

1 XAVIER BECERRA  
Attorney General of California  
2 KENT D. HARRIS  
Supervising Deputy Attorney General  
3 ELENA L. ALMANZO  
Deputy Attorney General  
4 State Bar No. 131058  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7902  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 5926

12 **CVS PHARMACY LLC,**  
13 **dba CVS/PHARMACY #9248**  
14 **1700 McHenry Avenue**  
15 **Modesto, CA 95350**

**ACCUSATION**

16 **Pharmacy Permit No. PHY 49725**

17 **and**

18 **STAVROS MICHAEL STATHOUDAKIS**  
19 **1700 Joann Avenue**  
20 **Modesto, CA 95350**

21 **Pharmacist License No. RPH 65725**

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 ("Board"), Department of Consumer Affairs.

27 2. On or about November 10, 2008, the Board issued Pharmacy Permit Number PHY  
28 49725 to CVS Pharmacy LLC ("Respondent CVS"), doing business as CVS/Pharmacy #9248.

On and between October 14, 2012 and August 4, 2015, Stavros Michael Stathoudakis

1 ("Respondent Stathoudakis") was the pharmacist-in-charge. The pharmacy permit was in full  
2 force and effect at all times relevant to the charges brought herein and will expire on November 1,  
3 2017, unless renewed.

4 3. On or about August 16, 2011, the Board issued Pharmacist License Number RPH  
5 65725 to Respondent Stathoudakis. The pharmacist license was in full force and effect at all  
6 times relevant to the charges brought herein and will expire on November 30, 2018, unless  
7 renewed.

### 8 JURISDICTION

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

12 5. Code section 4300 states, in pertinent part:

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

14 (b) The board shall discipline the holder of any license issued by the  
15 board, 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 6. Code section 4300.1 states:

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

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1                                    **STATUTORY AND REGULATORY PROVISIONS**

2            7.     Code section 4301 states, in pertinent part:

3                    The board shall take action against any holder of a license who is guilty  
4                    of unprofessional conduct . . . Unprofessional conduct shall include, but is not limited  
                      to, any of the following:

5                    . . . .

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

8                    . . . .

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

12            8.     Code section 4059, subdivision (a), states, in pertinent part:

13                    A person may not furnish any dangerous drug, except upon the  
14                    prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or  
                      naturopathic doctor pursuant to Section 3640.7 . . .

15            9.     Code section 4060 provides:

16                    A person shall not possess any controlled substance, except that furnished to a person  
17                    upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or  
18                    naturopathic doctor pursuant to Section 3640.7, or furnished pursuant to a drug order  
19                    issued by a certified nurse-midwife pursuant to Section 2746.51, a nurse practitioner  
20                    pursuant to Section 2836.1, a physician assistant pursuant to Section 3502.1, a  
21                    naturopathic doctor pursuant to Section 3640, or a pharmacist pursuant to Section  
22                    4052.1, 4052.2, or 4052.6. This section does not apply to the possession of any  
23                    controlled substance by a manufacturer, wholesaler, third-party logistics provider,  
24                    pharmacy, pharmacist, physician, podiatrist, dentist, optometrist, veterinarian,  
25                    naturopathic doctor, certified nurse-midwife, nurse practitioner, or physician  
26                    assistant, if in stock in containers correctly labeled with the name and address of the  
27                    supplier or producer.

28                    This section does not authorize a certified nurse-midwife, a nurse practitioner, a  
                      physician assistant, or a naturopathic doctor, to order his or her own stock of  
                      dangerous drugs and devices.

                      10.     Code section 4081 states, in pertinent part:

                      (a) All records of manufacture and of sale, acquisition, or disposition of  
                      dangerous drugs or dangerous devices shall be at all times during business hours open  
                      to inspection by authorized officers of the law, and shall be preserved for at least  
                      three years from the date of making. A current inventory shall be kept by every  
                      manufacturer, wholesaler, pharmacy, veterinary food-animal drug retailer, physician,  
                      dentist, podiatrist, veterinarian, laboratory, clinic, hospital, institution, or

1 establishment holding a currently valid and unrevoked certificate, license, permit,  
2 registration, or exemption under Division 2 (commencing with Section 1200) of the  
3 Health and Safety Code or under Part 4 (commencing with Section 16000) of  
4 Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous  
5 drugs or dangerous devices.

6 (b) The owner, officer, and partner of any pharmacy, wholesaler, or  
7 veterinary food-animal drug retailer shall be jointly responsible, with the  
8 pharmacist-in-charge or representative-in-charge, for maintaining the records and  
9 inventory described in this section . . .

10 11. Code section 4113, subdivision (c), states that "[t]he pharmacist-in-charge shall be  
11 responsible for a pharmacy's compliance with all state and federal laws and regulations pertaining  
12 to the practice of pharmacy.

13 12. Code section 4306.5 (b) provides in pertinent part that unprofessional conduct may  
14 include any of the following:

15 (b) Acts or omissions that involve, in whole or in part, the failure to exercise or  
16 implement his or her best professional judgement or corresponding, responsibility  
17 with regard to the dispensing or furnishing of controlled substances, dangerous drugs,  
18 or dangerous devices, or with regard to the provision of services

19 13. Health and Safety Code section 11153, subdivision (a), states:

20 A prescription for a controlled substance shall only be issued for a  
21 legitimate medical purpose by an individual practitioner acting in the usual course of  
22 his or her professional practice. The responsibility for the proper prescribing and  
23 dispensing of controlled substances is upon the prescribing practitioner, but a  
24 corresponding responsibility rests with the pharmacist who fills the prescription.  
25 Except as authorized by this division, the following are not legal prescriptions: (1) an  
26 order purporting to be a prescription which is issued not in the usual course of  
27 professional treatment or in legitimate and authorized research; or (2) an order for an  
28 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.

14. Title 16, California Code of Regulations, section 1718 states, in pertinent part:

"Current Inventory" as used in Sections 4081 and 4332 of the Business  
and Professions Code shall be considered to include complete accountability for all  
dangerous drugs handled by every licensee enumerated in Sections 4081 and 4332 . . .

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1 **COST RECOVERY**

2 15. Code section 125.3 provides, in pertinent part, that a Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **DRUG CLASSIFICATIONS**

7 16. "Roxicodone", a brand name for oxycodone, is a Schedule II controlled substance  
8 pursuant to Health and Safety Code section 11055, subdivision (b)(1)(M). Roxicodone is also a  
9 dangerous drug pursuant to Code section 4022 and is used to treat pain.

10 17. "Norco", a brand name for hydrocodone/acetaminophen, is a Schedule III controlled  
11 substance pursuant to Health and Safety Code section 11056. Norco is also a dangerous drug  
12 pursuant to Code section 4022 and is used to treat pain.

13 18. "Xanax", a brand name for alprazolam, is a Schedule IV controlled substance  
14 pursuant to Health and Safety Code section 11057, subdivision (d)(1). Xanax is also a dangerous  
15 drug pursuant to Code section 4022 and is used to treat anxiety.

16 19. "Adipex-P", a brand name for phentermine, is a Schedule IV controlled substance  
17 pursuant to Health and Safety Code section 11057, subdivision (f)(4). Adipex-P is also a  
18 dangerous drug pursuant to Code section 4022 and is used as an appetite suppressant.

19 20. "Soma", a brand name for carisoprodol, is a Schedule IV Controlled Substance  
20 pursuant to Title 21, Code of Federal Regulations, section 1308.14, subdivision (c)(6). Soma is  
21 also a dangerous drug pursuant to Code section 4022 and is used as a muscle relaxant.

22 21. "Adderall", a brand name for amphetamine salts, is a Schedule II controlled substance  
23 pursuant to Health and Safety Code section 11055, subdivision (d)(1). Adderall is also a  
24 dangerous drug pursuant to Code section 4022 and is used to treat Attention Deficit Hyperactivity  
25 Disorder.

26 **FACTUAL ALLEGATIONS**

27 22. On or about January 13, 2015, pharmacy technician Mona Chavarin ("Chavarin") was  
28 arrested by the Modesto Police Department for, among other things, filling altered prescriptions

1 and criminal conspiracy<sup>1</sup>. The arrest report indicated that Lenele Nunez (“Nunez”) stole  
2 prescription pads belonging to physician assistant R. S. and sold them to Christina Martinez  
3 (“Martinez”). Martinez forged the prescriptions, and she and Lance Wilson had the prescriptions  
4 filled at CVS/Pharmacy #9248 (“CVS #9248”) where Chavarin was employed. Chavarin verified  
5 the prescriptions through Nunez. Fourteen patient names, 8 actual and 6 fictional, were  
6 connected to the fraud and approximately 286 prescriptions were issued. The prescriptions were  
7 filled for approximately 17,350 oxycodone tablets, 23,760 hydrocodone tablets, and 7,650 tablets  
8 of Schedule IV controlled drugs.

9 23. On or about January 13, 2015, the Modesto Police Department Narcotic Enforcement  
10 Team (“MNET”) and Drug Enforcement Administration (“DEA”) agents served a search warrant  
11 at Central Valley Pain Management (“CVPM”) in Modesto, California, where R. S. was  
12 employed as a physician assistant. The search warrant was part of the investigation of the  
13 fraudulent prescriptions; prescriptions were forged for oxycodone, mixed amphetamine salts,  
14 hydrocodone/acetaminophen (H/APAP), alprazolam, phentermine, and carisoprodol. Detective  
15 M., the lead investigator on the MNET, informed Board Inspector H. (“inspector”) that Nunez  
16 was the officer manager for CVPM. All of the prescription forms were forged using R. S.’s  
17 name. Martinez brought the fraudulent prescriptions to CVS #9248 when Chavarin was on duty.  
18 Martinez or Wilson returned at a later time to receive the dispensed medication from Chavarin.  
19 MNET identified 14 fraudulent patient records at CVS #9248.

20 24. On or about January 14, 2015, the inspector assisted the MNET in serving a search  
21 warrant at CVS #9248 (DEA agents were also present at the time). Respondent Stathoudakis  
22 (“Stathoudakis”) assisted with the retrieval of documents for the search warrant. The inspector  
23 worked with the MNET officers in locating patient prescription profiles and pertinent prescription  
24 documents for each fraudulent patient identified by the MNET. The MNET removed all original  
25

26 <sup>1</sup> On or about August 29, 2016, Chavarin pled guilty in United States District Court,  
27 Eastern District of California, Case No. 1:15CR00046-LJO-SKO, to one count of violating  
28 21U.S.C. sections 846, 841 (a) (1) and 841 (b) (1) (c) (Conspiracy to distribute oxycodone and  
hydrocodone).

1 fraudulent prescription documents from the pharmacy (the inspector obtained copies of the  
2 fraudulent prescriptions and patient prescription profiles on October 28, 2015).

3 25. The inspector reviewed the patient prescription records for the fraudulent  
4 prescriptions with Stathoudakis. None of the records listed any additional medication other than  
5 the controlled substances noted above. There were no records of any notes either in the  
6 pharmacy's computer records or written on the prescription documents indicating that pharmacy  
7 staff called the prescriber or the prescriber's agent to verify any of the fraudulent prescriptions.  
8 There were no notes from the pharmacist or any other staff about the patient, patient's medical  
9 condition(s), history, or diagnosis. As the inspector and Stathoudakis reviewed each prescription  
10 profile, they noticed that the fraudulent prescriptions were all paid using cash discount cards<sup>2</sup>.  
11 The inspector pointed out to Stathoudakis various "red flags" on the prescriptions; most of the  
12 prescriptions were for "Holy Trinity" drugs ("Holy Trinity" is the street name for the combination  
13 of oxycodone IR 30 mg, Norco or H/APAP 10/325 mg, and Xanax 2 mg), the dosage strengths  
14 were high, large quantities of commonly abused controlled substances were prescribed, and the  
15 prescriptions were paid for in cash. Further, the diagnosis code was completed on the  
16 prescription forms, which was unusual.

17 26. After the MNET and DEA left, the inspector completed an inspection of the  
18 pharmacy. The inspector found that approximately 213 of the fraudulent prescriptions at the  
19 pharmacy appeared to be typed by Chavarin, using the initials "MC". The date range for all of  
20 the fraudulent prescriptions was from August 2013 to January 2015. Most of the prescriptions  
21 were typed many days after the date written on the prescription and dispensed even later. Few  
22 prescriptions were typed and dispensed on the same shift. The inspector noticed that patient  
23 phone numbers were written on each prescription; some of the same phone numbers were written  
24 on prescriptions for different patients and several phone numbers applied to multiple patients.

25  
26  
27 <sup>2</sup> A cash discount card is often billed the same way as regular insurance and includes an  
28 ID number. However, the patient must provide his or her name, address, and date of birth.  
Patients sometimes receive a discounted cash price for a prescription.

1           27. On or about January 20, 2015, the inspector faxed Stathoudakis a letter requesting  
2 that he complete an audit of oxycodone IR 30 mg, Norco 10 mg, alprazolam 2 mg and  
3 promethazine with codeine syrup beginning on May 1, 2013. Stathoudakis was also requested to  
4 provide the inspector with supporting documentation for the audit data. The inspector advised  
5 Stathoudakis that he could choose any day to end the audit and conduct an inventory.

6           28. On or about February 12, 2015, the inspector received copies of Chavarin's  
7 employment records from CVS. The records showed that Chavarin was hired as a pharmacy  
8 technician at CVS #9248 on January 8, 2012, and that Stathoudakis was her supervisor.

9           29. On or about February 23, 2015, the inspector received audit documents from CVS  
10 and noticed that the audit began on May 1, 2014, and was conducted through the close of business  
11 on January 26, 2015. The inspector returned to CVS #9248 and retrieved a copy of the May 1,  
12 2014 inventory (the inspector found the beginning date of May 1, 2014 acceptable). The  
13 inspector found in reviewing the data submitted by CVS and verifying the audit that CVS #9248  
14 had notable overages of oxycodone IR 30 mg, hydrocodone/acetaminophen 10/326 mg tablets,  
15 alprazolam 2 mg, and promethazine with codeine syrup, as set forth below.

16           30. On or about December 7, 2015, the inspector sent CVS #9248 a letter requesting the  
17 names of the pharmacists who originally verified each of the fraudulent prescriptions dispensed at  
18 the pharmacy from July 3, 2013 to January 14, 2015 (the fraudulent prescriptions were listed on  
19 an attachment), including the prescription number, drug and strength, quantity, and the date the  
20 pharmacists verified the prescriptions. CVS Health provided the inspector with the information  
21 as requested.

22                                   **FIRST CAUSE FOR DISCIPLINE**  
23                                   **(Unlawful Furnishing of Dangerous Drugs)**

24           31. Respondent CVS is subject to disciplinary action pursuant to Code section 4301,  
25 subdivision (o), for unprofessional conduct, in that Respondent violated or attempted to violate,  
26 directly or indirectly, assisted in or abetted the violation of, or conspired to violate state laws  
27 governing pharmacy, specifically, Code section 4060 and 4059, subdivision (a), as follows: In  
28 and between August 2013 and January 2015, while employed and on duty at CVS/Pharmacy



#9248, Respondent's pharmacists verified and dispensed approximately 238 fraudulent prescriptions for the controlled substances oxycodone, mixed amphetamine salts, hydrocodone/acetaminophen, alprazolam, phentermine, and carisoprodol, including the following:

	<b>Prescription Numbers</b>	<b>Fraudulent Patient: Initials &amp; Date of Birth</b>
1.	482816, 482818, 482820	JW (7/28/51)
2.	506508, 506509, 506510	
3.	521117, 521118, 521119	
4.	532374, 532375, 532376	
5.	495344, 495345, 495346	
6.	387427	
7.	450459, 450460, 450461	
8.	470236, 470237, 470238	
	<b>Prescription Numbers</b>	<b>Fraudulent Patient: Initials &amp; Date of Birth</b>
9.	509872, 509873, 509874	DS (3/8/74)
10.	538452, 538453, 538454	
11.	498599, 498600, 498601	
12.	521141, 521142, 521143	
13.	466428, 466429, 466430	
14.	477326, 477327, 477328	
15.	534572, 534573, 534574	PS (2/3/58)
16.	500286, 500287, 500288	
17.	480394, 480395, 480396	
18.	467314, 467315, 467393	
19.	524638, 524639, 524640	
20.	383571	MS (9/7/58)
21.	450969, 450970, 450971	

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22.	543060, 543061, 543062	
23.	473641, 473642, 473643	
24.	528019, 528020, 528021	
25.	513897, 513898	
26.	489221, 489222	
27.	502861, 502862, 502863	
28.	416344, 416346, 416347	
29.	542118, 542119, 542120	PM (6/25/72)
30.	420452, 420453, 420454	
31.	483094, 483103, 483105	
32.	502351, 502352, 502353	
33.	472948, 472949, 472950	
34.	516644, 516645, 516646	
	<b>Prescription Numbers</b>	<b>Fraudulent Patient: Initials &amp; Date of Birth</b>
35.	531162, 531163, 531164	
36.	502817, 502818, 502819	RL (7/1/79)
37.	539339, 539346, 539347	
38.	490656, 490657	
39.	528476, 528477, 528478	
40.	449821, 449822, 449823	
41.	473647, 473648, 473649	
42.	492433, 492435, 492434	CL (4/1/80)
43.	476686, 476687, 476688	
44.	535035, 535036, 535037	
45.	466121, 466122, 466123	
46.	504448, 504449, 504450	
47.	409672, 409673, 409674	

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48.	519127, 519128, 519129	
49.	507371, 507372, 507373	JG (6/24/68)
50.	536302, 536303, 536304	
51.	521127, 521128, 521129	
52.	506889, 506890, 506891	MG (7/11/74)
53.	519130, 519131, 519132	
54.	532371, 532372, 532373	
55.	523727, 523728, 523729	ID (9/8/69)
56.	470190, 470191, 470192	
57.	500290, 500291, 500292	
58.	512670, 512672	
59.	480838, 480839, 480841	
60.	534521 534523, 534524	
	<b>Prescription Numbers</b>	<b>Fraudulent Patient: Initials &amp; Date of Birth</b>
61.	494825, 494826, 494829	CC (11/8/77)
62.	504824, 504826, 504827	
63.	478032, 478033, 478034	
64.	540289, 540290	
65.	468540, 468541, 468542	
66.	528506, 528507, 528508	
67.	514222, 514223	
68.	510278, 510279, 510280	RA (9/3/67)
69.	460820, 460821, 460823	
70.	525827, 525829, 525830	
71.	478544, 478545, 478546	
72.	499064, 499065, 499066	
73.	492445, 492446, 492447	AA (2/16/54)

1	74.	53945, 539451, 539452	
2	75.	458329, 458331, 458333	
3	76.	521533, 521534, 521535	
4	77.	504456, 504457, 504458	
5	78.	489198, 489199	AA (11/24/69)
6	79.	513925, 513926	
7	80.	415895	
8	81.	502790, 502791, 502792	
9	82.	526335, 526336, 526337	
10	83.	475009, 475010, 475014	
11	84.	541703, 541704, 541705	

**SECOND CAUSE FOR DISCIPLINE**

**(Failure to Exercise Corresponding Responsibility with Regard to  
the Dispensing or Furnishing of Controlled Substances)**

32. Respondent CVS is subject to disciplinary action pursuant to Code section 4301, subdivision (j), for unprofessional conduct, in that Respondent violated state laws regulating controlled substances, specifically, Health and Safety Code section 11153, subdivision (a), as follows: In and between August 2013 and January 2015, while employed and on duty at CVS/Pharmacy #9248, Respondent's pharmacists failed to exercise or implement their best professional judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled substances and dangerous drugs, as set forth in paragraph 31 above.

**THIRD CAUSE FOR DISCIPLINE**

**(Failure to Maintain a Current Inventory of All Dangerous Drugs)**

33. Respondent CVS is subject to disciplinary action for unprofessional conduct pursuant to Code section 4301, subdivision (o), in that Respondent violated or attempted to violate, directly or indirectly, assisted in or abetted the violation of, or conspired to violate state laws and regulations governing pharmacy, specifically, Code section 4081, subdivision (a), and Title 16, California Code of Regulations, section 1718, as follows: On and between May 1, 2014 and

1 January 26, 2015, Respondent failed to maintain an accurate or current inventory of all dangerous  
2 drugs in the pharmacy, resulting in an overage of 478 oxycodone IR 30 mg tablets, 7,920  
3 hydrocodone/acetaminophen 10/325 mg tablets, 865 alprazolam 2 mg tablets, and 543 ml of  
4 promethazine with codeine syrup.

5 **FOURTH CAUSE FOR DISCIPLINE**  
6 **(Unlawful Furnishing of Dangerous Drugs)**

7 34. Respondent Stathoudakis is subject to disciplinary action pursuant to Code section  
8 4301, subdivision (o), for unprofessional conduct, in that Respondent, as pharmacist-in-charge of  
9 CVS/Pharmacy #9248, violated or attempted to violate, directly or indirectly, assisted in or  
10 abetted the violation of, or conspired to violate state laws governing pharmacy, specifically, Code  
11 section 4059, subdivision (a), in conjunction with 4113 and 4060 as follows: In and between  
12 August 2013 and January 2015, Respondent's pharmacists verified and dispensed approximately  
13 238 fraudulent prescriptions for the controlled substances oxycodone, mixed amphetamine salts,  
14 hydrocodone/acetaminophen, alprazolam, phentermine, and carisoprodol, including the  
15 prescriptions identified in paragraph 31 above.

16 **FIFTH CAUSE FOR DISCIPLINE**  
17 **(Failure to Exercise Corresponding Responsibility with Regard to**  
18 **the Dispensing or Furnishing of Controlled Substances)**

19 35. Respondent Stathoudakis is subject to disciplinary action pursuant to Code section  
20 4301, subdivision (j) and 4306.5 (b), for unprofessional conduct, in that Respondent, as  
21 pharmacist-in-charge of CVS/Pharmacy #9248, violated state laws regulating controlled  
22 substances, specifically, Health and Safety Code section 11153, subdivision (a), as follows: In  
23 and between August 2013 and January 2015, Respondent's pharmacists failed to exercise or  
24 implement their best professional judgment or corresponding responsibility with regard to the  
25 dispensing or furnishing of controlled substances and dangerous drugs, as set forth in paragraph  
26 31 above.

27 **SIXTH CAUSE FOR DISCIPLINE**  
28 **(Failure to Maintain a Current Inventory of All Dangerous Drugs)**

36. Respondent Stathoudakis is subject to disciplinary action for unprofessional conduct  
pursuant to Code section 4301, subdivision (o), in that Respondent, as pharmacist-in-charge of

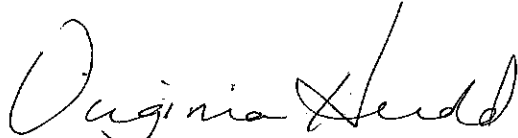
1 CVS/Pharmacy #9248, violated or attempted to violate, directly or indirectly, assisted in or  
2 abetted the violation of, or conspired to violate state laws and regulations governing pharmacy,  
3 specifically, Code section 4081, subdivision (a), and Title 16, California Code of Regulations,  
4 section 1718, as follows: On and between May 1, 2014 and January 26, 2015, Respondent failed  
5 to maintain an accurate or current inventory of all dangerous drugs in the pharmacy, resulting in  
6 an overage of 478 oxycodone IR 30 mg tablets, 7,920 hydrocodone/acetaminophen 10/325 mg  
7 tablets, 865 alprazolam 2 mg tablets, and 543 ml of promethazine with codeine syrup.

8 **PRAYER**

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

- 11 1. Revoking or suspending Pharmacy Permit Number PHY 49725, issued to CVS  
12 Pharmacy LLC, doing business as CVS/Pharmacy #9248;
  - 13 2. Revoking or suspending Pharmacist License Number RPH 65725, issued to Stavros  
14 Michael Stathoudakis;
  - 15 3. Ordering CVS Pharmacy LLC, doing business as CVS/Pharmacy #9248, and Stavros  
16 Michael Stathoudakis to pay the Board of Pharmacy the reasonable costs of the investigation and  
17 enforcement of this case, pursuant to Business and Professions Code section 125.3; and
  - 18 4. Taking such other and further action as deemed necessary and proper.
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23 DATED: 10/7/17



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

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