

1 BILL LOCKYER, Attorney General
of the State of California
2 RITA LANE MEDELLIN, State Bar No. 171352
Deputy Attorney General
3 California Department of Justice
110 West "A" Street, Suite 1100
4 San Diego, CA 92101

5 P.O. Box 85266
San Diego, CA 92186-5266
6 Telephone: (619) 645-2614
7 Facsimile: (619) 645-2061

8 Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

12 FAROOQUE VIRANI
13 18685 Main Street, A210
14 Huntington Beach, CA 92648
15 Pharmacist License No. RPH 43747

16 Respondent.

Case No. 2346

OAH No. L-2001110599

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
19 above-entitled proceedings that the following matters are true:

20 PARTIES

21 1. Patricia F. Harris (Complainant) is the Executive Officer of the Board of
22 Pharmacy. She brought this action solely in her official capacity and is represented in this matter
23 by Bill Lockyer, Attorney General of the State of California, by Rita Lane Medellin, Deputy
24 Attorney General.

25 2. Respondent Farooque Virani (Respondent) is represented in this
26 proceeding by attorney Donald B. Brown, Esq., whose address is 3848 Carson Street, Suite 206,
27 Torrance, CA 90503.

28 ///

- 1 1. **Obey All Laws.** Respondent shall obey all federal and state laws and
2 regulations substantially related or governing the practice of pharmacy.
- 3 2. **Reporting to the Board.** Respondent shall report to the Board or its
4 designee quarterly. The report shall be made either in person or in writing, as directed. If the
5 final probation report is not made as directed, probation shall be extended automatically until
6 such time as the final report is made.
- 7 3. **Interview with the Board.** Upon receipt of reasonable notice,
8 Respondent shall appear in person for interviews with the Board or its designee upon request at
9 various intervals at a location to be determined by the Board or its designee. Failure to appear
10 for a scheduled interview without prior notification to Board staff shall be considered a violation
11 of probation.
- 12 4. **Cooperation with Board Staff.** Respondent shall cooperate with the
13 Board's inspectional program and in the Board's monitoring and investigation of the
14 Respondent's compliance with the terms and conditions of his probation. Failure to cooperate
15 shall be considered a violation of probation.
- 16 5. **Peer Review.** Respondent shall submit to peer review as deemed
17 necessary by the Board.
- 18 6. **Continuing Education.** Respondent shall provide evidence of efforts to
19 maintain skill and knowledge as a pharmacist as directed by the Board.
- 20 7. **Notice to Employers.** Respondent shall notify all present and prospective
21 employers of the decision in Case No. 2346 and the terms, conditions and restrictions imposed
22 on Respondent by the decision. Within thirty (30) days of the effective date of this decision, and
23 within fifteen (15) days of Respondent undertaking new employment, Respondent shall cause his
24 employer to report to the Board in writing acknowledging the employer has read the decision in
25 Case No. 2346.

26 If Respondent works for or is employed by or through a pharmacy employment
27 service, Respondent must notify the pharmacist-in-charge and/or owner at every pharmacy at
28 ///

1 which he is to be employed or used of the fact and terms of the decision in Case No. 2346 in
2 advance of the Respondent commencing work at the pharmacy.

3 "Employment" within the meaning of this provision shall include any full-time,
4 part-time, temporary or relief service or pharmacy management service as a pharmacist, whether
5 the Respondent is considered an employee or independent contractor.

6 8. **No Preceptorships, Supervision of Interns, Being Pharmacist-in-**
7 **Charge.** Respondent shall not supervise any intern pharmacist or perform any of the duties of a
8 preceptor, nor shall Respondent be the pharmacist-in-charge of any pharmacy licensed by the
9 Board.

10 9. **Reimbursement of Board Costs.** Respondent shall pay to the Board its
11 costs of investigation and prosecution in the amount of \$4,589.25. Respondent shall make said
12 payments as follows: no payments during the first year of probation; for years two through four
13 of probation, respondent will make quarterly payments to the Board. The first 11 quarterly
14 payments will be in the amount of \$382.43 and the twelfth and final payment will be in the
15 amount of \$382.52. The entire amount of cost recovery shall be paid in full by the beginning of
16 the fifth year of probation. If Respondent fails to pay the costs as specified by the Board and on
17 or before the date(s) determined by the Board, the Board shall, without affording the Respondent
18 notice and the opportunity to be heard, revoke probation and carry out the disciplinary order that
19 was stayed.

20 10. **Probation Monitoring Costs.** Respondent shall pay the costs associated
21 with probation monitoring as determined by the Board each and every year of probation. Such
22 costs shall be payable to the Board at the end of each year of probation. Failure to pay such costs
23 shall be considered a violation of probation.

24 11. **Status of License.** Respondent shall, at all times while on probation,
25 maintain an active current license with the Board, including any period during which suspension
26 or probation is tolled. If Respondent's license expires by operation of law or otherwise, upon
27 renewal or reapplication, Respondent's license shall be subject to all terms of this probation not
28 previously satisfied.

1 Respondent shall, at all times while on probation, maintain an current license with
2 the Board. If Respondent submits an application to the Board, and the application is approved,
3 for a change of location, change or permit or change of ownership, the Board shall retain
4 continuing jurisdiction over the license, and the Respondent shall remain on probation as
5 determined by the Board or its designee.

6 12. **Notification of Employment/Mailing Address Change.** Within ten (10)
7 days of a change in employment -- either leaving or commencing employment -- Respondent
8 shall so notify the Board in writing, including the address of the new employer; within ten (10)
9 days of a change of mailing address, Respondent shall notify the Board in writing. If
10 Respondent works for or is employed through a pharmacy employment service, Respondent
11 shall, as requested, provide to the Board or its designee with a work schedule, indicating dates
12 and location of employment.

13 13. **Tolling of Probation.** If Respondent leaves California to reside or
14 practice outside this state, Respondent must notify the Board in writing of the dates of departure
15 and return within ten (10) days of departure or return. Periods of residency, except such periods
16 where the Respondent is actively practicing pharmacy within California, or practice outside
17 California shall not apply to reduction of the probationary period.

18 Should Respondent, regardless of residency, for any reason cease practicing
19 pharmacy in California, Respondent must notify the Board in writing within ten (10) days of
20 cessation of the practice of pharmacy or resuming the practice of pharmacy. "Cessation of
21 practice," means any period of time in which Respondent is not engaged in the practice of
22 pharmacy for at least 40 hours per month with an average of 80 hours per month in any six
23 consecutive months, as defined in section 4052 of the Business and Professions Code.

24 It is a violation of probation for Respondent's probation to remain tolled pursuant
25 to the provisions of this condition for a period exceeding a consecutive period of [three] years.

26 14. **Violation of Probation.** If Respondent violates probation in any respect,
27 the Board, after giving Respondent notice and an opportunity to be heard, may revoke probation
28 and carry out the disciplinary order which was stayed. If a petition to revoke probation or an

1 accusation is filed against Respondent during probation, the Board shall have continuing
2 jurisdiction, and the period of probation shall be extended, until the petition to revoke probation
3 is heard and decided. If a Respondent has not complied with any term or condition of probation,
4 the Board shall have continuing jurisdiction over Respondent, and probation shall automatically
5 be extended until all terms and conditions have been met or the Board has taken other action as
6 deemed appropriate to treat the failure to comply as a violation of probation, to terminate
7 probation, and to impose the penalty which was stayed.

8 15. **Completion of Probation.** Upon successful completion of probation,
9 Respondent's license will be fully restored.

10 16. **Adoption of Stipulation.** It is understood that, in deciding whether to
11 adopt this stipulation, the Board may receive oral and written presentation from, and make
12 inquiries of, complainant, his attorneys, the Board's attorneys, consulting experts and the Board's
13 enforcement committee.

14 17. **Rehabilitation Program.** Pharmacist Recovery Program (PRP)
15 Within thirty (30) days of the effective date of this decision, Respondent shall
16 contact the Pharmacist Recovery Program for evaluation and shall successfully participate in
17 and complete the treatment contract and any subsequent addendums as recommended and
18 provided by the PRP and as approved by the Board. The costs for PRP participation shall be
19 borne by the Respondent. Probation shall be extended automatically until Respondent
20 successfully completes his or her treatment contract.

21 18. **Random Fluid Testing.** Respondent shall immediately submit, with or
22 without prior notice, to biological fluid testing, at Respondent's expense, upon the request of the
23 Board or its designee. The length and frequency of this testing requirement will be determined
24 by the Board.

25 19. **Abstain From Drug Use.** Respondent shall abstain completely from the
26 personal use or possession of controlled substances and dangerous drugs. This order does not
27 apply in instances where medications are lawfully prescribed to the Respondent for a legitimate
28 illness or condition by a physician, dentist or podiatrist and where Respondent, upon request of

1 the Board or its designee, provides documentation from the treating physician, dentist or
2 podiatrist that the prescription was legitimately issued and is a necessary part of the treatment of
3 the Respondent.

4 20. **Abstain from Alcohol Use.** Respondent shall abstain completely from
5 the use of alcoholic beverages.

6 21. **Supervised Practice.** Respondent shall practice only under the
7 supervision of a pharmacist not on probation to the Board.

8 Respondent shall not practice until the supervisor is approved by the board or its
9 designee. The supervision as required by the Board, may be:

10 Continuous - 75% to 100% of a work week

11 Substantial - At least 50% of a work week

12 Partial - At least 25% of a work week

13 Daily Review - Supervisor's review of probationer's daily activities within 24

14 Within thirty (30) days of the effective date of this decision, Respondent shall
15 have his/her supervisor submit a report to the Board in writing stating the supervisor has read
16 the decision in Case No. 2346. If Respondent changes employment, Respondent shall have his
17 new supervisor, within fifteen (15) days after employment commences, submit a report to the
18 Board in writing stating the supervisor has read the decision in Case No. 2346.

19 Within ten (10), days of leaving employment, Respondent shall so notify the
20 Board in writing.

21 22. **No Ownership of Premises.** Respondent shall not own, have any legal
22 or beneficial interest in, or serve as a manager, administrator, member, officer, director,
23 associate, or partner of any business, firm, partnership, or corporation currently or hereinafter
24 licensed by the Board. Respondent shall sell or transfer any legal or beneficial interest in any
25 entity licensed by the Board within 90 days following the effective date of this decision and shall
26 immediately thereafter provide written proof thereof to the Board.

27 ///

28 ///

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

In the Matter of the Accusation Against:

FAROOQUE VIRANI
18685 Main Street, A210
Huntington Beach, CA 92648

Pharmacist License No. RPH 43747

Respondent.

Case No. 2346

OAH No. L-2001110599

DECISION AND ORDER

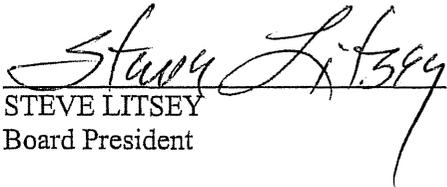
The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 4, 2002.

It is so ORDERED June 4, 2002.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By:


STEVE LITSEY
Board President

1 BILL LOCKYER, Attorney General
of the State of California
2 RITA LANE MEDELLIN, State Bar No. 171352
Deputy Attorney General
3 California Department of Justice
110 West "A" Street, Suite 1100
4 San Diego, California 92101
5 P.O. Box 85266
San Diego, California 92186-5266
6 Telephone: (619) 645-2614
Facsimile: (619) 645-2061

7 Attorneys for Complainant
8
9

10 **BEFORE THE**
CALIFORNIA STATE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**
12

13 In the Matter of the Accusation Against:

Case No. 2346

14 FAROOQUE VIRANI
18685 Main Street, A210
15 Huntington Beach, CA 92648

A C C U S A T I O N

16 Pharmacist License No. RPH 43747

17 Respondent.
18

19 Complainant alleges:

20 PARTIES

21 1. Patricia F. Harris ("Complainant") brings this Accusation solely in her
22 official capacity as the Executive Officer of the California State Board of Pharmacy.

23 2. On or about August 7, 1990, the California State Board of Pharmacy
24 issued Pharmacist License Number RPH 43747 to Farooque Virani ("Respondent"). The
25 Pharmacist License was in full force and effect at all times relevant to the charges brought herein
26 and will expire on July 31, 2002, unless renewed.

27 ///

28 ///

JURISDICTION

1
2 3. This Accusation is brought before the California State Board of Pharmacy
3 (the "Board"), under the authority of the following sections of the Business and Professions Code
4 ("Code").

5 4. Section 4301 of the Code states:

6 The Board shall take action against any holder of a license who is guilty of
7 unprofessional conduct or whose license has been procured by fraud or misrepresentation
8 or issued by mistake. Unprofessional conduct shall include, but is not limited to, any of
9 the following:

10
11 (f) The commission of any act involving moral turpitude, dishonesty,
12 fraud, deceit, or corruption, whether the act is committed in the course of relations
13 as a licensee or otherwise, and whether the act is a felony or misdemeanor or not.

14
15 (h) The administering to oneself, of any controlled substance, or the use of
16 any dangerous drug or of alcoholic beverages to the extent or in a manner as to be
17 dangerous or injurious to oneself, to a person holding a license under Chapter 9
18 (commencing with Section 4000) of the Business and Professions Code, or to any
19 other person or to the public, or to the extent that the use impairs the ability of the
20 person to conduct with safety to the public the practice authorized by the license.

21
22 (j) The violation of any of the statutes of this state or of the United States
23 regulating controlled substances and dangerous drugs.

24 (k) The conviction of more than one misdemeanor or any felony involving
25 the use, consumption, or self-administration of any dangerous drug or alcoholic
26 beverage, or any combination of those substances.

27 (l) The conviction of a crime substantially related to the qualifications,
28 functions, and duties of a licensee under Chapter 9 (commencing with Section
4000) of the Business and Professions Code. The record of conviction of a
violation of Chapter 13 (commencing with Section 801) of Title 21 of the United
States Code regulating controlled substances or of a violation of the statutes of
this state regulating controlled substances or dangerous drugs shall be conclusive
evidence of unprofessional conduct. In all other cases, the record of conviction
shall be conclusive evidence only of the fact that the conviction occurred. The
board may inquire into the circumstances surrounding the commission of the
crime, in order to fix the degree of discipline or, in the case of a conviction not
involving controlled substances or dangerous drugs, to determine if the conviction
is of an offense substantially related to the qualifications, functions, and duties of
a licensee under Chapter 9 (commencing with Section 4000) of the Business and
Professions Code. A plea or verdict of guilty or a conviction following a plea of
nolo contendere is deemed to be a conviction within the meaning of this
provision. The board may take action when the time for appeal has elapsed, or the

1 judgment of conviction has been affirmed on appeal or when an order granting
2 probation is made suspending the imposition of sentence, irrespective of a
3 subsequent order under Section 1203.4 of the Penal Code allowing the person to
4 withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside
5 the verdict of guilty, or dismissing the accusation, information, or indictment.

6
7 (p) Actions or conduct that would have warranted denial of a license.

8 5. Title 16, California Code of Regulations, section 1770 states that for the
9 purpose of denial, suspension, or revocation of a personal or facility license pursuant to Division
10 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be
11 considered substantially related to the qualifications, functions or duties of a licensee or
12 registrant if to a substantial degree it evidences present or potential unfitness of a licensee or
13 registrant to perform the functions authorized by his license or registration in a manner consistent
14 with the public health, safety, or welfare.

15 6. Drugs

16 "Cocaine" is a Schedule I or Schedule II controlled substance depending on the
17 salt form, as designated by Health and Safety Code sections 11054(f)(1) and 11055(b)(6).

18 "Methamphetamine" is a Schedule II controlled substance as designated by Health
19 and Safety Code section 11055(d)(2).

20 **FIRST CAUSE FOR DISCIPLINE**

21 **(Prior Conviction of a Crime)**

22 7. Respondent is subject to disciplinary action for unprofessional conduct
23 under section 4301(l) in that respondent was convicted of a crime substantially related to the
24 functions, duties, and/or qualifications of a Pharmacist. The circumstances are as follows:

25 a. On or about March 23, 1993, in the Municipal Court, Central
26 Judicial District, County of Orange in proceedings entitled "People of the State of
27 California v. Farooque Virani," Case No. 93CS00935, respondent was convicted of a
28 violation of Vehicle Code section 23152(b) (driving with blood alcohol of .08% or more).

///

///

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Prior Conviction of a Crime)**

3 8. Respondent is subject to disciplinary action for unprofessional conduct
4 under section 4301(l) in that respondent was convicted of a crime substantially related to the
5 functions, duties, and/or qualifications of a Pharmacist. The circumstances are as follows:

6 a. On or about December 14, 1993, in the Municipal Court of Orange
7 County, Harbor Judicial District, in proceedings entitled "People of the State of California
8 v. Farooque Virani," Case No. 93HF-0854, respondent pled guilty and was convicted of
9 the crime of driving under the combined influence of a drug and alcohol with a prior
10 conviction in violation of Vehicle Code section 23152(a), a misdemeanor. A drug
11 possession charge was diverted by the court and the charges of driving under the
12 influence of alcohol and falsely identifying himself to an officer were dismissed in
13 exchange for respondent's guilty plea.

14 b. On or about December 14, 1993, respondent was sentenced to
15 serve 10 days in jail and was placed on probation for three years with terms and
16 conditions including: pay fines and court costs totaling \$1,254.00; driver's license
17 restricted for 18 months; enroll and complete a SB 38 program; obey all federal, state,
18 county and city laws, rules and orders of the court; not drive a motor vehicle with any
19 detectable amount of alcohol in his system and submit to a chemical test at the request of
20 any peace officer.

21 c. The facts and circumstances surrounding this offense are that on or
22 about September 11, 1993, respondent was arrested for possession of a controlled
23 substance that tested to be cocaine; for driving a vehicle while having greater than .08
24 percent alcohol in his blood; for driving a vehicle while under the combined influence of
25 a drug and alcohol; for willfully and unlawfully falsely representing and identifying
26 himself as another person and as a fictitious person to a police officer, upon a lawful
27 detention and arrest in order to evade the process of the court.

28 ///

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Prior Conviction of a Crime)**

3 9. Respondent is subject to disciplinary action for unprofessional conduct
4 under section 4301(l) in that respondent was convicted of a crime substantially related to the
5 functions, duties, and/or qualifications of a Pharmacist. The circumstances are as follows:

6 a. On or about February 9, 2001, in the Superior Court of Orange
7 County, in proceedings entitled "People of the State of California v. Farooque Virani,"
8 Case No. 97NF-0793 FA, respondent pled guilty to all counts and was convicted of two
9 counts of possession of a controlled substance; driving under the influence of
10 alcohol/drugs; and driving with a blood alcohol level of .08% or more, with two prior
11 convictions in violation of Vehicle Code sections 23152(a) and 23152(b).

12 b. On or about February 9, 2001, as to Counts 1 and 2, respondent
13 was ordered to complete a Drug Court Program and abide by Drug Court specifications.
14 In addition, respondent was placed on 3 years of formal probation with the following
15 terms and conditions: serve 180 days in jail with credit for 9 days time served-stayed
16 pending completion of Drug Court Program; pay \$200 to State Restitution Fine-stayed
17 pending completion of Drug Court Program; pay costs of probation; use no unauthorized
18 drugs or controlled substances; submit to drug testing as directed by probation or police
19 officer; obey all rules and orders of the court; violate no law; consume no alcoholic
20 beverages and do not be present in any establishment where the primary items for sale are
21 alcoholic beverages; and register pursuant to Health and Safety Code section 11590-
22 registration stayed pending completion of the Drug Court Program. As to Counts 3 and 4,
23 respondent was ordered to serve 30 days in jail-stayed until March 23, 2001; pay \$100
24 State Restitution Fund; pay fine of \$390; use true name and date of birth at all times; do
25 not drive a motor vehicle with measurable amount of alcohol or drugs in blood and
26 submit to chemical tests upon demand of any peace officer; driver's license revoked for 3
27 years; do not drive a motor vehicle without a valid driver's license in his possession;
28 attend and complete a 30 month Multiple Offender Alcohol Program-stayed to August 9,

1 2001.

2 c. The facts and circumstances surrounding this offense are that on or
3 about January 17, 1997, respondent was arrested for violation of Health and Safety Code
4 section 11350(a), possession of a controlled substance (cocaine), a felony; for violation of
5 Health and Safety Code section 11377(a), possession of a controlled substance
6 (methamphetamine), a felony; for violation of section 23152(a) of the Vehicle Code
7 (driving under the influence of alcohol/drugs), a misdemeanor; and for violation of
8 section 23152(b) of the Vehicle Code (driving with blood alcohol of .08% or more), a
9 misdemeanor.

10 d. On or about August 13, 1997, the proceeding entitled "People of
11 the State of California v. Farooque Virani," Case No. 97NF0793 was transferred from the
12 Municipal Court to the Superior Court of Orange County. Additional charges were filed
13 against respondent which included a violation of Vehicle Code section 23165, in that
14 respondent, within seven years, was previously convicted of a violation of Vehicle Code
15 section 23152(b) on March 23, 1993 (Case No. 93CS00935, Municipal Court, Central
16 District, County of Orange) and a violation of Vehicle Code section 23179(a), in that
17 respondent, within seven years, was previously convicted of a violation of Vehicle Code
18 section 23152(a) on December 14, 1993 (Case No. 93HF0854, Municipal Court, Harbor
19 Judicial District, County of Orange). After numerous continuances in the matter,
20 respondent was to appear in court on March 31, 1998. On March 31, 1998, respondent
21 failed to appear in court. On April 1, 1998, respondent was found in contempt of court
22 for failure to appear and a warrant for his arrest was issued. It was not until February
23 2001, that respondent appeared in court.

24 **FOURTH CAUSE FOR DISCIPLINE**

25 **(Conviction of More Than One Misdemeanor**
26 **Involving the Use of any Dangerous Drug or Alcohol)**

27 10. Respondent is further subject to disciplinary action for unprofessional
28 conduct in that he was convicted of more than one misdemeanor involving the use, consumption.

1 or self-administration of a dangerous drug or alcoholic beverage, or any combination of those
2 substances in violation of Code section 4301(k), as set forth in paragraphs 7, 8 and 9 above,
3 which are realleged and incorporated herein by reference.

4 **FIFTH CAUSE FOR DISCIPLINE**

5 **(Use of Controlled Substances and Alcohol)**

6 11. Respondent is subject to disciplinary action for unprofessional conduct
7 under section 4301(h) in that respondent administered to himself controlled substances and used
8 dangerous drugs and alcohol in a manner which was dangerous or injurious to himself and the
9 public. The circumstances are as follows:

10 a. Complainant realleges paragraphs 7, 8 and 9 above and
11 incorporates them herein by reference.

12 **SIXTH CAUSE FOR DISCIPLINE**

13 **(Violation of Statutes)**

14 12. Respondent's license is subject to discipline for unprofessional conduct
15 under section 4301(j) for violating statutes of this state regulating controlled substances and
16 dangerous drugs in that on or about December 14, 1993, respondent was convicted for driving a
17 vehicle while under the combined influence of drug and alcohol and that on or about February 9,
18 2001, respondent was convicted of possession of the controlled substances of cocaine and
19 methamphetamine as specified in paragraphs 8 and 9 above, which are realleged and
20 incorporated herein by reference.

21 **SEVENTH CAUSE FOR DISCIPLINE**

22 **(Acts Involving Moral Turpitude and Dishonesty)**

23 13. Respondent's license is subject to discipline for unprofessional conduct
24 under section 4301(f) for the commission of acts involving moral turpitude, dishonesty, fraud and
25 deceit in that on September 11, 1993, when respondent was arrested for possession of a
26 controlled substance and for driving a vehicle while under the combined influence of a drug and
27 alcohol, respondent willfully and unlawfully falsely represented and identified himself as another
28 person to a police officer in order to evade the process of the court as specified in paragraph 8

1 above, which is realleged and incorporated herein by reference.

2 **EIGHTH CAUSE FOR DISCIPLINE**

3 **(Acts Involving Moral Turpitude)**

4 14. Respondent's license is subject to discipline for unprofessional conduct
5 under section 4301(f) for the commission of acts involving moral turpitude in that on March 31,
6 1998, respondent fled and failed to appear in the criminal court case against him in the Orange
7 County Superior Court as Case No. 97NF0793. On April 1, 1998, respondent was found in
8 contempt of court for failure to appear and a warrant for his arrest was issued as specified in
9 paragraph 9 above, which is realleged and incorporated herein by reference.

10 **NINTH CAUSE FOR DISCIPLINE**

11 **(General Unprofessional Conduct)**

12 15. Respondent is subject to disciplinary action for unprofessional conduct
13 under section 4301(p) for actions or conduct that would have warranted denial of a license as
14 specified in paragraphs 7 through 14 above, which are realleged and incorporated herein by
15 reference.

16 **PRAAYER**

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

- 19 1. Revoking or suspending Pharmacist License Number RPH 43747, issued
- 20 to Farooque Virani;
- 21 2. Ordering Farooque Virani to pay the California Board of Pharmacy the
- 22 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
- 23 Professions Code section 125.3; and

24 ///
25 ///
26 ///
27 ///
28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DATED: 9/6/01

P. F. Harris
PATRICIA F. HARRIS
Executive Officer
California Board of Pharmacy
State of California
Complainant

03583110-SD2000AD0905
dat\Virani\Accusation 8/16/01