BILL LOCKYER, Attorney General
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Attorneys for Complainant

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

In the Matter of the Accusation Against: S & S VALLEY HOMECARE PHARMACY d.b.a.. VALLEY HOMECARE PHARMACY, STELLA ROYTMAN, President NEIL STEPNER, Pharmacist-in-Charge, 8349 Reseda Blvd., Ste. B Northridge, CA 91325 Pharmacy Permit No. PHY 45565 and NEIL A. STEPNER 439 S. Oakwood Dr., #6 Beverly Hills, CA 90212 Pharmacist License No. RPH 23460 Respondent.	Case No. 2771 OAH No. L-2005030160 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER AS TO S & S VALLEY HOMECARE PHARMACY, STELLA ROYTMAN, PRESIDENT (PHARMACY PERMIT NO. PHY 45565) ONLY**

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

PARTIES

1. Patricia F. Harris (Complainant) is the Executive Officer of the Board of Pharmacy. She brought this action solely in her official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Jennifer S. Cady, Supervising Deputy Attorney General.

2. Respondents S & S Valley Homecare Pharmacy d.b.a. Valley Homecare Pharmacy, Stella Roytman, President (Respondent Pharmacy) are represented in this proceeding by attorney Bryan C. Altman, whose address is 1880 Century Park East, Suite 600, Los Angeles, CA 90067.

. 3. On or about November 30, 2001, the Board of Pharmacy issued Pharmacy Permit No. PHY 45565 to S & S Valley Homecare Pharmacy d.b.a. Valley Homecare Pharmacy, Stella Roytman, President (Respondent Pharmacy). Neil Stepner was the Pharmacist-in-Charge from November 30, 2001 through November 12, 2003. The Pharmacy Permit was in full force and effect at all times relevant to the charges brought in Accusation No. 2771; Pharmacy Permit No. PHY 45565 expired on November 1, 2004 and has not been renewed.

JURISDICTION

4. Accusation No. 2771 was filed before the Board of Pharmacy (Board), Department of Consumer Affairs, and is currently pending against Respondents Pharmacy and Stepner. The Accusation and all other statutorily required documents were properly served on Respondents on November 16, 2004. Respondents timely filed their Notices of Defense contesting the Accusation. A copy of Accusation No. 2771 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondents have carefully read, fully discussed with counsel, and understand the charges and allegations in Accusation No. 2771. Respondents have also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondents are fully aware of its legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at their own expense; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on their own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to

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reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondents voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent Pharmacy understands and agrees that the charges and allegations in Accusation No. 2771, if proven at a hearing, constitute cause for imposing discipline upon its Pharmacy Permit.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondents agree that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondents hereby give up their right to contest those charges.

10. Respondent Pharmacy agrees that its Pharmacy Permit is subject to discipline and it agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondents or their counsel. By signing the stipulation, Respondents understand and agree that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same

force and effect as the originals.

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that:

Pharmacy Permit No. PHY 45565 issued to Respondent S & S Valley Homecare Pharmacy d.b.a. Valley Homecare Pharmacy, Stella Roytman, President (Respondent Pharmacy) is revoked.

1. **Reimbursement of Board Costs.** Respondent Pharmacy shall pay to the Board its costs of investigation and prosecution in the amount of $4,500.00. Respondent shall make said payments as follows: In eight (8) equally monthly installments of $562.50 beginning on September 1, 2005 and concluding on April 1, 2006. If the total amount of $4,500.00 is not paid in full by on or before April 1, 2006, the total amount unpaid shall be added to and paid prior to the renewal, due on or about May 31, 2006, of Pharmacy Technician Registration No. TCH 19198, issued to Stella Roytman.

ACCEPTANCE

We have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with our attorney, Bryan C. Altman. We understand the stipulation and the effect it will have on Pharmacy Permit No. PHY 45565. We enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____.

_____
S & S VALLEY HOMECARE PHARMACY D.B.A.
VALLEY HOMECARE PHARMACY, STELLA
ROYTMAN, PRESIDENT
Respondent Pharmacy

force and effect as the originals.

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that:

Pharmacy Permit No. PHY 45565 issued to Respondent S & S Valley Homecare Pharmacy d.b.a. Valley Homecare Pharmacy, Stella Roytman, President (Respondent Pharmacy) is revoked.

1. **Reimbursement of Board Costs.** Respondent Pharmacy shall pay to the Board its costs of investigation and prosecution in the amount of $4,500.00. Respondent shall make said payments as follows: In eight (8) equally monthly installments of $562.50 beginning on September 1, 2005 and concluding on April 1, 2006. If the total amount of $4,500.00 is not paid in full by on or before April 1, 2006, the total amount unpaid shall be added to and paid prior to the renewal, due on or about May 31, 2006, of Pharmacy Technician Registration No. TCH 19198, issued to Stella Roytman.

ACCEPTANCE

We have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with our attorney, Bryan C. Altman. We understand the stipulation and the effect it will have on Pharmacy Permit No. PHY 45565. We enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 7/18/05.

S & S VALLEY HOMECARE PHARMACY D.B.A. VALLEY HOMECARE PHARMACY, STELLA ROYTMAN, PRESIDENT
Respondent Pharmacy

force and effect as the originals.

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that:

Pharmacy Permit No. PHY 45565 issued to Respondent S & S Valley Homecare Pharmacy d.b.a. Valley Homecare Pharmacy, Stella Roytman, President (Respondent Pharmacy) is revoked.

1. **Reimbursement of Board Costs.** Respondent Pharmacy shall pay to the Board its costs of investigation and prosecution in the amount of $4,500.00. Respondent shall make said payments as follows: In eight (8) equally monthly installments of $562.50 beginning on September 1, 2005 and concluding on April 1, 2006. If the total amount of $4,500.00 is not paid in full by on or before April 1, 2006, the total amount unpaid shall be added to and paid prior to the renewal, due on or about May 31, 2006, of Pharmacy Technician Registration No. TCH 19198, issued to Stella Roytman.

ACCEPTANCE

We have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with our attorney, Bryan C. Altman. We understand the stipulation and the effect it will have on Pharmacy Permit No. PHY 45565. We enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____.

S & S VALLEY HOMECARE PHARMACY D.B.A.
VALLEY HOMECARE PHARMACY, STELLA
ROYTMAN, PRESIDENT
Respondent Pharmacy

I have read and fully discussed with Respondent S & S Valley Homecare Pharmacy d.b.a. Valley Homecare Pharmacy, and Stella Roytman, the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 7/18/05.

BRYAN C. ALTMAN
Attorney for Respondents

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: 7/19/05.

BILL LOCKYER, Attorney General
of the State of California

JENNIFER S. CADY
Supervising Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2004600701
val-st2.12

I have read and fully discussed with Respondent S & S Valley Homecare Pharmacy d.b.a. Valley Homecare Pharmacy, and Stella Roytman, the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____.

_____
BRYAN C. ALTMAN
Attorney for Respondents

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: _____.

BILL LOCKYER, Attorney General
of the State of California

_____
JENNIFER S. CADY
Supervising Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2004600701
val-st2.12

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

In the Matter of the Accusation Against: S & S VALLEY HOMECARE PHARMACY D.B.A. VALLEY HOMECARE PHARMACY, STELLA ROYTMAN, NEIL STEPNER 8349 Reseda Blvd., Ste. B Northridge, CA 91325 Pharmacy Permit No. PHY 45565 and NEIL A. STEPNER 439 S. Oakwood Dr., #6 Beverly Hills, CA 90212 Pharmacist License No. RPH 23460 Respondent.	Case No. 2771 OAH No. L-2005030160

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 October 6, 2005.

It is so ORDERED September 6, 2005.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

STANLEY W. GOLDENBERG
Board President

Exhibit A

Accusation No. 2771

BILL LOCKYER, Attorney General
of the State of California
JENNIFER S. CADY, State Bar No. 100437
Supervising Deputy Attorney General
California Department of Justice
300 So. Spring Street, Suite 1702
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Telephone: (213) 897-2442
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Attorneys for Complainant

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

In the Matter of the Accusation Against:	Case No. 2771
S & S VALLEY HOMECARE PHARMACY d.b.a. VALLEY HOMECARE PHARMACY STELLA ROYTMAN, President NEIL STEPNER, Pharmacist-in-Charge 8349 Reseda Blvd., Ste. B Northridge, CA 91325 Pharmacy Permit No. PHY 45565 and NEIL A. STEPNER 439 S. Oakwood Dr., #6 Beverly Hills, CA 90212 Pharmacist License No. RPH 23460 Respondents.	**ACCUSATION**

Complainant alleges:

PARTIES

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

2. On or about November 30, 2001, the Board of Pharmacy issued Pharmacy Permit No. PHY 45565 to S & S Valley Homecare Pharmacy, d.b.a. Valley Homecare Pharmacy,

Stella Roytman, President. (Respondent Pharmacy). Neil Stepner has been the Pharmacist-in-Charge since November 30, 2001. The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on November 1, 2004, unless renewed.

3. On or about May 13, 1964, the Board of Pharmacy issued Pharmacist License No. RPH 23460 to Neil A. Stepner (Respondent Stepner). The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2005, 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 permits the Board to take disciplinary action to suspend or revoke a license or permit.

6. Section 118, subdivision (b) states:

"The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground."

7. Section 4301 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 procured by fraud or misrepresentation or issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

. . .

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

. . .

"(j) The violation of any of the statutes of this 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 applicable federal and state laws and regulations governing pharmacy, including regulations established by the board."

8. Section 4022 states:

"'Dangerous drug' or 'dangerous device' means any drug or device unsafe for self-use, except veterinary drugs that are labeled as such, and includes the following:

"(a) Any drug that bears the legend: 'Caution: federal law prohibits dispensing without prescription,' 'Rx only,' or words of similar import.

"(b) Any device that bears the statement: 'Caution: federal law restricts this device to sale by or on the order of a _____,' 'Rx only,' or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

"(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006."

9. 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 establishment holding a currently valid and unrevoked 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.

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

10. California Code of Regulations, title 16, section 1718, states:

"'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."

11. Health and Safety Code section 11056 states:

"(a) The controlled substances listed in this section are included in Schedule III.

. . .

"(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

. . .

"(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

. . .

"(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts. Additionally, oral liquid preparations of dihydrocodeinone containing the above specified amounts may not contain as its nonnarcotic ingredients two or more antihistamines in combination with each other."

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12. Health and Safety Code section 11057 states, in pertinent part:

"(a) The controlled substances listed in this section are included in Schedule IV.

. . .

"(d) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

. . .

"(9) Diazepam."

13. Health and Safety Code section 11058, states, in pertinent part:

"(a) The controlled substances listed in this section are included in Schedule V.

. . .

"(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

"(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams."

14. Health and Safety Code section 11153 states, in pertinent part:

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

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15. Section 125.3, subdivision (a), states, in pertinent part:

"Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department . . . the board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case."

16. CONTROLLED SUBSTANCES/DANGEROUS DRUGS

a. "Clonazepam," is a Schedule IV controlled substance as designated by Health and Safety Code section 11057(d)(7) and is categorized as a dangerous drug pursuant to section 4022 of the Code

b. "Phenergan with Codeine," a brand name for Promethazine with Codeine, is a Schedule V controlled substance as designated by Health and Safety Code section 11058(c)(1) and is categorized as a dangerous drug pursuant to section 4022 of the Code.

c. "Serostim," a brand name for generic Somatropin, is categorized as a dangerous drug pursuant to Business and Professions Code section 4022.

d. "Tylenol with Codeine #3" and "Tylenol with Codeine #4," a brand name for generic Codeine with Acetaminophen (30 mg. Codeine for #3, 60 mg. Codeine for #4), is a Schedule III controlled substance as designated by Health and Safety Code section 11056(e)(2) and is categorized as a dangerous drug pursuant to section 4022 of the Code.

e. "Valium," a brand name for Diazepam, a benzodiazepam derivative, is a Schedule IV controlled substance as designated by Health and Safety Code section 11057(d)(9) and is categorized as a dangerous drug pursuant to section 4022 of the Code.

f. "Vicodin," a brand name for generic Hydrocodone with Acetaminophen is a Schedule III controlled substance pursuant to Health and Safety Code Section 11056, subdivision (e)(4), and is categorized as a dangerous drug pursuant to defined by Business and Professions Code section 4022.

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FIRST CAUSE FOR DISCIPLINE

(Failure to Verify and Document Legitimacy of, and Excessive Furnishing of, Controlled Substance Prescriptions)

17. Respondent Stepner is subject to disciplinary action pursuant to Business and Professions Code section 4301(d), (j), and (o), on the grounds of unprofessional conduct, in that from on or about and between November 11, 2002, and May 1, 2003, Respondent Stepner, filled prescriptions for controlled substances for patients without verifying and documenting that the prescriptions were for legitimate medical purposes, and/or which were clearly excessive, in violation of Health and Safety Code section 11153, as follows:

a. Patient Sharon W.

11/11/02	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
01/13/03	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
04/23/03	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets

b. Patient Quinten B.

11/13/02	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
	Diazepam, 10 mg.	100 tablets

c. Patient Patricia S.

05/01/03	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
	Diazepam, 10 mg.	100 tablets

d. Patient Kevin H.

10/31/02	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
12/27/03	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
	Diazepam, 10 mg.	100 tablets

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01/28/03	Hydrocodone/APAP 7.5-750mg	100 tablets
	Diazepam, 10 mg.	100 tablets
	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 10-500mg	100 tablets
	Promethazine/Codeine 6.25/10mg	480
02/26/03	Hydrocodone/APAP 10-500mg	100 tablets
	Diazepam, 10 mg.	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
	Promethazine/Codeine 6.25/10mg	480
	Codeine/APAP 60-300mg	100 tablets
04/25/03	Hydrocodone/APAP 7.5-750mg	100 tablets
	Diazepam, 10 mg.	100 tablets
	Promethazine/Codeine 6.25/10mg	480
	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 10-500mg	100 tablets

e. Patient James C.

11/13/02	Promethazine/Codeine 6.25/10mg	480
	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
04/25/03	Promethazine/Codeine 6.25/10mg	480
	Hydrocodone/APAP 7.5-750mg	100 tablets
	Codeine/APAP 60-300mg	100 tablets
	Diazepam, 10 mg.	100 tablets

f. Patient Jimmie B.

12/02/02	Promethazine/Codeine 6.25/10mg	480
	Clonazepam, 2mg	100 tablets
	Codeine/APAP 30-300mg	45 tablets
01/03/03	Clonazepam, 2mg	100 tablets
	Promethazine/Codeine, 6.25/10mg	480
	Codeine/APAP 30-300mg,	45 tablets
02/03/03	Promethazine/Codeine, 6.25/10mg	480
	Codeine/APAP 30-300mg	45 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
03/05/03	Codeine/APAP 30-300mg	45 tablets
	Promethazine/Codeine 6.25/10mg	480
	Clonazepam, 2mg,	100 tablets
04/07/03	Clonazepam, 2mg	100 tablets
	Codeine/APAP 30-300mg	45 tablets
	Promethazine/Codeine 6.25/10mg	480

g. Patient Eldin B.

01/22/03	Hydrocodone/APAP 7.5-750mg	100 tablets
	Codeine/APAP 60-300mg	100 tablets
03/03/03	Codeine/APAP 60-300mg	100 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets
	Diazepam, 10 mg.	60 tablets
04/09/03	Promethazine/Codeine 6.25/10mg	480
	Codeine/APAP 60-300mg	100 tablets
	Diazepam, 5 mg.	60 tablets
	Hydrocodone/APAP 7.5-750mg	100 tablets

SECOND CAUSE FOR DISCIPLINE

(Failure to Maintain Current Inventory for All Dangerous Drugs)

18. Respondent Stepner and Respondent Pharmacy are subject to disciplinary action pursuant to Business and Professions Code sections 4301(j) and (o), for violation of Business and Professions Code section 4081(a) and (b), and of California Code of Regulations, title 16, section 1718, on the grounds of unprofessional conduct, in that from on or about and between July 1, 2001, and September 18, 2003, Respondent Pharmacy had a shortage of approximately 864 boxes of Serostim 6mg., for which Respondents Stepner and Pharmacy failed to keep a current inventory to include complete accountability for all dangerous drugs, including Serostim.

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. Revoking or suspending Pharmacy License Number PHY 45565, issued to S & S Valley Homecare Pharmacy, d.b.a. Valley Homecare Pharmacy, Stella Roytman, President.

2. Revoking or suspending Pharmacist License Number RPH 23460, issued to Neil A. Stepner.

3. Ordering S & S Valley Homecare Pharmacy, d.b.a. Valley Homecare Pharmacy, Stella Roytman, President, and Neil A. Stepner to pay the Board of Pharmacy the

reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: 11/1/04

P. F. Harris

PATRICIA F. HARRIS
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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prepared by cak (05/04)

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