

1 XAVIER BECERRA
Attorney General of California
2 KENT D. HARRIS
Supervising Deputy Attorney General
3 KEVIN W. BELL
Deputy Attorney General
4 State Bar No. 192063
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-6064
Facsimile: (916) 327-8643
7 E-mail: Kevin.Bell@doj.ca.gov
Attorneys for Complainant

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

12
13 In the Matter of the Accusation Against:

Case No. 6032

14 **DISCOUNT PHARMACY AND MEDICAL**
SUPPLY; VAN THI NGUYEN,
15 **OWNER/PHARMACIST-IN-CHARGE**
16 **703 FULTON STREET NO. 201**
FRESNO, CA 93728

A C C U S A T I O N

17 **PHARMACY LICENSE NO. PHY 43116**

18 **AND**

19 **VAN THI NGUYEN,**
20 **1445 N. OXFORD AVE**
CLOVIS, CA 93619

21 **LICENSE NO. RPH 48645**

22 Respondents.

23
24 Complainant alleges:

25 **PARTIES**

26 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
27 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
28

2. On or about September 5, 1997, the Board of Pharmacy issued Pharmacy Permit Number PHY 43116 to Van T. Nguyen, Discount Pharmacy and Medical Supply (Respondent). The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on September 1, 2017, unless renewed.

3. On or about March 21, 1996, the Board of Pharmacy issued Original Pharmacist License Number RPH 48645 to Van Thi Nguyen (Respondent). The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on February 28, 2018, unless renewed.

JURISDICTION

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

5. Section 4300 of the Code states:

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

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

(1) Suspending judgment.

(2) Placing him or her upon probation.

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

(4) Revoking his or her license.

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

6. Section 4300.1 of the Code states:

The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation of law or by order or decision of the board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license by a 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.

7. Section 4307(a) of the Code states:

Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a manager, administrator, owner member, officer, director, associate, or partner of any partnership, corporation, firm or association whose application for a license has been denied or revoked, is under suspension or has been placed on probation, and while acting as the manager, administrator, owner, member, officer, director, associate, or partner had knowledge or knowingly participated in any conduct for which the license was denied, revoked, suspended, or placed on probation, shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner as follows:

(1) Where a probationary license is issued or where as existing license is placed on probation, this prohibition shall remain in effect for a period not to exceed five years.

(2) Where the license is denied or revoked, the prohibition shall continue until the license is issued or reinstated.

STATUTORY AND REGULATORY PROVISION **California Business and Professions Code**

8. Section 4301 of the Code states in pertinent part:

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

...

(b) Incompetence.

(c) Gross negligence.

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

...

(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or corruption, whether the act is committed in the course of relations as a licensee or otherwise, and whether the act is a felony or misdemeanor or not.

...

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

...

(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of this chapter or of the

1 applicable federal and state laws and regulations governing pharmacy, including regulations
2 established by the board or by any other state or federal regulatory agency.

3 ...

4 9. Section 4113, subdivision (c) of the Code states that:

5 The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all state
6 and federal laws and regulations pertaining to the practice of pharmacy.

7 10. Section 4081 of the Code states:

8 (a) All records of manufacture and of sale, acquisition, or disposition of dangerous drugs or
9 dangerous devices shall be at all times during business hours open to inspection by
10 authorized officers of the law, and shall be preserved for at least three years from the date
11 of making. A current inventory shall be kept by every manufacturer, wholesaler, pharmacy,
12 veterinary food-animal drug retailer, physician, dentist, podiatrist, veterinarian, laboratory,
13 clinic, hospital, institution, or establishment holding a currently valid and unrevoked
14 certificate, license, permit, registration, or exemption under Division 2 (commencing with
Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section
16000) of Division 9 of the Welfare and Institutions Code who maintains a stock of
dangerous drugs or dangerous devices.

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

17 11. Section 4115 of the Code states:

18 (a) A pharmacy technician may perform packaging, manipulative, repetitive, or other
19 nondiscretionary tasks, only while assisting, and while under the direct supervision and
20 control of a pharmacist. The pharmacist shall be responsible for the duties performed under
his or her supervision by a technician.

21 ...

22 (e) No person shall act as a pharmacy technician without first being licensed by the board as
a pharmacy technician.

23
24 12. Section 4306.5 of the Code provides in pertinent part that unprofessional conduct for
25 a pharmacist may include any of the following:

26 (a) Acts or omissions that involve, in whole or in part, the inappropriate exercise of his or
27 her education, training, or experience as a pharmacist, whether or not the act or omission
28

1 arises in the course of the practice of pharmacy or the ownership, management,
2 administration, or operation of a pharmacy or other entity licensed by the board.

3 (b) Acts or omissions that involve, in whole or in part, the failure to exercise or implement
4 his or her best professional judgment or corresponding responsibility with regard to the
5 dispensing or furnishing of controlled substances, dangerous drugs, or dangerous devices,
6 or with regard to the provision of services.

7 (c) Acts or omissions that involve, in whole or in part, the failure to consult appropriate
8 patient, prescription, and other records pertaining to the performance of any pharmacy
9 function.

10 **California Code of Regulations**

11 13. California Code of Regulations, title 16, section 1709.1, subdivision (a), states that:

12 The pharmacist-in-charge of a pharmacy shall be employed at that location and shall
13 have responsibility for the daily operation of the pharmacy.

14 14. California Code of Regulations, title 16, section 1711, states in pertinent part that:

15 (a) Each pharmacy shall establish or participate in an established quality assurance program
16 which documents and assesses medication errors to determine cause and an appropriate
17 response as part of a mission to improve the quality of pharmacy service and prevent errors.
18 ...

19 (c) Each quality assurance program shall be managed in accordance with written policies
20 and procedures maintained in the pharmacy in an immediately retrievable form.
21 ...

22 (d) Each pharmacy shall use the findings of its quality assurance program to develop
23 pharmacy systems and workflow processes designed to prevent medication errors. An
24 investigation of each medication error shall commence as soon as is reasonably possible,
25 but no later than 2 business days from the date the medication error is discovered. All
26 medication errors discovered shall be subject to a quality assurance review.

27 (e) The primary purpose of the quality assurance review shall be to advance error
28 prevention by analyzing, individually and collectively, investigative and other pertinent
data collected in response to a medication error to assess the cause and any contributing
factors such as system or process failures. A record of the quality assurance review shall be
immediately retrievable in the pharmacy. The record shall contain at least the following:

1. the date, location, and participants in the quality assurance review;
2. the pertinent data and other information relating to the medication error(s) reviewed and documentation of any patient contact required by subdivision (c);
3. the findings and determinations generated by the quality assurance review; and,
4. recommend changes to pharmacy policy, procedure, systems, or processes, if any.

1 The pharmacy shall inform pharmacy personnel of changes to pharmacy policy, procedure,
2 systems, or processes made as a result of recommendations generated in the quality
assurance program.

3 (f) The record of the quality assurance review, as provided in subdivision (e) shall be
4 immediately retrievable in the pharmacy for at least one year from the date the record was
created.

5 ...
15. California Code of Regulations, title 16, section 1714, subdivision (b), states that:

6 Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and
7 equipment so that drugs are safely and properly prepared, maintained, secured and
distributed.

8 16. California Code of Regulations, title 16, section 1715 states in pertinent part that

9
10 (a) The pharmacist-in-charge of each pharmacy as defined under section 4029 or section
11 4037 of the Business and Professions Code shall complete a self-assessment of the
12 pharmacy's compliance with federal and state pharmacy law. The assessment shall be
performed before July 1 of every odd-numbered year. The primary purpose of the self-
assessment is to promote compliance through self-examination and education."

13 ...
14 (d) Each self-assessment shall be kept on file in the pharmacy for three years after it is
performed.

15 17. California Code of Regulations, title 16, section 1761, states that:

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

18
19 (b) Even after conferring with the prescriber, a pharmacist shall not compound or dispense
20 a controlled substance prescription where the pharmacist knows or has objective reason to
know that said prescription was not issued for a legitimate medical purpose.

21 California Health and Safety Code

22 18. Health and Safety Code section 11153, subdivision (a), states, in pertinent part that:

23 A prescription for a controlled substance shall only be issued for a legitimate medical
24 purpose by an individual practitioner acting in the usual course of his or her professional
25 practice. The responsibility for the proper prescribing and dispensing of controlled
26 substances is upon the prescribing practitioner, but a corresponding responsibility rests with
the pharmacist who fills the prescription . . ."

27 //

1 **COST RECOVERY**

2 19. Code section 125.3 provides, in pertinent part, that a Board may request the
3 administrative law judge to direct a licensee 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 **CONTROLLED SUBSTANCES**

7 20. "Alprazolam" is a Schedule IV controlled substance as designated by Health and
8 Safety Code section 11057, subdivision (d)(1).

9 21. "Hydrocodone/Acetaminophen" is a Schedule III controlled substance as designated
10 by Health and Safety Code section 11056, subdivision (e)(5), and a Schedule II controlled
11 substance as designated by Title 21 Code of Federal Regulations 1308.12.

12 22. "Promethazine with Codeine Syrup" is a Schedule V controlled substance as
13 designated by Health and Safety Code section 11058, subdivision (c)(1).

14 **STATEMENT OF FACTS**

15 23. An audit of controlled substances conducted by Board Inspector S.K. found
16 Respondents ordered high quantities of Promethazine with Codeine Syrup. The review of
17 Respondent's CURES¹ data showed that Respondent had dispensed numerous controlled
18 substance prescriptions from prescribers in the Southern California area, which is more than 200
19 miles from Respondent. A review of the audit uncovered indications of possible trends of
20 dispensing controlled substances with apparent irregularities and red flags of abuse or misuse,
21 including controlled substances prescribed by out of area prescribers and dispensed to out of area
22 patients. Based on that information the Board opened an investigation.

23 24. On or about June 30, 2016, Board Inspectors S.K. and I.T. went to Discount
24 Pharmacy and Medical Supply, located at 703 Fulton Street No. 201, Fresno, CA 93728, to
25
26

27 ¹ The Controlled Substance Utilization Review and Evaluation System (CURES) is a
28 database containing information on Schedule II through IV controlled substances dispensed in
California. It is a valuable investigative, preventive, and educational tool for the healthcare
community, regulatory boards, and law enforcement.

1 conduct an inspection. Present were Van Nguyen, Pharmacist-in-Charge (Respondent), S.S.,
2 TCH, and K.T., pharmacy clerk.

3 25. Upon arrival, Inspectors S.K. and I.T. observed unlicensed pharmacy clerk K.T.
4 counting ibuprofen 800 mg tablets from a 500 tablet bottle, repackaging 90 tablets at a time into
5 40 dram-size vials. K.T. told inspector S.K. that she had worked for Respondent for three weeks;
6 that she was not a pharmacist technician; that had never enrolled in pharmacy technician training
7 program or school; and that she had never received any training prior to starting work at
8 Respondent's place of business. Inspector observed a document posted on the wall directly in
9 front of and to the left of K.T. entitled "Pharmacy Clerk Policies and Procedures" that stated in
10 part "May Not: Count, pour, mix, and pre-pack any medications under any form." Respondent
11 told Inspector S.K. that she allowed K.T. to count medications because Respondent was busy, and
12 Respondent did not think that counting medications was considered filling.

13 26. During the inspection Inspectors S.K. and I.T. observed shelves on the west wall of
14 the pharmacy which held baskets of the following prescription and non-prescription drugs, the
15 following of which were not labeled:

- 16 a. HCTZ 25 mg (prescription)
- 17 b. ibuprofen 800 mg (prescription)
- 18 c. docusate sodium 100 mg (non-prescription)
- 19 d. loratadine 10 mg ((non-prescription)
- 20 e. Vitamin D3 2000 IU (non-prescription)

21 27. During the inspection Respondent gave Inspector S.K. a binder which contained a
22 copy of a self-assessment of the pharmacy's compliance with state and federal pharmacy law
23 dated June 29, 2013. There was no current self-assessment maintained in the pharmacy. When
24 asked about the current self-assessment, Respondent stated that she took it home to fill out but
25 was too busy and did not complete it.

26 28. During the inspection, Inspector S.K. reviewed the records of Respondent related to
27 prescription errors, and noted that there were no completed reports or reviews of prescription
28 errors. Respondent stated that they had very few errors. When asked, Respondent stated that the

1 last error occurred about one month prior involving the miscount of metformin (a prescription
2 diabetes drug). Respondent stated that she did not complete an error report, and had never
3 completed any error reports for prescription errors.

4 29. Inspector S.K. reviewed Respondent's electronic dispensing records from February
5 15, 2014 through June 30, 2016, as well as CURES records from June 1, 2013 through June 20,
6 2016. The inspector identified two prescribers, Dr. Clyde Arnold and Salvatore DiRaffaele, PA,
7 as having prescribed an unusually high number of controlled substance prescriptions.

8 30. Dr. Clyde Arnold is licensed by the California Medical Board as a practicing
9 physician and surgeon. On October 16, 2014, an Order was issued by the Los Angeles Superior
10 Court for Dr. Arnold to no longer write prescriptions. On December 15, 2014, an Accusation was
11 filed which detailed gross negligence, incompetence, excessive prescribing, and unprofessional
12 conduct related to the treatment of patients with controlled substances. On August 27, 2016, Dr.
13 Clyde Arnold signed a Stipulated Surrender of License, which became effective on September 23,
14 2016 when the California Medical Board adopted its Decision and Order in that matter. As to the
15 prescriptions written by Dr. Arnold and filled by Respondents:

- 16 a. Dr. Clyde Arnold has a listed address in Los Angeles, 225 miles away from
17 Respondents, with a three hour and forty-five minute time of travel.
- 18 b. Between February 20, 2014 and September 19, 2014, 200 prescriptions written by Dr.
19 Arnold were dispensed to 32 different patients by Respondents.
- 20 c. All of these patients had addresses in the greater Los Angeles area, which is over a
21 three hour drive from Respondents.
- 22 d. All of these patients were prescribed only one or a combination of three drugs, all
23 commonly sought drugs of abuse: hydrocodone/APAP 10/325 (the highest strength
24 available), alprazolam 2 mg (the highest strength available), and
25 promethazine/codeine syrup.
- 26 e. There were numerous instances where groups of identical or similar prescriptions
27 were processed by Respondents in the same day and in sequential order.
- 28 f. No non-controlled substances were prescribed.

- 1 f. All of the prescriptions were for cash payment.
- 2 g. There was in insufficient verification and/or resolution of the irregularities, drug
- 3 interactions, and red flags of abuse. Also, Salvatore DiRaffaele, PA stated he would
- 4 have identified any calls seeking verification as fraudulent prescriptions.
- 5

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct –Corresponding Responsibility)**

8 32. Respondents Discount Pharmacy and Medical Supply and Van Nguyen are subject

9 to disciplinary action pursuant to Code sections 4301 and 4306.5, subsection (b) for

10 unprofessional conduct, in that Respondents failed to exercise or implement their corresponding

11 responsibility with regard to the dispensing or furnishing of controlled substances and dangerous

12 drugs for a legitimate medical purpose, as follows: On or about and between February 20, 2014

13 and September 24, 2014, Respondents dispensed at least 775 prescriptions for

14 hydrocodone/APAP 10/325, alprazolam 2 mg, and promethazine/codeine syrup in a manner as set

15 forth in paragraphs 27-29 above, in violation of Health and Safety Code section 11153,

16 subdivision (a) and Title 21, Code of Federal Regulations, section 1306.04, subsection (a).

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct – Failure to Exercise Best Professional Judgment)**

19 33. Respondents Discount Pharmacy and Medical Supply and Van Nguyen are subject to

20 disciplinary action pursuant to sections 4301 and 4306.5, subsection (b) for unprofessional

21 conduct, in that Respondents failed to exercise or implement their best professional judgment

22 with regard to the dispensing or furnishing of controlled substances and dangerous drugs, as

23 follows: On or about and between February 20, 2014 and September 24, 2014, Respondents

24 dispensed at least 775 prescriptions for hydrocodone/APAP 10/325, alprazolam 2 mg, and

25 promethazine/codeine syrup in a manner as set forth in paragraphs 27-29 above, in violation of

26 Health and Safety Code section 11153, subdivision (a) and Title 21, Code of Federal Regulations,

27 section 1306.04, subsection (a).

28 //

1 g. All of the prescriptions were for cash payment.

2 h. There was no indications of verification and/or resolution of the irregularities, drug
3 interactions, and red flags of abuse.

4 31. Salvatore DiRaffaele, PA is a licensed physician's assistant and is listed on the
5 prescription forms of Dr. Steven M. Kaye, who is licensed by the California Medical Board as a
6 practicing physician and surgeon. The inspector contacted Salvatore DiRaffaele, who told him
7 that he no longer worked for Dr. Kaye; that while working for Dr. Kaye prescription pads with his
8 name on it had been stolen; that he was aware of many fraudulent prescriptions; and that
9 whenever pharmacies would call him regarding those prescriptions he would confirm they were
10 fraudulent. As to the prescriptions written by Salvatore DiRaffaele, PA and Dr. Kaye and filled
11 by Respondents:

12 a. The address listed on the prescription forms for Dr. Kaye and Salvatore DiRaffaele,
13 PA shows offices in the Los Angeles communities of Van Nuys, Woodland Hills,
14 Valley Village, and Anaheim, locations that are all over three hours away from
15 Respondents.

16 b. Between February 26, 2014 and September 24, 2014, 575 prescriptions allegedly
17 written by Salvatore DiRaffaele, PA and Dr. Kaye were dispensed to 110 different
18 patients by Respondents.

19 c. All of these patients except one had addresses in the greater Los Angeles area, which
20 is over a three hour drive from Respondents: the only patient from outside of the Los
21 Angeles area had an address in Conyers, Georgia.

22 d. Of the 575 prescriptions, 3 were allegedly written by Dr. Kaye and 572 were written
23 by Salvatore DiRaffaele, PA. All but ten of the 572 prescriptions written by Salvatore
24 DiRaffaele, PA were for only one or a combination of three drugs, all commonly
25 sought drugs of abuse: hydrocodone/APAP 10/325 (the highest strength available),
26 alprazolam 2 mg (the highest strength available), and promethazine/codeine syrup.

27 e. There were numerous instances where groups of identical or similar prescriptions
28 were processed by Discount Pharmacy in the same day and in sequential order.

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Clearly Excessive Furnishing of Controlled Substances)**

3 34. Respondents Discount Pharmacy and Medical Supply and Van Nguyen are subject to
4 disciplinary action pursuant to section 4301, subdivisions (d), for unprofessional conduct, in that
5 on or about and between February 20, 2014 and September 24, 2014, Respondents clearly
6 excessively furnished controlled substances, including hydrocodone/APAP 10/325, alprazolam 2
7 mg, and promethazine/codeine syrup in a manner as set forth in paragraphs 27-29 above, in
8 violation of Health and Safety Code section 11153, subdivision (a) as set forth in paragraphs 27-
9 29 above.

10 **FOURTH CAUSE FOR DISCIPLINE**

11 **(Unprofessional Conduct –**

12 **Failure to Comply With All State and Federal Laws and Regulations)**

13 35. Respondents Discount Pharmacy and Van Nguyen are subject to disciplinary action
14 under section 4113, subsection (c) for their failure to comply with all state and federal laws and
15 regulations pertaining to the practice of pharmacy based on the following:

- 16 a. Respondents Discount Pharmacy and Van Nguyen allowed an unlicensed employee
17 to perform duties of a pharmacy technician in violation of Code section 4115(a) and
18 (e) as set forth in paragraph 23 above;
- 19 b. Respondents Discount Pharmacy and Van Nguyen failed to maintain their facilities,
20 space, fixtures and equipment so that drugs are properly prepared, maintained,
21 secured, and distributed in violation of California Code of Regulations, title 16,
22 section 1714, subdivision (b) as set forth in paragraph 24 above;
- 23 c. Respondents Discount Pharmacy and Van Nguyen failed to establish and participate
24 in an established quality assurance program which documents and assesses
25 medication errors in violation of California Code of Regulations, title 16, section
26 1711 as set forth in paragraph 26 above; and
- 27 d. Respondents Discount Pharmacy and Van Nguyen failed to complete (before July 1
28 of every odd-numbered year) and keep on file (for a period of three years) a self-

1 assessment of the pharmacy's compliance with federal and state pharmacy law in
2 violation of California Code of Regulations, title 16, section 1715 as set forth in
3 paragraph 25 above.

4 **OTHER MATTERS**

5 36. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
6 PHY 43116 issued to Discount Pharmacy and Medical Supply, Van T. Nguyen shall be
7 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,
8 or partner of a licensee for five years if Pharmacy Permit Number PHY 43116 is placed on
9 probation or until Pharmacy Permit Number PHY 43116 is reinstated if it is revoked.

10 37. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
11 PHY 43116 issued to Discount Pharmacy and Medical Supply, while Van T. Nguyen has been an
12 officer and owner and had knowledge of or knowingly participated in any conduct for which the
13 license was disciplined, Van T. Nguyen shall be prohibited from serving as a manager,
14 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
15 Pharmacy Permit Number PHY 43116 is placed on probation or until Pharmacy Permit Number
16 PHY 43116 is reinstated if it is revoked.

17
18 **PRAYER**

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

21 1. Revoking or suspending Pharmacy Permit Number PHY 43116 and License Number
22 RPH 48645, issued to Van T. Nguyen, Discount Pharmacy and Medical Supply;

23 2. Revoking or suspending Pharmacist License Number RPH 48645, issued to Van T.
24 Nguyen;

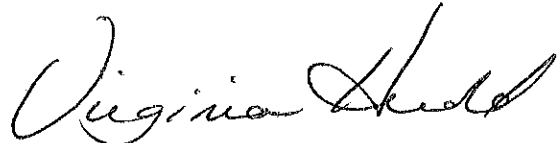
25 3. Prohibit Van T. Nguyen from serving as a manager, administrator, owner, member,
26 officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number
27 PHY 43116 is placed on probation or until Pharmacy Permit Number PHY 43116 is reinstated if
28 it is revoked.

1 4. Ordering Van T. Nguyen to pay the Board of Pharmacy the reasonable costs of the
2 investigation and enforcement of this case, pursuant to Business and Professions Code section
3 125.3; and,

4 5. Taking such other and further action as deemed necessary and proper.
5

6
7
8 DATED: _____

5/15/17



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

12
13 SA2017105063
14 NguyenAccusation2.docx
15
16
17
18
19
20
21
22
23
24
25
26
27
28