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

13 In the Matter of the Statement of Issues Against:

Case No. 2402

14 ROMEO ANG LEE
15 10530 N. Lakeside Dr., #H
Garden Grove, CA 92840

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

Respondent.

16 In the interest of a prompt and speedy settlement of this matter, consistent with
17 the public interest and the responsibility of the Board of Pharmacy of the Department of
18 Consumer Affairs ("Board"), the parties hereby agree to the following Stipulated Settlement and
19 Disciplinary Order which will be submitted to the Board for its approval and adoption as the
20 final disposition of the Statement of Issues against Respondent Romeo Ang Lee.

21 **PARTIES**

22 1. Complainant Patricia F. Harris, is the Executive Officer of the Board of
23 Pharmacy. Complainant brought this action solely in her official capacity and is represented in
24 this matter by Bill Lockyer, Attorney General of the State of California, by Erlinda G. Shrenger,
25 Deputy Attorney General.

26 2. Respondent Romeo Ang Lee ("Respondent") is representing himself in
27 this proceeding and has chosen not to exercise his right to be represented by counsel.

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1 **JURISDICTION**

2 3. On or about October 6, 2000, the Board received an application for a
3 pharmacist license from Respondent. Statement of Issues No. 2402, was filed before the Board
4 on December 12, 2001 and is currently pending against Respondent. Statement of Issues
5 No. 2402, together with all other statutorily required documents, was duly served on Respondent
6 on January 4, 2002. Statement of Issues No. 2402 is incorporated herein by reference, and a
7 copy is attached hereto as Exhibit A.

8 **ADVISEMENT AND WAIVERS**

9 4. Respondent has carefully read and fully understands the nature of the
10 charges and allegations in Statement of Issues No. 2402 and the effects of this Stipulated
11 Settlement and Disciplinary Order.

12 5. Respondent is fully aware of his legal rights in this matter, including the
13 right to a hearing on the charges and allegations in the Statement of Issues, the right to be
14 represented by counsel, at his own expense, the right to confront and cross-examine the witnesses
15 against him, the right to present evidence and to testify on his own behalf, the right to the
16 issuance of subpoenas to compel the attendance of witnesses and the production of documents,
17 the right to reconsideration and court review of an adverse decision, and all other rights accorded
18 by the California Administrative Procedure Act and other applicable laws.

19 6. Respondent voluntarily, knowingly and intelligently waives and gives up
20 each and every right set forth above.

21 **CULPABILITY**

22 7. Respondent understands that the charges and allegations in Statement of
23 Issues No. 2402, if proven at a hearing, constitute cause for denying his application for licensure
24 as a pharmacist.

25 8. Respondent admits the truth of each and every charge and allegation in
26 Statement of Issues No. 2402.

27 9. Respondent agrees that his application is subject to denial and he agrees to
28 be bound by the Board's imposition of discipline as set forth in the Order below.

1 CONTINGENCY

2 10. This stipulation shall be subject to the approval of the Board. Respondent
3 understands and agrees that the Board's staff and counsel for Complainant may communicate
4 directly with the Board regarding this stipulation and settlement, without notice to or
5 participation by Respondent. If the Board fails to adopt this stipulation as its Order, except for
6 this paragraph, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, it
7 shall be inadmissible in any legal action between the parties, and the Board shall not be
8 disqualified from further action by having considered this matter.

9 11. Respondent understands and agrees that the Board, in deciding whether to
10 adopt this stipulation, may receive oral and written presentation from, and make inquiries of,
11 Complainant, Respondent, the Board's attorneys, consulting experts, and the Board's enforcement
12 committee.

13 12. The parties agree that facsimile copies of this Stipulated Settlement and
14 Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as
15 the original Stipulated Settlement and Disciplinary Order and signatures.

16 13. In consideration of the foregoing admissions and stipulations, the parties
17 agree that the Board shall, without further notice or formal proceeding, issue and enter the
18 following Disciplinary Order:

19 DISCIPLINARY ORDER

20 **IT IS HEREBY ORDERED** that, pursuant to Business and Professions Code
21 section 4300(c), a pharmacist license is issued to Respondent and immediately revoked. The
22 revocation is stayed and the license is placed on probation for three (3) years. The following
23 terms and conditions must be complied with during the three (3) year probation period:

24 **1. OBEY ALL LAWS**

25 Respondent shall obey all federal and state laws and regulations substantially
26 related or governing the practice of pharmacy.

27 **2 REPORT TO THE BOARD**

28 Respondent shall report to the Board or its designee quarterly. The report shall be

1 made either in person or in writing, as directed. If the final probation report is not made as
2 directed, probation shall be extended automatically until such time as the final report is made.

3 **3. INTERVIEW WITH THE BOARD**

4 Upon receipt of reasonable notice, Respondent shall appear in person for
5 interviews with the Board or its designee upon request at various intervals at a location to be
6 determined by the Board or its designee. Failure to appear for a scheduled interview without
7 prior notification to Board staff shall be considered a violation of probation.

8 **4. COOPERATION WITH BOARD STAFF**

9 Respondent shall cooperate with the Board's inspectional program and in the
10 Board's monitoring and investigation of the Respondent's compliance with the terms and
11 conditions of his probation. Failure to cooperate shall be considered a violation of probation.

12 **5. PEER REVIEW**

13 Respondent shall submit to peer review as deemed necessary by the Board.

14 **6. CONTINUING EDUCATION**

15 Respondent shall provide evidence of efforts to maintain skill and knowledge as a
16 pharmacist as directed by the Board.

17 **7. NOTICE TO EMPLOYERS**

18 Respondent shall notify all present and prospective employers of the decision in
19 Statement of Issues No. 2402, and the terms, conditions and restrictions imposed on Respondent
20 by the decision. Within thirty (30) days of the effective date of this decision, and within fifteen
21 (15) days of Respondent undertaking new employment, Respondent shall cause his employer to
22 report to the Board in writing acknowledging the employer has read the decision in Statement of
23 Issues No. 2402.

24 If Respondent works for or is employed by or through a pharmacy employment
25 service, Respondent must notify the pharmacist-in-charge and/or owner at every pharmacy at
26 which he is to employed or used of the fact and terms of the decision in Statement of Issues No.
27 2402 in advance of the Respondent commencing work at the pharmacy.

28 "Employment" within the meaning of this provision shall include any full-time,

1 part-time, temporary or relief service or pharmacy management service as a pharmacist, whether
2 the Respondent is considered an employee or independent contractor.

3 **8. NO PRECEPTORSHIPS, SUPERVISION OF INTERNS, BEING**
4 **PHARMACIST-IN-CHARGE**

5 Respondent shall not supervise any intern pharmacist or perform any of the duties
6 of a preceptor, nor shall Respondent be the pharmacist-in-charge of any pharmacy licensed by
7 the Board.

8 **9. PROBATION MONITORING COSTS**

9 Respondent shall pay the costs associated with probation monitoring as
10 determined by the Board each and every year of probation. Such costs shall be payable to the
11 Board at the end of each year of probation. Failure to pay such costs shall be considered a
12 violation of probation.

13 **10. STATUS OF LICENSE**

14 Respondent shall, at all times while on probation, maintain an active current
15 license with the Board, including any period during which suspension or probation is tolled. If
16 Respondent's license expires by operation of law or otherwise, upon renewal or reapplication,
17 Respondent's license shall be subject to all terms of this probation not previously satisfied.

18 **11. NOTIFICATION OF EMPLOYMENT/MAILING ADDRESS CHANGE**

19 Within ten (10) days of a change in employment -- either leaving or commencing
20 employment -- Respondent shall so notify the Board in writing, including the address of the new
21 employer; within ten (10) days of a change of mailing address, Respondent shall notify the Board
22 in writing. If Respondent works for or is employed through a pharmacy employment service,
23 Respondent shall, as requested, provide to the Board or its designee with a work schedule,
24 indicating dates and location of employment.

25 **12. TOLLING OF PROBATION**

26 If Respondent leaves California to reside or practice outside this state, Respondent
27 must notify the Board in writing of the dates of departure and return within ten (10) days of
28 departure or return. Periods of residency, except such periods where the Respondent is actively

1 practicing pharmacy within California, or practice outside California shall not apply to reduction
2 of the probationary period.

3 Should Respondent, regardless of residency, for any reason cease practicing
4 pharmacy in California, Respondent must notify the Board in writing within ten (10) days of
5 cessation of the practice of pharmacy or resuming the practice of pharmacy. "Cessation of
6 practice" means any period of time exceeding thirty (30) days in which Respondent is not
7 engaged in the practice of pharmacy as defined in section 4052 of the Business and Professions
8 Code.

9 It is a violation of probation for Respondent's probation to remain tolled pursuant
10 to the provisions of this condition for a period exceeding a consecutive period of three (3) years.

11 **13. VIOLATION OF PROBATION**

12 If Respondent violates probation in any respect, the Board, after giving
13 Respondent notice and an opportunity to be heard, may revoke probation and carry out the
14 disciplinary order which was stayed. If a petition to revoke probation or an accusation is filed
15 against Respondent during probation, the Board shall have continuing jurisdiction, and the period
16 of probation shall be extended, until the petition to revoke probation is heard and decided. If a
17 Respondent has not complied with any term or condition of probation, the Board shall have
18 continuing jurisdiction over Respondent, and probation shall automatically be extended until all
19 terms and conditions have been met or the Board has taken other action as deemed appropriate to
20 treat the failure to comply as a violation of probation, to terminate probation, and to impose the
21 penalty which was stayed.

22 **14. COMPLETION OF PROBATION**

23 Upon successful completion of probation, Respondent's license will be fully
24 restored.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order and I fully understand the terms and conditions and other matters contained therein. I understand I have the right to be represented by or to consult with an attorney at my expense and I have chosen not to do so. I understand the effect of this stipulation will have on my ability to practice as a licensed pharmacist in the State of California. I enter into this Stipulated Settlement voluntarily, knowingly, and intelligently, and agree to be bound by the Disciplinary Order and Decision of the Board of Pharmacy. I further agree that a facsimile copy of this Stipulated Settlement and Disciplinary Order, including facsimile copies of signatures, may be used with the same force and effect as the originals.

DATED: 1-23-02.



ROMEO ANG LEE
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: 1-28-02.

BILL LOCKYER, Attorney General
of the State of California



ERLINDA G. SHRENGER
Deputy Attorney General

Attorneys for Complainant

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

In the Matter of the Statement of Issues Against:

Case No. 2402

ROMEO ANG LEE
10530 N. Lakeside Drive, #H
Garden Grove, CA 92840

Respondent.

DECISION AND ORDER

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

This Decision shall become effective on April 7, 2002.

It is so ORDERED March 8, 2002.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By: _____

Steve Litsey
STEVE LITSEY
Board President

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of the State of California
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BOARD OF PHARMACY
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In the Matter of the Statement of Issues Against:

Case No. 2402

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ROMEO ANG LEE
10530 N. Lakeside Dr., #H
Garden Grove, CA 92840

STATEMENT OF ISSUES

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Respondent.

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Complainant alleges:

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PARTIES

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1. Patricia F. Harris ("Complainant") brings this Statement of Issues solely in
19 her official capacity as the Executive Officer of the Board of Pharmacy, Department of
20 Consumer Affairs.

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2. On or about October 6, 2000, Romeo Ang Lee ("Respondent") submitted
22 an application for pharmacist licensure to the Board of Pharmacy. The application was denied on
23 or about February 14, 2001.

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JURISDICTION

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3. This Statement of Issues is brought before the Board of Pharmacy
26 ("Board") under the authority of the following sections of the Business and Professions Code
27 ("Code").

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