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

10 In the Matter of the Accusation Against:

Case No. 5613

11 **SUNSET CENTER PHARMACY INC DBA**
12 **SUNSET CENTER PHARMACY &**
13 **MEDICAL SUPPLY, CARMEN G.**
14 **SILICATO, PIC**
15 **5137-1/2 Sunset Blvd.**
Los Angeles, CA 90027

A C C U S A T I O N

16 **Pharmacy Permit No. PHY 44875,**

17 **and**

18 **CARMEN G. SILICATO**
19 **6273 Blanchard Canyon**
20 **Tujunga, CA 91042**

21 **Pharmacist License No. RPH 21741**

22 Respondents.

23 Complainant alleges:

24 **PARTIES**

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

27 2. On or about November 17, 2000, the Board of Pharmacy issued Pharmacy Permit
28 Number PHY 44875 to Sunset Center Pharmacy Inc dba Sunset Center Pharmacy & Medical
Supply, Carmen G. Silicato, PIC (Respondents). The Pharmacy Permit was in full force and

1 effect at all times relevant to the charges brought herein and will expire on November 1, 2016,
2 unless renewed.

3 3. On or about July 22, 1960, the Board of Pharmacy issued Pharmacist License
4 Number RPH 21741 to Carmen G. Silicato (Respondents). The Pharmacist License was in full
5 force and effect at all times relevant to the charges brought herein and will expire on August 31,
6 2016, unless renewed.

7 JURISDICTION

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

11 5. Section 4300 of the Code states:

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

13 "...

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

19 6. Section 4300.1 of the Code states:

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

25 7. Section 4076 of the Code states:

26 "(a) A pharmacist shall not dispense any prescription except in a container that meets the
27 requirements of state and federal law and is correctly labeled with all of the following:

28 "...

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 DANGEROUS DRUGS

4 11. "Crestor" is the brand name for Rosuvastatin and is a dangerous drug pursuant to
5 section 4022. It is used to treat high cholesterol.

6 12. "Exelon Patch" is the brand name for Rivastigmine and is a dangerous drug pursuant
7 to section 4022. It is used to treat Alzheimer's disease.

8 13. "Januvia" is the brand name for Sitagliptin and is a dangerous drug pursuant to
9 section 4022. It is used to treat diabetes.

10 14. "Zocor" is the brand name for Simvastatin and is a dangerous drug pursuant to section
11 4022. It is used to high cholesterol.

12 FIRST CAUSE FOR DISCIPLINE

13 (Improper Labeling)

14 15. Respondents Sunset Center Pharmacy Inc., dba Sunset Center Pharmacy & Medical
15 Supply and Carmen G. Silicato are subject to disciplinary action under section 4076 subdivision
16 (a)(4) in that Respondents failed to comply with the prescription container labeling requirements
17 under state and Federal law, which require that all medication containers be correctly labeled with
18 the prescribers name. The circumstances surrounding this violations are as follows:

19 16. On or about January 21, 2013, Respondents incorrectly labeled the following
20 medication containers with prescriber Richard Dolan's name when the prescriptions were actually
21 written by prescriber Azat Bogikian:

22 1. Rx# 80007: Doxazosin written January 15, 2013 and originally filled January 21, 2013
23 with refill on April 25, 2013.

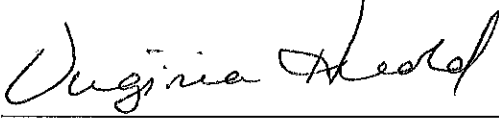
24 2. Rx# 80008: Pataday written January 15, 2013 and originally filled January 21, 2013
25 with refill on April 25, 2013.

26 3. Rx# 80009: Spiriva written January 15, 2013 and originally filled January 21, 2013
27 with refill on April 25, 2013.

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

DATED: 8/11/16



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

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