

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 MICHAEL BROWN
Deputy Attorney General
4 State Bar No. 231237
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2095
6 Facsimile: (213) 897-2804
E-mail: MichaelB.Brown@doj.ca.gov
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 3918

12 **TAOHEED HASAN dba VALLEY**
PHARMACY, PHARMACIST-IN-
13 **CHARGE, TAOHEED HASAN**
14 **1324 W. Avenue J, No. 1**
Lancaster, CA 93534

A C C U S A T I O N

15 **Original Pharmacy Permit No. PHY 46866**

16 **and**

17 **TAOHEED HASAN**
448 Sugarloaf Drive
18 **Palmdale, CA 93551**

19 **Original Pharmacist License No. RPH 38785**

20 Respondents.

21
22 Complainant alleges:

23 **PARTIES**

24 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
25 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

26 **Taoheed Hasan dba Valley Pharmacy**

27 2. On or about September 13, 2004, the Board of Pharmacy issued Original Pharmacy
28 Permit Number PHY 46866 to Taoheed Hasan to do business as Valley Pharmacy (Respondent

1 Valley Pharmacy). The Original Pharmacy Permit was in full force and effect at all times
2 relevant to the charges brought herein and will expire on September 1, 2014, unless renewed.

3 **Taoheed Hasan**

4 3. On or about August 16, 1984, the Board of Pharmacy issued Original Pharmacist
5 License Number RPH 38785 to Taoheed Hasan (Respondent Hasan). The Original Pharmacist
6 License was in full force and effect at all times relevant to the charges brought herein and will
7 expire on January 31, 2014, unless renewed.

8 **JURISDICTION**

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

12 5. Section 118, subdivision (b), of the Code provides that the
13 suspension/expiration/surrender/cancellation of a license shall not deprive the
14 Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period
15 within which the license may be renewed, restored, reissued or reinstated.

16 6. Section 4011 of the Code provides that the Board shall administer and enforce both
17 the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances
18 Act [Health & Safety Code, § 11000 et seq.].

19 7. Section 4300(a) of the Code states that every license issued by the Board may be
20 suspended or revoked.

21 8. Section 4300.1 of the Code states:

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

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13	3/6/10	PO# Desert Drugs	\$591.39
14	3/6/10	PO# V/P to D/D moaz	\$5,268.78
15	3/9/10	PO# Desert Drugs	\$3,345.93
16	3/10/10	PO# V/P to D/D moaz	\$131.95
17	3/11/10	PO# V/P to D/D moaz	\$1,792.21
18	3/12/10	PO# V/P to D/D moaz	\$4,197.85
19	3/12/10	PO# D/D to A/P	\$15.74
20	3/13/10	PO# abill	\$7,996.00
21	3/13/10	PO# V/P to D/D 3/13	\$2,300.00
22	3/17/10	PO# V/P to D/D moaz	\$1,049.09
23	3/22/10	PO# V/P to D/D moaz	\$644.35
24	3/24/10	PO# Tauheed Moaz	\$3,277.25
25	3/26/10	PO# V/P to D/D moaz	\$2,110.75
26	3/26/10	PO# Tauheed/Moazzem	\$988.81
27	3/29/10	PO# Needs for LARC	\$8,524.68
28	3/30/10	PO# V/P to D/D moaz	\$2,963.88
29	4/9/10	PO# Desert Drugs	\$4,997.41
30	4/14/10	PO# V/P to D/D moaz	\$11.50
31	4/16/10	PO# V/P to D/D moaz	\$3,782.66
32	4/17/10	PO# V/P to D/D moaz	\$140.28
33	4/19/10	PO# V/P to D/D moaz	\$95.88
34	4/20/10	PO# V/P to D/D moaz	\$1,003.40
35	4/26/10	PO# V/P to D/D moaz	\$7,679.48
36	4/29/10	PO# V/P to D/D moaz	\$1,537.05
37	5/25/10	PO# V/P to D/D moaz	\$3,216.69
38	5/25/10	PO# V/P to D/D moaz	\$11,350.51
39	6/2/2010	PO# V/P to D/D	\$1,910.00
40	6/7/10	PO# V/P to D/D moaz	\$1,712.22
		Total	\$92,911.01

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Furnishing Dangerous Drugs without a Prescription)

As to Respondent Valley Pharmacy and Hasan

20. Respondents are subject to disciplinary action under section 4301, subdivisions (j) and (o) for violating section 4059, subdivision (b) in that Respondents furnished prescription medications without prescription. The circumstances are as follows:

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21. On or between November 3, 2009 and December 30, 2009 and on or between March 1, 2010 and June 7, 2010, Respondents furnished approximately \$92,911.01 worth of dangerous drugs to Desert Pharmacy without proper sales records that correctly documented the date and the names and addresses of the supplier and buyer.

	Date	Invoice Record	Approximate Amount
1	11/3/09	PO# V/P to D/D-moaz	\$459.59
2	11/16/09	PO# D/D to V/P-moaz	\$20.72
3	11/23/09	PO# For Tauheed	\$38.80
4	12/29/09	PO# V/P to D/D-moaz	\$1,579.00
5	12/30/09	PO# FOA-12/30/09- Wed	\$396.31
6	3/1/10	PO# V/P to D/D moaz	\$1,154.86
7	3/2/10	PO# V/P to D/D moaz	\$1,658.65
8	3/3/10	PO# D/D to A/P moz	\$315.21
9	3/3/10	PO# V/P to D/D moaz	\$1,855.20
10	3/4/10	PO# V/P to D/D moaz	\$1,880.66
11	3/5/10	PO# Desert Drugs	\$807.16
12	3/6/10	PO# V/P 3/06/10	\$109.11
13	3/6/10	PO# Desert Drugs	\$591.39
14	3/6/10	PO# V/P to D/D moaz	\$5,268.78
15	3/9/10	PO# Desert Drugs	\$3,345.93
16	3/10/10	PO# V/P to D/D moaz	\$131.95
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39	6/2/2010	PO# V/P to D/D	\$1,910.00
40	6/7/10	PO# V/P to D/D moaz	\$1,712.22
		Total	\$92,911.01

DISCIPLINE CONSIDERATIONS

22. To determine the degree of discipline, if any, to be imposed on Respondent Valley Pharmacy, Complainant alleges that on or about June 8, 2010, in a prior action, the Board of Pharmacy issued Citation Number CI 2009 41278 and ordered Respondent to pay a citation fine of \$6,125.00. That Citation is now final and is incorporated by reference as if fully set forth.

23. To determine the degree of discipline, if any, to be imposed on Respondent Hasan, Complainant alleges that on or about June 8, 2010, in a prior action, the Board of Pharmacy issued Citation Number CI 2009 44007 and ordered Respondent to pay a citation fine of \$6,125.00. That Citation is now final and is incorporated by reference as if fully set forth.

24. To determine the degree of discipline, if any, to be imposed on Respondent Valley Pharmacy, Complainant alleges that on or about December 9, 2009, in a prior action, the Board of Pharmacy issued Citation Number CI 2008 39751 and ordered Respondent to pay a citation fine of \$1,750.00. That Citation is now final and is incorporated by reference as if fully set forth.

25. To determine the degree of discipline, if any, to be imposed on Respondent Hasan, Complainant alleges that on or about December 9, 2009, in a prior action, the Board of Pharmacy issued Citation Number CI 2009 42417 and ordered Respondent to pay a citation fine of \$5,000.00. That Citation is now final and is incorporated by reference as if fully set forth.

26. To determine the degree of discipline, if any, to be imposed on Respondent Valley Pharmacy, Complainant alleges that on or about November 25, 2009, in a prior action, the Board of Pharmacy issued Citation Number CI 2007 35402 and ordered Respondent to pay a citation fine of \$5,000.00. That Citation is now final and is incorporated by reference as if fully set forth.

