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

12 In the Matter of the Statement of Issues
13 Against:

Case No. 6044

14 **ADARSH KONDA**

STATEMENT OF ISSUES

15 **Applicant for Intern Pharmacist License**

16 Respondent.

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18 Complainant alleges:

19 PARTIES

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

22 2. On or about September 14, 2016, the Board of Pharmacy, Department of Consumer
23 Affairs received an application for an Application for Registration as an Intern Pharmacist from
24 Adarsh Konda (Respondent). On or about August 16, 2016, Adarsh Konda certified under
25 penalty of perjury to the truthfulness of all statements, answers, and representations in the
26 Application. The Board denied the application on or about January 6, 2017.

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1 officer did not detect any odor of alcohol emitting from Respondent's breath or person. The
2 Officer conducted a Horizontal Gaze Nystagmus test and noted that Respondent had difficulty
3 following directions to follow the pen with his eyes. Respondent's pupils were constricted and
4 non reactive to the light. Respondent's tongue was yellow with a brown spot. Respondent
5 admitted to smoking marijuana the day before and having taken Benadryl that morning.
6 Respondent was unable to satisfactorily perform the field sobriety tests. His movements were
7 slow, and he would stare off, and seemed dazed and confused. Based on the officer's
8 observations, statements from witnesses, and Respondent's symptoms of possible intoxication, he
9 placed Respondent under arrest for driving under the influence. Respondent consented to a
10 chemical breath test which indicated no presence of alcohol in his system. He was then
11 transported to the Goleta Valley Cottage Hospital where he submitted to a chemical blood test.
12 While at the hospital and in the patrol vehicle, Respondent fell asleep several times. He was later
13 booked at the Santa Barbara County Jail on charges of violating misdemeanor Vehicle Code
14 section 23152(a) – Driving Under the Influence of Drugs/Alcohol. The toxicology screening
15 results from Respondent's blood sample indicated a presence of benzodiazepines, cocaine and
16 marijuana in his system at the time of his arrest. The Santa Barbara County DA's office filed a
17 misdemeanor complaint charging Respondent with the following violations: 1) Misdemeanor
18 Vehicle Code section 23152(a) - Driving Under the Influence of a Drug; and 2) Misdemeanor
19 Health and Safety Code section 11550(a) – Under the Influence of a Controlled Substance
20 (Cocaine). The complaint was later amended to add Count 3, misdemeanor Vehicle Code section
21 23103.5 – Wet and Reckless Driving. Respondent pled guilty to and was convicted of violating
22 Count 3. The Court dismissed counts 1 and 2. Respondent was granted formal probation for a
23 period of three years with terms and conditions, not limited to: Serve 1 day in Santa Barbara
24 county jail; Pay fines/restitution; complete a 12 hour drug counseling program, and submit to
25 testing if requested. Respondent paid his restitution in full and completed a 12-hour drug and
26 alcohol counseling program. Respondent's probation was modified from formal probation to
27 summary (unsupervised) probation.

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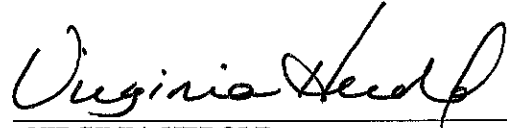
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PRAYER

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. Denying the application of Adarsh Konda for an Intern Pharmacist registration;
2. Taking such other and further action as deemed necessary and proper.

DATED: 6/30/17



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

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