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

11 In the Matter of the Accusation Against:

Case No. 4930

12 **FARMACIA FAMILIAR, fka BRISTOL**  
**FAMILY PHARMACY; ABDUL**  
13 **KAREEM JAWAD, PRESIDENT**  
1126 South Bristol Street  
14 Santa Ana, CA 92704

**A C C U S A T I O N**

15 **Pharmacy Permit No. PHY 50205**

16 **and**

17 **ABDUL KAREEM JAWAD**  
801-B Baker Street  
18 Costa Mesa, CA 92626

19 **Pharmacy License No. RPH 45101**

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 2. On or about April 21, 2010, the Board of Pharmacy issued Pharmacy Permit Number  
27 PHY 50205 to Ace4Q, Inc., Abdul Kareem Jawad, President and Pharmacist-In-Charge, doing  
28 business as Bristol Family Pharmacy (Respondents). On or about December 21, 2012, Ace4Q

1 filed a change of tradestyle name to do business as Farmacia Familiar. The Pharmacy Permit was  
2 in full force and effect at all times relevant to the charges brought herein and will expire on April  
3 1, 2015, unless renewed.

4 3. On March 18, 1992, the Board of Pharmacy issued Original Pharmacist License No.  
5 RPH 45101 to Respondent Abdul Kareem Jawad. The Original Pharmacist License was in full  
6 force and effect at all times relevant to the charges brought herein and will expire on December  
7 31, 2015, 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 4300 of the Code states:

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

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

16 (1) Suspending judgment.

17 (2) Placing him or her upon probation.

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

20 (4) Revoking his or her license.

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

22 . . . .

23 (e) The proceedings under this article shall be conducted in accordance with  
24 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the  
25 Government Code, and the board shall have all the powers granted therein. The  
action shall be final, except that the propriety of the action is subject to review  
by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

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28 6. Section 4300.1 of the Code states:

1 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
2 by operation of law or by order or decision of the board or a court of law, the  
3 placement of a license on a retired status, or the voluntary surrender of a license  
4 by a licensee shall not deprive the board of jurisdiction to commence or proceed  
5 with any investigation of, or action or disciplinary proceeding against, the  
6 licensee or to render a decision suspending or revoking the license.

#### 7 STATUTORY AND REGULATORY PROVISIONS

8 7. Section 4301 of the Code states:

9 The board shall take action against any holder of a license who is guilty of  
10 unprofessional conduct or whose license has been procured by fraud or  
11 misrepresentation or issued by mistake. Unprofessional conduct shall include,  
12 but is not limited to, any of the following:

13 ...

14 (c) Gross negligence.

15 (d) The clearly excessive furnishing of controlled substances in violation of  
16 subdivision (a) of Section 11153 of the Health and Safety Code.

17 ...

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

20 ...

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

26 ....

27 8. Section 11153 of the Healthy and Safety Code provides in part:

28 (a) A prescription for a controlled substance shall only be issued for a  
legitimate medical purpose by an individual practitioner acting in the usual  
course of his or her professional practice. The responsibility for the proper  
prescribing and dispensing of controlled substances is upon the prescribing  
practitioner, but a corresponding responsibility rests with the pharmacist who  
fills the prescription. Except as authorized by this division, the following are  
not legal prescriptions: (1) an order purporting to be a prescription which is  
issued not in the usual course of professional treatment or in legitimate and  
authorized research; or (2) an order for an addict or habitual user of controlled  
substances, which is issued not in the course of professional treatment or as part  
of an authorized narcotic treatment program, for the purpose of providing the  
user with controlled substances, sufficient to keep him or her comfortable by  
maintaining customary use....

1 9. Section 11172 of the Health and Safety Code states, "No person shall antedate or  
2 postdate a prescription."

3 10. Title 16, California Code of Regulations (hereinafter "CCR"), section 1761 states:

4 (a) No pharmacist shall compound or dispense any prescription which contains  
5 any significant error, omission, irregularity, uncertainty, ambiguity or  
6 alteration. Upon receipt of any such prescription, the pharmacist shall contact  
7 the prescriber to obtain the information needed to validate the prescription.

8 (b) Even after conferring with the prescriber, a pharmacist shall not compound  
9 or dispense a controlled substance prescription where the pharmacist knows or  
10 has objective reason to know that said prescription was not issued for a  
11 legitimate medical purpose.

12 11. Title 16, CCR, section 1764 states:

13 No pharmacist shall exhibit, discuss, or reveal the contents of any prescription,  
14 the therapeutic effect thereof, the nature, extent, or degree of illness suffered by  
15 any patient or any medical information furnished by the prescriber with any  
16 person other than the patient or his or her authorized representative, the  
17 prescriber or other licensed practitioner then caring for the patient, another  
18 licensed pharmacist serving the patient, or a person duly authorized by law to  
19 receive such information

20 12. Civil Code section 56.10 states in part:

21 (a) No provider of health care, health care service plan, or contractor shall  
22 disclose medical information regarding a patient of the provider of health care  
23 or an enrollee or subscriber of a health care service plan without first obtaining  
24 an authorization, except as provided in subdivision (b) or (c).

25 . . . .

26 **COST RECOVERY**

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

**DRUGS**

14. Alprazolam, sold under the brand name Xanax, is a Schedule IV controlled substance  
as designated by Health and Safety Code section 11057(d)(1), and is a dangerous drug pursuant to  
Business and Professions Code section 4022. Alprazolam tablets are indicated for the  
management of anxiety disorder or the short-term relief of symptoms of anxiety.



1 controlled substance among all the other five pharmacies. Oxycodone 30 mg was the third most  
2 dispensed controlled substance by Farmacia Bristol Pharmacy at 6.11% of the total number of  
3 controlled substance prescriptions filled, as compared with Bristol Pharmacy where oxycodone  
4 30 mg accounted for 24.37% of controlled substance prescriptions filled.

5 20. On or about December 18, 2012, Board Inspector A.Y. conducted an inspection of  
6 Bristol Pharmacy, which did business as Pharmacia Familiar after December 21, 2012. A.Y.  
7 found discarded documents that contained confidential patient information in tied trash bags in  
8 the shopping center's shared trash dumpster. The documents containing confidential patient  
9 information were not shredded or redacted prior to disposal to ensure confidentiality.

10 21. During the inspection, A.Y. selected and obtained prescription profiles and original  
11 prescriptions for 35 patients and Physician Dispensing Reports for five doctors, Doctors J.G.,  
12 R.L., B.O., R.S. and V.S. Doctors J.G., R.L. and B.O. worked out of the same location in Reseda.  
13 This location was more than 50 miles from Bristol Pharmacy. The estimated travel time from the  
14 medical office to Bristol Pharmacy exceeded one hour without traffic. The Reseda office was  
15 operated by A.D., who was convicted of illegally distributing oxycodone in September, 2012.  
16 A.D. admitted that she and her husband operated four clinics where people purchased oxycodone  
17 prescriptions for cash following a medical exam. Cappers then brought the individual to a  
18 pharmacy to fill the prescriptions. Once filled, the drugs were brought back to A.D.'s clinic to be  
19 sold to a dealer for later sale on the street.

20 22. On January 7, 2013, A.Y. sent a letter to the 35 patients advising that the Board was  
21 conducting an investigation of Bristol Pharmacy and that the pharmacy's records showed the  
22 patient filled a prescription at Bristol Pharmacy. All 35 patients paid cash for their prescriptions.  
23 The letter requested each patient to contact A.Y. Of the 35 letters sent, 16 letters were returned as  
24 undeliverable because the addressee was not known, or because of an insufficient or non-existent  
25 address.

26 23. Three of the 35 patients responded to A.Y.'s letter, they were K.P, L.B. and P.O. On  
27 January 17, 2013, a questionnaire was sent to these three patients asking them if they were  
28 patients of Bristol Pharmacy, if they were under the care of the prescribers listed on the pharmacy

1 profile, if they received the medication identified in the profile, and if they were consulted by the  
2 pharmacist for their medications. Two of the 35 patients, K.P. and L.B, completed and returned  
3 the questionnaires and confirmed they were patients of Bristol Pharmacy, the name of their  
4 prescriber and receipt of their medication from the pharmacy.

5 24. CURES data for the prescribing histories of Doctors J.G., R.L. and B.O. were  
6 obtained for the period December 1, 2010 through November 28, 2012. Doctor J.G. wrote a total  
7 of 7,721 controlled substance prescriptions. Dr. J.G.'s most prescribed drug was oxycodone 30  
8 mg, which accounted for 52.42% of all prescriptions written by him. About 83% of Dr. J.G.'s  
9 prescriptions were paid for in cash. Among the 609 pharmacies that dispensed Dr. J.G.'s  
10 controlled substance prescriptions, Bristol Pharmacy dispensed the fourth highest amount of Dr.  
11 J.G.'s controlled substance prescriptions.

12 25. Doctor R.L. wrote 9,886 controlled substance prescriptions; the most prescribed drug  
13 was oxycodone 30 mg, which accounted for 58.78% of all prescriptions written by Dr. R.L.  
14 About 78.96% of Dr. R.L.'s prescriptions were paid for in cash.

15 26. Doctor B.O. wrote 8,459 controlled substance prescriptions; the most prescribed drug  
16 was oxycodone 30 mg, which accounted for 41.97% of all prescriptions written by Dr. B.O.  
17 About 73.71% of Dr. J.G.'s prescriptions were paid for in cash.

18 27. The prescribing histories of Doctors J.G., R.L. and B.O. revealed a suspicious pattern  
19 of prescribing oxycodone 30 mg, which coupled with high diversion rate and abuse potential of  
20 oxycodone 30 mg, should have raised a red flag as to the legitimacy of the medical necessity for  
21 issuing these prescriptions.

22 28. Between December 1, 2010 and December 31, 2011, Bristol Pharmacy dispensed  
23 1,508 controlled substance prescriptions. Dr. J.G. was the top prescriber for controlled substance  
24 prescriptions dispensed by Bristol Pharmacy. Dr. J.G.'s prescriptions made up 24.80% (or 374  
25 prescriptions of 1,508 prescriptions) of all controlled substance prescriptions. Doctors B.O. and  
26 R.L. were the third and fifth highest controlled substance prescribers, respectively. Prescriptions  
27 by these three doctors constituted 35.28% (532 prescriptions out of 1,508 prescriptions) of all  
28 controlled substance prescriptions dispensed by Bristol Pharmacy.

29. Oxycodone 30 mg was the most dispensed controlled substance by Bristol Pharmacy from the period December 1, 2010 through December 31, 2011. It accounted for 34.75% of all controlled substance prescriptions filled. Bristol Pharmacy dispensed almost three times as many oxycodone 30 mg prescriptions than APAP/codeine, the second most dispensed drug by Bristol Pharmacy. Almost 76% of Bristol Pharmacy's controlled substance prescriptions were paid for in cash and all of the controlled substance prescriptions written by Doctors J.G., R.L. and B.O. were paid for in cash. When compared with the five nearby pharmacies, Bristol Pharmacy had the highest percentage of cash-paying customers for all controlled substance prescriptions at 63.64%, followed by 49.78% at Farmacia Bristol and 27.55% at Bristol Medical Pharmacy, from December 1, 2010 through November 28, 2012.

30. Almost all of the prescriptions written by Doctors J.G, R.L. and B.O. and dispensed by Bristol Pharmacy were for controlled substances:

Prescriber	Total # of all RXs	# of controlled substance RXs	# of non-controlled substance RXs	% of controlled substance RXs
Dr. J.G.	394	394	0	100%
Dr. R.L.	68	67	1	99%
Dr. B.O.	110	109	1	99%

31. Summaries of the prescribing history of Doctors J.G., R.L. and B.O. for prescriptions dispensed at Bristol Pharmacy are set forth below:

Prescribing History of Dr. J.G. 12/1/10-12/31/11 for prescriptions filled at Bristol Pharmacy		
Drug	# of RXs	% of all RXs
Oxycodone 30 mg	340	86.29%
Promethazine/Codeine	24	6.09%
Hydrocodone/APAP 10/325	23	5.84%
Alprazolam 2 mg	5	1.27%
Hydrocodone/APAP 10/500	2	0.51%
TOTAL	394	100.00%

Prescribing History of Dr. R.L. 12/1/10-12/31/11 for prescriptions filled at Bristol Pharmacy		
Drug	# of RXs	% of all RXs
Oxycodone 30 mg	57	83.82%
Alprazolam 2 mg	3	4.41%



Promethazine/Codeine	3	4.41%
Hydrocodone/APAP 10/325	2	2.94%
Oxycontin 30 mg	1	1.47%
Amphetamine 30 mg	1	1.47%
Ibuprofen 800 mg	1	1.47%
TOTAL	68	100.00%

<b>Prescribing History of Dr. B.O. 12/1/10-12/31/11 for prescriptions filled at Bristol Pharmacy</b>		
<b>Drug</b>	<b># of RXs</b>	<b>% of all RXs</b>
Oxycodone 30 mg	44	40.00%
Hydrocodone/APAP 10/325	30	27.27%
Alprazolam 2 mg	19	17.27%
Promethazine/Codeine	13	11.82%
Promethazine VC/Codeine	2	1.82%
Promethazine/DM	1	0.91%
Norco	1	0.91%
TOTAL	110	100.00%

32. Further review of the pharmacy's CURES data revealed that Dr. J.G. prescribed more controlled substance prescriptions than Doctors R.L. and B.O. Based on data from CURES, A.Y. selected the 25 patients with the most prescriptions written by Dr. J.G. for review.

33. CURES data and patient profiles for 25 of Dr. J.G.'s patients showed that 17 of the 25 patients resided outside of Bristol Pharmacy's normal trading area and that 15 of the 25 patients resided at least 25 miles from Bristol Pharmacy and resided an average of 37 miles from Dr. J.G. The distance between Bristol Pharmacy and Dr. J.G. was 55 miles.

34. Of the 25 patients, 22 received only controlled substance medications from Bristol Pharmacy and no other medications; 21 of the 25 patients received only oxycodone 30 mg from Bristol Pharmacy. Dr. J.G. wrote a total of 138 prescriptions for these 25 patients and all of these prescriptions were for oxycodone 30 mg. These patients received prescriptions for the same drug, strength, directions and quantities rather than receiving individualized therapy: 92.75% (128 of 138 prescriptions written by Dr. J.G.) of controlled substance prescriptions written for the 25 patients selected was for oxycodone 30 mg, #240; 2 tablets four times daily.

35. All of these 25 patients paid cash for oxycodone 30 mg. The patients initially paid \$240 for 240 tablets of oxycodone 30 mg. In mid-2011, the cash price increased to \$350 for 240

1 tablets of oxycodone 30 mg. Bristol Pharmacy's cost for oxycodone 30 mg ranged from \$0.30 to  
2 \$0.37 per tablet, leading to a profit of about \$168 per \$261 for each prescription.

3 36. A review of the CURES data showing the prescription history for these 25 patients  
4 showed that they filled a total of 344 prescriptions written by various prescribers with 67.44% of  
5 the prescriptions issued by Dr. J.G. About 74% of these prescriptions were for oxycodone 30 mg  
6 and about 81% were paid for in cash. Many of these patients were receiving controlled substance  
7 prescriptions from several other physicians and filling them at other pharmacies. Narcotic naïve  
8 patients were prescribed oxycodone 30 mg, which is a highly potent medication, without previous  
9 exposure to other analgesics and/or titrating the medication to the appropriate dose for the patient.  
10 In addition, some patients abruptly discontinued their medication.

11 37. The CURES data indicated six patients (M.H., Y.I. R.J. R.M., J.N. and M.W.)  
12 exhibited signs of pharmacy shopping in order to obtain early refills of their medication during  
13 the time they were obtaining prescriptions from Bristol Pharmacy.

14 a. **M.H.** – M.H. alternated filling prescriptions between Bristol Pharmacy and two other  
15 pharmacies. During the period January 10, 2011 through August 26, 2011 (228 days), M.H.  
16 obtained a 660-day supply of oxycodone 30 mg between these three pharmacies, paid cash at all  
17 three pharmacies and filled only oxycodone 30 mg.

18 b. **Y.I.** – From January 13, 2011 through July 19, 2011, Y.I. obtained eight prescriptions  
19 for oxycodone 30 mg, of which 6 were dispensed by Bristol Pharmacy. Y.I. alternated between  
20 Bristol Pharmacy and one other pharmacy. Y.I. paid cash for all oxycodone 30 mg prescriptions  
21 filled at Bristol Pharmacy and the other pharmacy. During this six month period (187 days), Y.I.  
22 obtained a 270-day supply of oxycodone 30 mg between the two pharmacies. Y.I. also obtained  
23 hydrocodone/APAP 7.5/750 from two other pharmacies for prescriptions written by another  
24 prescriber.

25 c. **R.J.** – From December 3, 2010 through August 11, 2011, R.J. obtained 14  
26 prescriptions for oxycodone 30 mg, 7 of which were dispensed by Bristol Pharmacy. R.J.  
27 alternated between Bristol Pharmacy and two other pharmacies and paid in cash. All  
28

1 prescriptions for oxycodone 30 mg were issued by Dr. J.G. During this eight month period (251  
2 days), R.J. obtained a 510 day supply of oxycodone 30 mg between the three pharmacies.

3 d. **R.M.** – From February 2, 2011 through May 12, 2011, R.M. obtained six  
4 prescriptions for oxycodone 30 mg from Bristol Pharmacy and one other pharmacy and paid in  
5 cash. All of the prescriptions for oxycodone 30 mg were issued by Dr. J.G. During this three  
6 month period (99 days), R.M. obtained a 180-day supply of oxycodone 30 mg between the two  
7 pharmacies.

8 e. **J.N.** – From January 25, 2011 through December 9, 2011, J.N. obtained 29  
9 prescriptions for oxycodone 30 mg, of which 7 were dispensed at Bristol Pharmacy. J.N.  
10 alternated between ten pharmacies during this time frame and paid in cash for 23 of the 29  
11 prescriptions. Dr. J.G. issued 27 of the 29 oxycodone 30 mg prescriptions. During the eleven  
12 month period (318 days), J.N. obtained a 910-day supply of oxycodone 30 mg between the ten  
13 pharmacies.

14 f. **M.W.** – From January 5, 2011 through December 2, 2011, M.W. obtained 31  
15 prescriptions for oxycodone 30 mg, of which 9 were dispensed at Bristol Pharmacy. M.W.  
16 alternated between ten pharmacies during this time frame and paid in cash for 24 of the 31  
17 prescriptions. Dr. J.G. issued 23 of the 31 oxycodone 30 mg prescriptions. During the eleven  
18 month period (318 days), J.N. obtained a 910-day supply of oxycodone 30 mg between the ten  
19 pharmacies.

20 38. All of the prescriptions written by Doctors J.G., R.L. and B.O. for oxycodone 30 mg  
21 were reviewed. There were a total of 273 prescriptions for oxycodone 30 mg written by these  
22 three doctors from December 21, 2010 through August 10, 2011 and dispensed by Bristol  
23 Pharmacy as follows:

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	# of oxycodone 30 mg
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	prescriptions written
Dr. J.G.	211
Dr. R.L.	30
Dr. B.O.	32
TOTAL	273

All of these prescriptions were dispensed by Respondent Jawad.

39. Only 34 of the 273 prescriptions, or 12.45%, contained some type of documentation of patient identification or verification of prescription or diagnosis: 21 prescriptions had patient identification written on the original prescription; 12 prescriptions had documentation of verbal verification of the prescription; and, 7 prescriptions contained documentation of the patient's diagnosis.

40. All of the 273 prescriptions were for the same drug (oxycodone 30 mg), dosage and quantity. These prescriptions had similar directions for use by all three physicians rather than an individualized therapy. The method of payment was cash for 220 prescriptions, the method of payment could not be determined for the remainder.

41. Several of the 273 prescriptions for oxycodone 30 mg were filled on dates that preceded the dates the prescriptions were written:

Patient	RX #	Date written	Date filled	RPH	Prescriber
D.O	5954	2/21/11	1/25/11	PIC Jawad	Dr. J.G.
S.B.	5956	2/21/11	1/25/11	PIC Jawad	Dr. J.G.
J.N.	6307	3/14/11	2/22/11	PIC Jawad	Dr. J.G.
M.G.	6309	3/21/11	2/22/11	PIC Jawad	Dr. J.G.
L.M.	6306	3/23/11	2/22/11	PIC Jawad	Dr. J.G.
L.B.	6310	3/23/11	2/22/11	PIC Jawad	Dr. J.G.
S.P.	6476	4/4/11	3/5/11	PIC Jawad	Dr. J.G.
T.H.	6930	5/12/11	1/13/11	PIC Jawad	Dr. J.G.
Y.L.	6931	5/12/11	1/13/11	PIC Jawad	Dr. J.G.

42. Many patients had prescriptions written by Dr. J.G. that bore the same date that were almost consecutively dispensed by Bristol Pharmacy, which was almost 50 miles away.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

3 **(Failure to Comply with Corresponding Responsibility**

4 **for Legitimate Controlled Substance Prescriptions)**

5 43. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
6 pursuant to Code section 4301, subdivision (j), in conjunction with Health and Safety Code  
7 section 11153, subdivision (a), for unprofessional conduct in that Respondents failed to comply  
8 with their corresponding responsibility to ensure that controlled substances are dispensed for a  
9 legitimate medical purpose when, from the period December 21, 2010 to on or about August 23,  
10 2011, Respondents failed to evaluate the totality of the circumstances (information from the  
11 patient, physician and other sources) to determine the prescription's legitimate medical purpose in  
12 light of information showing that prescriptions for controlled substances were filled early, there  
13 was duplication of therapy, the same drug combinations were repeatedly prescribed for multiple  
14 patients by the same prescriber, numerous patients had addresses outside of Bristol Pharmacy's  
15 normal trade area, and certain prescribers wrote a disproportionate number of prescriptions for  
16 oxycodone 30 mg, among other things, as more fully set forth in paragraphs 17-42 above, and  
17 incorporated by this reference as though set forth in full herein.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

20 **(Dispensing Postdated Controlled Substance Prescriptions)**

21 44. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
22 pursuant to Code section 4301, subdivision (o), in conjunction with Health and Safety Code  
23 section 11172 for unprofessional conduct in that Respondents dispensed controlled substances  
24 prior to the dates the prescriptions were written, as more fully set forth in paragraphs 17-42  
25 above, and incorporated by this reference as though set forth in full herein.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

3 **(Unauthorized Disclosure of Prescriptions)**

4 45. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
5 pursuant to Code section 4301, subdivision (o), in conjunction with title 16, California Code of  
6 Regulations, section 1764 and Code section 4301, subdivision (j), in conjunction with Civil Code  
7 section 56.10(a) for unprofessional conduct. Respondents exhibited, revealed or disclosed the  
8 contents of prescriptions and/or medical information, without the patient's authorization, to  
9 persons other than the patient or his authorized representative. Respondents discarded  
10 confidential patient information into the shopping center's trash dumpster without first shredding  
11 or redacting patient specific information, as more fully set forth in paragraphs 17-42 above, and  
12 incorporated by this reference as though set forth in full herein.

13 **FOURTH CAUSE FOR DISCIPLINE**

14 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

15 **(Excessive Furnishing of Controlled Substances)**

16 46. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
17 pursuant to Code section 4301, subdivision (d), for unprofessional conduct in that Respondents  
18 excessively furnished controlled substances during the period December 21, 2010 to on or about  
19 August 23, 2011, as more fully set forth in paragraphs 17-42 above, and incorporated by this  
20 reference as though set forth in full herein.

21 **FIFTH CAUSE FOR DISCIPLINE**

22 **AS TO ABDUL JAWAD**

23 **(Unprofessional Conduct – Gross Negligence)**

24 47. Respondent Abdul Jawad is subject to discipline pursuant to Code section 4301,  
25 subdivision (c), for unprofessional conduct in that Respondent was grossly negligent in  
26 dispensing controlled substances during the period December 21, 2010 to on or about August 23,  
27 2011, in that Respondent knew or should have known that the controlled substances prescribed by  
28 Doctors J.G., R.L. and B.O. were likely to be diverted or used for other than a legitimate medical

1 purpose and that Respondent failed to take appropriate steps upon being presented with numerous  
2 prescriptions for the same controlled substances, to wit, oxycodone 30 mg, from a small group of  
3 prescribers, including but not limited to, contacting the prescribers, interviewing the patients and  
4 performing additional investigation to determine whether the prescriptions were issued for a  
5 legitimate medical purpose, as more fully set forth in paragraphs 17-42 above, and incorporated  
6 by this reference as though set forth in full herein.

7 **SIXTH CAUSE FOR DISCIPLINE**

8 **AS TO ABDUL JAWAD**

9 **(Unprofessional Conduct – Negligence)**

10 48. Respondent Abdul Jawad is subject to discipline pursuant to Code section 4301, for  
11 unprofessional conduct in that Respondent was negligent in dispensing controlled substances  
12 during the period December 21, 2010 to on or about August 23, 2011, in that Respondent knew or  
13 should have known that the controlled substances prescribed by Doctors J.G., R.L. and B.O. were  
14 likely to be diverted or used for other than a legitimate medical purpose and that Respondent  
15 failed to take appropriate steps upon being presented with numerous prescriptions for the same  
16 controlled substances, to wit, oxycodone 30 mg, from a small group of prescribers, including but  
17 not limited to, contacting the prescribers, interviewing the patients and performing additional  
18 investigation to determine whether the prescriptions were issued for a legitimate medical purpose,  
19 as more fully set forth in paragraphs 17-42 above, and incorporated by this reference as though  
20 set forth in full herein.

21 **SEVENTH CAUSE FOR DISCIPLINE**

22 **AS TO ABDUL JAWAD**

23 **(Unprofessional Conduct)**

24 49. Respondent Abdul Jawad is subject to discipline pursuant to Code section 4301 for  
25 unprofessional conduct in that Respondent engaged in the activity described in paragraphs 17-42  
26 above, and incorporated by this reference as though set forth in full herein.

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**PRAYER**

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

1. Revoking or suspending Pharmacy Permit Number PHY 50205, issued to Farmacia Familiar, formerly known as Bristol Family Pharmacy, Abdul Kareem Jawad, President;

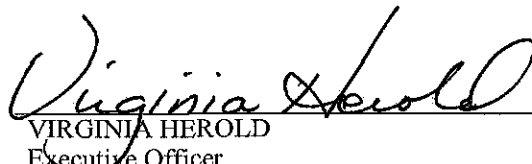
2. Revoking or suspending Pharmacist License Number RPH 45101, issued to Abdul Kareem Jawad;

3. Ordering Farmacia Familiar formerly known as Bristol Family Pharmacy, and Abdul Kareem Jawad, jointly and severally, to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

4. Taking such other and further action as deemed necessary and proper.

DATED: \_\_\_\_\_

*4/5/14*



VIRGINIA HEROLD  
Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

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