugs; failing to properly label dispensed prescriptions; unnecessarily delaying delivery of medication pursuant to a valid verbal order; filling a prescription that had been discontinued by the prescriber; leaving medications unattended in hallway.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 11/5/2021.

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## Disciplinary actions

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[Nguyen, Vinh Hiep Huu, RPH 59777, AC 6958](#)

Danville, CA

**Cause for discipline:** Billing fraud in overbilling an insurer by using wrong billing codes; failing to keep records of compounded drug preparations in readily retrievable form for three years; failing to keep master formula document; failing to maintain written policies and procedures for compounding; failing to have order requests for compounded samples provided to physicians for office use; failing to demonstrate compounding personnel have requisite skills and training; failing to maintain a written quality assurance policy and procedure; allowing an unsupervised pharmacy technician to receive and sign for dangerous drugs; holding or selling misbranded drugs or devices; allowing pharmacy technician to work unsupervised, in possession of a pharmacy key, and receive a delivery; failing to have an externally vented powder hood while compounding hazardous drugs; failing to adequately supervise pharmacy technicians; failing to conduct biennial inventory of controlled substances; making dishonest or false statements in failing to bill for prescriptions not received by patient; failing to maintain operational standards and security for controlled substances; making errors in direction for use on prescription labels; receiving faxed prescriptions that were not reduced to writing and authenticated with the

prescriber; violating requirement that only pharmacist received controlled substance deliveries.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 10/7/2021.

[Reichle, Nancy N., RPH 40475, AC 6963](#)

Twain Harte, CA

**Cause for discipline:** Use of alcohol or dangerous drugs in a manner as to be dangerous or injurious; unprofessional conduct by violating statutes regulating controlled substances and dangerous drugs.

**Action:** The license is voluntarily surrendered. Effective 11/10/2021.

[Rodefshalom, Nima, RPH 55990, AC 7082](#)

Los Angeles, CA

**Cause for discipline:** Conviction of a substantially related crime (conspiracy, fraud conspiracy, and health care fraud); committed acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health-care benefit program; knowingly made and signed false documents.

**Action:** The license is voluntarily surrendered. Effective 12/01/2021.

[Sasaki, Matthew Kazunori, RPH 68915, AC 6987](#)

Torrance, CA

**Cause for discipline:** Verified, approved for dispensing, compounded, or dispensed an erroneous prescription and failed to appropriately review and analyze patient drug therapy; gross negligence; unprofessional

conduct involving inappropriate exercise of education, training, and experience as a pharmacist.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 11/10/2021.

[Teller, Michael, RPH 29715, AC 6121](#)

West Hills, CA

**Cause for discipline:** Failed to reverse the billing claims for prescriptions returned by patients; billed for compounded medications that were not compounded or dispensed.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 11/10/2021.

[Tran, Kenny, TCH 57643, AC 6175](#)

Orange, CA

**Cause for discipline:** Sold, delivered, held or offered for sale dangerous drugs; sold pharmaceutical preparations and drugs not in conformance with USP standards and tests; received returns of controlled substances without being registered as a DEA collector; redispensed dangerous drugs and/or compounded sterile drug preparations that were assigned improper beyond use dates; acts involving dishonesty, fraud or deceit; aided or abetted unlicensed practice of pharmacy; sharing common files with unlicensed entity; processing prescription refill requests received by an unlicensed entity; unprofessional conduct; subverting a Board investigation; being a pharmacy technician in possession of pharmacy keys to storage area for dangerous drugs

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## Disciplinary actions

Continued from page 31

and controlled substances.

**Action:** The license is voluntarily surrendered. Effective 11/5/2021.

### [Wong, Kali, RPH 73152, AC 6161](#)

San Jose, CA

**Cause for discipline:** Failing to maintain diabetes test device records; acts involving dishonesty, fraud, deceit, or corruption in dispensing more diabetic test strips than were purchased from wholesale dealers; sold, delivered, held, or offered for sale misbranded dangerous drugs; failing to maintain current inventory and records; variation from a prescription.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for two years. Effective 11/5/2021.

### Facility Licenses

### [2222 Prescription Pharmacy, PHY 39520, AC 6957](#)

Santa Monica, CA

**Cause for discipline:**

Dispensing controlled substance prescriptions written on forms that did not comply with security form requirements; violated corresponding responsibility to verify prescriptions.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 11/17/2021.

### [A Family Pharmacy, PHY 51251, AC 6993](#)

Los Angeles, CA

**Cause for discipline:** Failed to conduct a DEA biennial inventory of controlled

substances within two years of the previous biennial inventory; failed to exercise power of attorney forms authorizing others to sign orders for controlled substances; failed to account for inventory shortages of controlled substances; failed to account for inventory overages of controlled substances.

**Action:** The license is publicly reprobated. Effective 12/01/2021.

### [Agapi Pharmacy, PHY 47114, AC 6924](#)

Glendale, CA

**Cause for discipline:** Furnishing dangerous drugs without a lawful prescription; purchasing and storing dangerous drugs from entities unlicensed by the Board; purchased, traded, sold, and/or transferred misbranded drugs; possession of misbranded foreign dangerous drugs for sale to consumers; failing to maintain records of acquisition and disposition of drugs; failure to complete self-assessment forms.

**Action:** The license is revoked. Effective 12/08/2021.

### [Alliance Pharmacy, PHY 51160, AC 7050](#)

Inglewood, CA

**Cause for discipline:** Failed to exercise best professional judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled substances or with regard to the provision of service; filled or dispensed controlled substance prescriptions that did not comply with security prescription form requirements or that contained any significant error, omission, irregularity, uncertainty, ambiguity, or

alteration.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until March 22, 2022, at which time the pharmacy shall be sold or its ownership transferred, or it shall be closed. Effective 12/22/2021.

### [California Pharmacy, PHY 55829, AC 6982](#)

Sacramento, CA

**Cause for discipline:** Failed to maintain and produce a self-assessment completed within 30 days after a change in PIC and again after a new pharmacy permit was issued; failed to report more than 40,000 dispensed Schedule II-IV controlled substances to CURES; failed to maintain security of controlled substances (stored in unlocked cabinet); failed to properly complete biennial inventories of controlled substances; operated without a PIC; lacked supervision and security of pharmacy during excessive absence of pharmacist.

**Action:** The license is voluntarily surrendered. Effective 12/22/2021.

### [CVS/Pharmacy #09904, PHY 49665, AC 7014](#)

Castro Valley, CA

**Cause for discipline:** Failing to provide consultation to patients picking up new prescriptions; failing to maintain confidentiality of prescriptions.

**Action:** The license shall be subject to public reprobation. Effective 10/7/2021.

### [Duet Pharmacy, Applicant, AC 6854](#)

San Carlos, CA

See **Disciplinary actions**, Page 33



## Disciplinary actions

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### **Cause for denial of application:**

Acts involving fraud, deceit, or corruption related to discrepancies in quantities of drugs purchased and dispensed.

**Action:** The license shall be subject to public reproof. Effective 10/12/2021.

### [Edge Pharma LLC, NSF 132, AC 7047](#)

Colchester, VT

**Cause for discipline:** Failing to maintain written procedures or sufficient laboratory controls to ensure compounded drug products were tested with non-expired sterility media before distributing to consumers; failing to properly perform sterility testing before distributing compounded products to consumers; failing to clean utensils and equipment; failing to ensure sterility assurance of extracts before distributing to consumers; mislabeling of allergen extract; failing to maintain proper written procedures for production and process control; dispensing an allergen extract set directly to a patient; mislabeling allergen extracts with incorrect beyond-use date; unprofessional conduct – multiple violations of federal laws and regulations governing pharmacy; failing to provide the Board with a copy of a clinically related complaint within 72 hours of receipt; mislabeling allergen prescription.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for four years. Effective 10/26/2021.

### [Express Specialty Pharmacy, PHY 57050, AC 7036](#)

Porterville, CA

**Cause for discipline:** Failing to conduct ordinary pharmacy business for at least one day each calendar week for more than 120 days.

**Action:** The license is publicly reproofed. Effective 12/01/2021.

### [Fair Oaks Pharmacy & Soda Fountain, PHY 47187, AC 6581](#)

South Pasadena, CA

**Cause for discipline:** Dispensing prescriptions written by doctors without valid California medical licenses; dispensing controlled substances to patients without ensuring the prescriptions were legitimate.

**Action:** The license shall be subject to public reproof. Effective 11/10/2021.

### [Iron Horse Specialty Pharmacy, PHY 51096, AC 6958](#)

Walnut Creek, CA

**Cause for discipline:** Billing fraud in overbilling a health insurer by using the wrong billing codes; failing to keep records of compounded drug preparations in readily retrievable form for three years; failing to keep master formula document; failing to maintain written policies and procedures for compounding; failing to have order requests for compounded samples provided to physicians for office use; failing to demonstrate compounding personnel have requisite skills and training; failing to maintain a written quality assurance policy and procedure; allowing an unsupervised pharmacy technician to receive and sign

for dangerous drugs; holding or selling misbranded drugs or devices; allowing pharmacy technician to work unsupervised, in possession of a pharmacy key, and receive a delivery; failing to have an externally vented powder hood while compounding hazardous drugs; failing to adequately supervise pharmacy technicians; failing to conduct biennial inventory of controlled substances; making dishonest or false statements in failing to billing for prescriptions not received by patient; failing to maintain operational standards and security for controlled substances; making errors in direction for use on prescription labels; receiving faxed prescriptions that were not reduced to writing and authenticated with the prescriber; violating requirement that only pharmacist received controlled substance deliveries.

**Action:** The license is voluntarily surrendered. Effective 10/7/2021.

### [Jackson Medical Pharmacy, PHY 50147, AC 7054](#)

San Jose, CA

**Cause for discipline:** Failing to exercise corresponding responsibility in filling controlled substance prescriptions with objective indications of abuse or illegitimacy; failing to report dispensed controlled substances to CURES; failing to maintain correct inventory records of controlled substances.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 11/17/2021.

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## Disciplinary actions

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### [Loyola Pharmacy, PHY 53692, AC 7082](#)

Los Angeles, CA

**Cause for discipline:** Conviction of a substantially related crime (conspiracy, fraud conspiracy, and health care fraud); committed acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health-care benefit program; knowingly made and signed false documents.

**Action:** The license is voluntarily surrendered. Effective 12/01/2021.

### [Loyola Pharmacy, PHY 48754, AC 7082](#)

Los Angeles, CA

**Cause for discipline:** Conviction of a substantially related crime (conspiracy, fraud conspiracy, and health care fraud); committed acts of dishonesty, fraud, or deceit by executing and attempting to execute a scheme to defraud a health-care benefit program; knowingly made and signed false documents.

**Action:** The license is voluntarily surrendered. Effective 12/01/2021.

### [Modern Drug, PHY 53920, AC 6677](#)

Fresno, CA

**Cause for discipline:** Filling and dispensing controlled substances from forms that did not comply with security prescription form requirements; permitting unlicensed clerks to perform pharmacy technician tasks.

**Action:** The license is publicly reprimanded. Effective 12/01/2021.

### [My Lan Pharmacy, PHY 35688, AC 6918](#)

Oakland, CA

**Cause for discipline:** Failing to maintain the pharmacy, fixtures, and equipment in a clean and orderly condition; holding adulterated drugs for sale; failing to properly complete DEA Form 222 paperwork; failing to timely report required information to CURES; failing to have written policies and procedures for addressing impairment or diversion or self-use of dangerous drugs by pharmacy personnel; failing to timely complete pharmacy self-assessment; failing to retain records of acquisition and disposition in retrievable form on premises; dispensing prescriptions labeled with incorrect or missing information; failing to ensure 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 three years. Effective 11/10/2021.

### [OC Wellness and Specialty Pharmacy, PHY 55826, AC 6979](#)

Orange, CA

**Cause for discipline:** Overbilling insurance and failing to maintain an accurate current inventory of all dangerous drugs; incompetence or gross negligence in not maintaining accurate current inventory; committing dishonest, fraudulent, deceitful, or corrupt acts in practice of pharmacy; failing to record the quantity and receipt dates of drug shipments; knowingly making or signing a

false certificate or document.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until March 17, 2022, at which time the pharmacy shall be sold or closed. Effective 11/17/2021.

### [Owl Western Pharmacy, PHY 53855, AC 7001](#)

Covina, CA

**Cause for discipline:** Failing to account for inventory shortages of dangerous drugs; failing to comply with statutes regulating dangerous drugs related to inventory shortages; failed to account for inventory overages of dangerous drugs; failing to comply with statutes regulating dangerous drugs related to inventory overages.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for three years. Effective 11/10/2021.

### [Pentec Health Inc., NRP 1243 and NSC 100575, AC 7003](#)

Boothwyn, PA

**Cause for discipline:** Disciplined by pharmacy boards in Alabama and Kentucky related to insurance fraud.

**Action:** The licenses are publicly reprimanded. Effective 11/3/2021.

### [Rite Aid 5770, PHY 42426, AC 7079](#)

Anaheim, CA

**Cause for discipline:** Failed to maintain a current inventory and records of acquisition and disposition of dangerous drugs and failed to maintain dangerous drugs in a safe and secure manner.

**Action:** The license shall be

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## Disciplinary actions

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subject to public reproval.  
Effective 12/22/2021.

[Santa Monica-UCLA Medical Center & Orthopedic Hospital, HPE 41170, AC 6987](#)

Santa Monica, CA

**Cause for discipline:** Verified, approved for dispensing, compounded, or dispensed an erroneous prescription and failed to appropriately review and analyze patient drug therapy; failing to report an adverse effect attributable to the pharmacy's sterile drug product.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 11/10/2021.

[Santa Monica-UCLA Medical Center & Orthopedic Hospital, IVAS, LSE 99994, AC 6987](#)

Santa Monica, CA

**Cause for discipline:** Verified, approved for dispensing, compounded, or dispensed an erroneous prescription and failed to appropriately review and analyze patient drug therapy; failing to report an adverse effect attributable to the pharmacy's sterile drug product.

**Action:** The license is voluntarily surrendered. Effective 11/10/2021.

[Santa Monica-UCLA Medical Center & Orthopedic Hospital, IVAS, LSE 101545, AC 6987](#)

Santa Monica, CA

**Cause for discipline:** Verified, approved for dispensing, compounded, or dispensed an erroneous prescription and failed to appropriately review and

analyze patient drug therapy; failing to report an adverse effect attributable to the pharmacy's sterile drug product.

**Action:** The license is revoked, the revocation stayed, and the license is placed on probation for five years. Effective 11/10/2021.

[Senior Care Pharmacy Services Inc., Applicant, AC 6156](#)

Huntington Beach, CA

**Cause for denial of application:**

Business and Professions Code sections 480(a)(2); 480(a)(3)(A); 4300(c); 4301 (f), (j), (o), (q), (t), and (u); 4302; and statutes and regulations referenced in [AC 6175](#).

**Action:** The application for pharmacy permit and sterile compounding license are denied. Effective 11/5/2021.

[Senior Care Pharmacy Services Inc., PHY 46000, AC 6175](#)

Garden Grove, CA

**Cause for discipline:** Sold, delivered, held, or offered for sale adulterated drugs; sold pharmaceutical preparations and drugs not in conformance with USP standards; received returns of controlled substances without proper DEA registration; sold, delivered, held, or offered for sale misbranded drugs; commission of acts involving dishonesty, fraud, or deceit; aiding and abetting unlicensed practice of pharmacy; sharing common files with unlicensed entity; processing prescription refills received from unlicensed entity; unprofessional conduct; failing to maintain current inventory and records of acquisition and disposition of dangerous drugs and uncontrolled substances;

failing to maintain accurate inventory of controlled substances; failing to maintain security of drugs; assignment of improper beyond-use dates; lacking policies and procedures for compounding sterile drug preparations; compounding with incomplete master formulas; failing to maintain compounding log; failing to properly clean compounding facility and equipment; failing to demonstrate sterile compounding staff competency in aseptic technique and area practices; failing to conduct viable air sampling; failing to complete compounding self-assessment; failing to complete pharmacy self-assessment; failing to maintain diabetes test device records; subverting a Board investigation; allowing pharmacy technicians to possess keys to the pharmacy; failing to submit pharmacy change of permit application; failing to timely provide records requested by the Board.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until May 4, 2022, at which time the pharmacy shall be sold or closed. Effective 11/5/2021.

[Senior Care Pharmacy Services Fairfield Inc., PHY 50619, AC 6161](#)

Fairfield, CA

**Cause for discipline:** Aiding and abetting unlicensed practice of pharmacy; failing to maintain diabetes test device records; dispensing more diabetes test strips than were purchased from wholesalers; sold, delivered, held, or offered for sale dangerous drugs that were misbranded;

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failing to maintain current inventory and records; failing to maintain adequate security of controlled substances; multiple waste bins without records of disposed medications; sold, delivered, held, or offered for sale dangerous drugs that were not intended to be halved that were cut in half; medication stock bottles having a greater amount of medication than indicated on the manufacturer labels; failing to reverse insurance claims for medications that were refused and returned to the pharmacy; variations from prescriptions; failing to comply with quality assurance requirements; sold, delivered, held, or offered for sale dangerous drugs with incorrect expiration dates; failure to timely dispense prescription drug; failing to review patient records before recommending medication change; failing to properly label dispensed medication; leaving a bag of medications unattended in hallway.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until May 4, 2022, at which time the pharmacy shall be sold or closed. Effective 11/5/2021.

### [Senior Care Pharmacy Services Inc., LSC 99060, AC 6409](#)

Garden Grove, CA

**Cause for denial of application:** Business and Professions Code sections 480(a)(2); 480(a)(3)(A); 4300(c); 4301 (f), (j), (o), (q), (t), and (u); 4302; and statutes and regulations referenced in [AC 6175](#).

**Action:** The application for renewal of sterile compounding license is denied. Effective 11/5/2021.

### [Senior Care Pharmacy Services Inc., PHY 49798, AC 6417](#)

Sun Valley, CA

**Cause for discipline:** Pharmacy remained closed and not engaged in the ordinary activity for which it was licensed for at least one day each calendar week during a 120-day period; violating federal regulations by comingling records for controlled substances and by failing to comply with the requirements of a biennial inventory that require an indication of when the inventory was taken.

**Action:** The license is canceled and subject to public reprobation. Effective 11/5/2021.

### [Senior Care Pharmacy Services Inc., PHY 56057, AC 6417](#)

Sun Valley, CA

**Cause for discipline:** Pharmacy remained closed and not engaged in the ordinary activity for which it was licensed for at least one day each calendar week during a 120-day period; failing to complete initial DEA inventory.

**Action:** The license is canceled and subject to public reprobation. Effective 11/5/2021.

### [Senior Care Pharmacy Services SFV Inc., Applicant, SI 6614](#)

Sun Valley, CA

**Cause for denial of application:** Causes for discipline committed by licentiate as alleged in [AC 6417](#).

**Action:** The application for

community pharmacy permit is denied. Effective 12/22/2021.

### [UMC Pharmacy, Inc., PHY 49956, AC 6926](#)

Los Angeles, CA

**Cause for discipline:** Pharmacy technician did not have ID or badge; pharmacy licensed not publicly posted; prescription documents not authorized by prescriber; lack of policy and procedure for theft or impairment; failing to have required records of acquisition and disposition on site; being unable to provide electronic records to Board inspectors; leaving pharmacy technician unsupervised in pharmacy; failing to have Notice to Consumers displayed; no quality assurance program; fabricating prescriptions; falsely completing self-assessment; subverting a Board investigation by failing to produce records upon request; failing to have policy and procedure for assisting patients with limited or no English proficiency; failing to display Point to Your Language notice; allowing technician to possess a pharmaceutical access key; failing to have a policy or procedure regarding operations of the pharmacy during the absence of the pharmacist for breaks and meal periods; not having a self-assessment available; over-dispensing a controlled substance; not having a job description and duty statement for technicians available; not having controlled substance inventory available; failing to maintain accurate records of acquisition and disposition; unprofessional

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## Disciplinary actions

Continued from page 36

conduct.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until October 20, 2021, at which time the pharmacy shall be sold or closed. Effective 9/29/2021.

[UMC Pharmacy #2, PHY 50777, AC 6926](#)

Burbank, CA

**Cause for discipline:** Improper prescription labeling; lack of policy and procedure for theft or impairment; being unable to provide electronic records to Board inspectors; no quality assurance program; falsely completing self-assessment; subverting a Board investigation by failing to produce records upon request; failing to have policy and procedure for assisting patients with limited or no English proficiency; not having a self-assessment available; not having a job description and duty statement for technicians available; not having controlled substance inventory available.

**Action:** The license is voluntarily surrendered. The effective date shall be stayed until October 20, 2021, at which time the pharmacy shall be sold or closed. Effective 9/29/2021.

[West Marin Pharmacy Inc, PHY 48531, AC 7080](#)

Point Reyes Station, CA

**Cause for discipline:** Compounding commercial drugs not found on the FDA or ASHP drug shortage list; compounding drugs with master formula documents lacking required

elements; compounding logs lacking required information; no documentation of annual review of written compounding policies and procedures; compounding staff had not completed an annual competency evaluation and training.

**Action:** The probation is extended an additional one year for a total of four years. Effective 10/30/2021.

[Westside Pharmacy, PHY 37852, AC 6897](#)

Santa Cruz, CA

**Cause for discipline:** Permitting an unlicensed individual to act as a pharmacy technician; permit previously revoked, with revocation stayed subject to probation, for multiple violations related to accountability for, dispensing, and self-administration of controlled substances.

**Action:** The license shall be subject to public reproof. Effective 10/7/2021.

## 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](mailto:Bob.Davila@dca.ca.gov).

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# Make plans to attend 2022 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.

Besides its regular standing committees, the Board has created two ad hoc committees that will meet in 2022 – a Medication Error Reduction and Workforce committee and a Standard of Care committee.

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 meeting agendas and materials are posted online. To receive notices, visit the [email registration](#) page and follow the instructions to subscribe to “News and Information” alerts.

Be sure to check the Board's website for changes in meeting schedules. The following meetings are currently scheduled in 2022:

- **April 20:** Medication Error Reduction and Workforce Ad Hoc Committee.
- **April 20:** Enforcement and Compounding Committee.
- **April 26:** Communication and Public Education Committee, Legislation and Regulation Committee.
- **April 26-27:** Board of Pharmacy.
- **June 16:** Board of Pharmacy
- **July 13:** Medication Error Reduction and Workforce Ad Hoc Committee.
- **July 13:** Standard of Care Ad Hoc Committee.
- **July 18:** Legislation and Regulation Committee.
- **July 18:** Licensing Committee.
- **July 19:** Communication and Public Education Committee.
- **July 19:** Enforcement and Compounding Committee.
- **July 27-28:** Board of Pharmacy.
- **September 21:** Board of Pharmacy
- **October 18:** Licensing Committee.
- **October 19:** Enforcement and Compounding Committee.
- **October 25:** Communication and Public Education Committee.
- **October 25-26:** Board of Pharmacy.
- **December 14:** Board of Pharmacy.
- **March 9:** Standard of Care Ad Hoc Committee.
- **March 16:** Board of Pharmacy.
- **April 19:** Licensing Committee.
- **April 19:** Standard of Care Ad Hoc Committee.