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7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 5567

13 **RUZANNA NIKOGOSYAN**
15430 Archwood Street
Van Nuys, CA 91406

A C C U S A T I O N

14 Pharmacy Technician Registration
15 No. TCH 81186

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about January 23, 2008, the Board issued Pharmacy Technician Registration
23 No. TCH 81186 to Ruzanna Nikogosyan (Respondent). The Pharmacy Technician Registration
24 was in full force and effect at all times relevant to the charges brought herein and will expire on
25 December 31, 2015, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following laws.
28 All section references are to the Business and Professions Code unless otherwise indicated.

1 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning
2 of this provision. The board may take action when the time for appeal has elapsed, or the
3 judgment of conviction has been affirmed on appeal or when an order granting probation is made
4 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of
5 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not
6 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
7 indictment."

8 **REGULATORY PROVISIONS**

9 7. California Code of Regulations, title 16, section 1770, states:

10 "For the purpose of denial, suspension, or revocation of a personal or facility license
11 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
12 crime or act shall be considered substantially related to the qualifications, functions or duties of a
13 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
14 licensee or registrant to perform the functions authorized by his license or registration in a manner
15 consistent with the public health, safety, or welfare."

16 **FIRST CAUSE FOR DISCIPLINE**

17 **(Conviction of a Substantially Related Crime)**

18 8. Respondent is subject to disciplinary action under section 4301, subdivision (l), in
19 conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was
20 convicted of a crime substantially related to the qualifications, functions or duties of a pharmacy
21 technician as follows:

22 a. On or about February 10, 2015, after pleading nolo contendere, Respondent was
23 convicted of one misdemeanor count of violating Penal Code section 487, subdivision (a) [grand
24 theft by embezzlement] in the criminal proceeding entitled *The People of the State of California v.*
25 *Ruzanna Nikogosyan* (Super. Ct. L.A. County, 2015, No. LA078417). The Court ordered
26 Respondent to pay restitution and placed her on 36 months probation, with terms and conditions.

27 b. The circumstances surrounding the conviction are that on or about June 2, 2014,
28 Respondent was served with a search and arrest warrant based on a theft reported by her former

1 employer, Toluca Pharmacy. The owner of Toluca Pharmacy filed a report after observing
2 Respondent on store video, filling prescriptions and taking them in her vehicle on a regular basis.
3 The estimated loss to her employer as a result of her thefts was \$18,000.00.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Acts Involving Dishonesty, Fraud, Deceit, or Corruption)**

6 9. Respondent is subject to disciplinary action under section 4301, subdivision (f), in that
7 Respondent committed acts involving dishonesty, fraud, deceit, or corruption with the intent to
8 substantially benefit herself, or substantially injure another. Complainant refers to, and by
9 reference incorporates, the allegations set forth above in paragraph 8, as though set forth fully.

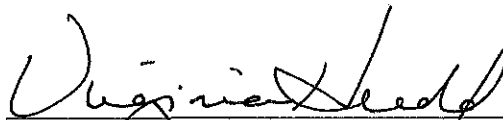
10 **PRAYER**

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

- 13 1. Revoking or suspending Pharmacy Technician Registration No. TCH 81186, issued to
14 Ruzanna Nikogosyan;
- 15 2. Ordering Ruzanna Nikogosyan to pay the Board the reasonable costs of the
16 investigation and enforcement of this case, pursuant to section 125.3; and
- 17 3. Taking such other and further action as deemed necessary and proper.

18
19
20 DATED: _____

11/27/15



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

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