

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

In the Matter of the Accusation Against:

Case No. 3792

**FARANZIM ARAKELIAN
a.k.a., ARAKELYAN FARANZIM
a.k.a., PARANZEM ARAKELYAN
a.k.a., NONA MONIKER
a.k.a., ARAKELYAN PARANZEM
a.k.a., FARANZIM ARAKALYAN
a.k.a., PANZIM ARAKELIAN
a.k.a., NONA ARAKELYAN
13565 Valerio Street #C
Van Nuys, CA 91405**

**Pharmacy Technician Registration
No. TCH 30530**

Respondent.

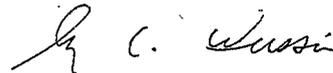
DECISION AND ORDER

The attached Stipulated Surrender of License and 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 March 22, 2012.

It is so ORDERED on February 21, 2012.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STANLEY C. WEISSER
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 ANTONIO LOPEZ, JR.
Deputy Attorney General
4 State Bar No. 206387
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2536
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 3792

11 **FARANZIM ARAKELIAN**
12 **a.k.a., ARAKELYAN FARANZIM**
a.k.a., PARANZEM ARAKELYAN
13 **a.k.a., NONA MONIKER**
a.k.a., ARAKELYAN PARANZEM
14 **a.k.a., FARANZIM ARAKALYAN**
a.k.a., PANZIM ARAKELIAN
15 **a.k.a., NONA ARAKELYAN**
13565 Valerio Street, Apt. #C
16 Van Nuys, CA 91405

17 Pharmacy Technician Registration
18 No. TCH 30530

19 Respondent.

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

20 In the interest of a prompt and speedy resolution of this matter, consistent with the public
21 interest and the responsibility of the Board of Pharmacy of the Department of Consumer Affairs
22 the parties hereby agree to the following Stipulated Surrender of License and Order which will be
23 submitted to the Board for approval and adoption as the final disposition of the Accusation.

24 **PARTIES**

25 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.
26 She brought this action solely in her official capacity and is represented in this matter by Kamala
27 D. Harris, Attorney General of the State of California, by Antonio Lopez, Jr., Deputy Attorney
28 General.

1 Respondent understands that these admissions constitute cause for discipline upon her Pharmacy
2 Technician Registration.

3 9. For the purpose of resolving the Accusation without the expense and uncertainty of
4 further proceedings, Respondent agrees that the charges in the Accusation are true and that those
5 charges constitute cause for discipline. Respondent hereby gives up her right to contest that cause
6 for discipline exists based on those charges.

7 10. Respondent understands that by signing this stipulation she enables the Board to issue
8 an order accepting the surrender of her Pharmacy Technician Registration without further
9 process.

10 CONTINGENCY

11 11. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
12 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
13 communicate directly with the Board regarding this stipulation and surrender, without notice to or
14 participation by Respondent. By signing the stipulation, Respondent understands and agrees that
15 she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board
16 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
17 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
18 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
19 be disqualified from further action by having considered this matter.

20 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of
21 License and Order, including facsimile signatures thereto, shall have the same force and effect as
22 the originals.

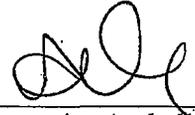
23 13. This Stipulated Surrender of License and Order is intended by the parties to be an
24 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
25 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
26 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
27 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
28 executed by an authorized representative of each of the parties.

1 be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
2 other proceeding seeking to deny or restrict licensure.

3 21. Respondent shall not apply for licensure for three (3) years from the effective date of
4 the Board of Pharmacy's Decision and Order.

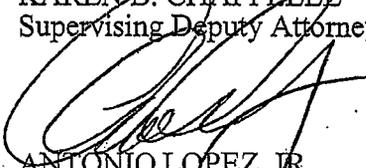
5 **ACCEPTANCE**

6 I have carefully read the Stipulated Surrender of License and Order. I understand the
7 stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this
8 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to
9 be bound by the Decision and Order of the Board of Pharmacy.

10
11 DATED: 11-3-11 
12 Faranzim Arakelian
13 Respondent

14 **ENDORSEMENT**

15 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
16 for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

17 Dated: September 7, 2011
18 Respectfully submitted,
19 KAMALA D. HARRIS
20 Attorney General of California
21 KAREN B. CHAPPELLE
22 Supervising Deputy Attorney General
23 
24 ANTONIO LOPEZ, JR.
25 Deputy Attorney General
26 Attorneys for Complainant

25 LA201060082

Exhibit A

Accusation No. 3792

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 ANTONIO LOPEZ, JR.
Deputy Attorney General
4 State Bar No. 206387
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2536
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 3792

12 **FARANZIM ARAKELIAN**
a.k.a., **ARAKELYAN FARANZIM**
13 a.k.a., **PARANZEM ARAKELYAN**
a.k.a., **NONA MONIKER**
14 a.k.a., **ARAKELYAN PARANZEM**
a.k.a., **FARANZIM ARAKALYAN**
15 a.k.a., **PANZIM ARAKELIAN**
a.k.a., **NONA ARAKELYAN**
16 13565 Valerio Street, Apt. #C
Van Nuys, CA 91405

A C C U S A T I O N

17 Pharmacy Technician Registration
18 No. TCH 30530

19 Respondent.

20 Complainant alleges:

21 **PARTIES**

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

24 2. On or about August 31, 1999, the Board of Pharmacy (Board) issued Pharmacy
25 Technician Registration No. TCH 30530 to Faranzim Arakelian, also known as Arakelyan
26 Faranzim, Paranzem Arakelyan, Nona Moniker, Arakelyan Paranzem, Faranzim Arakalyan,
27 Panzim Arakelian, and Nona Arakelyan (Respondent). The Pharmacy Technician Registration

28 ///

1 was in full force and effect at all times relevant to the charges brought herein and will expire on
2 November 30, 2012, unless renewed.

3 **JURISDICTION**

4 3. This Accusation is brought before the Board under the authority of the following
5 laws. All section references are to the Business and Professions Code unless otherwise indicated.

6 **STATUTORY PROVISIONS**

7 4. Section 118, subdivision (b) provides, in pertinent part, that the expiration of a license
8 shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period
9 within which the license may be renewed, restored, reissued or reinstated.

10 5. Section 490 states, in pertinent part:

11 “(a) In addition to any other action that a board is permitted to take against a licensee, a
12 board may suspend or revoke a license on the ground that the licensee has been convicted of a
13 crime, if the crime is substantially related to the qualifications, functions, or duties of the business
14 or profession for which the license was issued.

15 “(b) Notwithstanding any other provision of law, a board may exercise any authority to
16 discipline a licensee for conviction of a crime that is independent of the authority granted under
17 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties
18 of the business or profession for which the licensee's license was issued.

19 “(c) A conviction within the meaning of this section means a plea or verdict of guilty or a
20 conviction following a plea of nolo contendere. Any action that a board is permitted to take
21 following the establishment of a conviction may be taken when the time for appeal has elapsed, or
22 the judgment of conviction has been affirmed on appeal, or when an order granting probation is
23 made suspending the imposition of sentence, irrespective of a subsequent order under the
24 provisions of Section 1203.4 of the Penal Code.”

25 6. Section 810 states, in pertinent part:

26 “(a) It shall constitute unprofessional conduct and grounds for disciplinary action,
27 including suspension or revocation of a license or certificate, for a health care professional to do
28 any of the following in connection with his or her professional activities:

1 “(1) Knowingly present or cause to be presented any false or fraudulent claim for the
2 payment of a loss under a contract of insurance.

3 “(2) Knowingly prepare, make, or subscribe any writing, with intent to present or use
4 the same, or to allow it to be presented or used in support of any false or fraudulent claim.”

5 6. Section 4300 provides, in pertinent part, that every license issued by the Board is
6 subject to discipline, including suspension or revocation.

7 7. Section 4301 states, in pertinent part:

8 “The board shall take action against any holder of a license who is guilty of unprofessional
9 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

10 Unprofessional conduct shall include, but is not limited to, any of the following:

11

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

15 “(g) Knowingly making or signing any certificate or other document that falsely
16 represents the existence or nonexistence of a state of facts.”

17

18 “(l) The conviction of a crime substantially related to the qualifications, functions, and
19 duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13
20 (commencing with Section 801) of Title 21 of the United States Code regulating controlled
21 substances or of a violation of the statutes of this state regulating controlled substances or
22 dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the
23 record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

24 The board may inquire into the circumstances surrounding the commission of the crime, in order
25 to fix the degree of discipline or, in the case of a conviction not involving controlled substances
26 or dangerous drugs, to determine if the conviction is of an offense substantially related to the
27 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or
28 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning

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

7 REGULATORY PROVISIONS

8 8. California Code of Regulations, title 16, section 1770 states, in pertinent part:

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

15 COST RECOVERY

16 9. Section 125.3 provides, in pertinent part, that the Board may request the administrative
17 law judge to direct a licentiate found to have committed a violation or violations of the licensing
18 act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
19 case.

20 FIRST CAUSE FOR DISCIPLINE

21 *(Convictions of Substantially Related Crimes)*

22 10. Respondent is subject to disciplinary action under sections 4301, subdivision (I) and
23 490, in conjunction with California Code of Regulations, title 16, section 1770, in that
24 Respondent was convicted of crimes substantially related to the qualifications, functions, and
25 duties of a pharmacy technician, as follows:

26 a. On or about December 16, 2004, after pleading guilty, Respondent was convicted of a
27 Class C Felony on one count of violating Title 18 United States Code section 1347, 2 [health care
28 fraud]; [aiding and abetting] in the criminal proceeding entitled *United States of America v.*

1 *Faranzim Arakelian* (U.S. Dist. Ct., Eastern Dist., No. 2:00CR00548-01). The Court sentenced
2 Respondent to 37 months in Bureau of Prisons, ordered her to pay restitution in the amount of
3 \$540,000, and placed her on 36 months of supervised release, with terms and conditions. The
4 circumstances surrounding the conviction are that from in or about June 1998 to in or about April
5 2000, Respondent knowingly and willfully executed and attempted to execute a scheme and
6 artifice to defraud a health care benefit program. She provided fictitious prescriptions to another
7 who falsely billed, and caused to be billed to the State of California, Department of Health
8 Services, and the Medi-Cal Program for certain named durable medical equipment and related
9 medical supplies allegedly billed by physicians. In addition, Respondent provided false
10 prescriptions to a medical supply company in the Medi-Cal Program, so they could justify false
11 billings to Medi-Cal.

12 b. On or about August 8, 2003, after pleading guilty, Respondent was convicted of one
13 felony count of violating Penal Code section 182, subdivision (a)(1) [conspiracy to commit grand
14 theft] and one felony count of Penal Code section 487, subdivision (d) [grand theft auto] in the
15 criminal proceeding entitled *The People of the State of California v. Paranzem Arakeyan* (Super.
16 Ct. Los Angeles County, 2003, No. BA245159). The Court sentenced Respondent to 4 years in
17 State Prison, ordered her to pay restitution in the amount of \$97,000, and denied probation. The
18 circumstances surrounding the conviction are that on and between April 1, 2002 and December 1,
19 2002, Respondent unlawfully conspired with another to commit grand theft auto and identity
20 theft. In addition, on or about June 11, 2002, Respondent unlawfully took an automobile, to wit:
21 2002 Volvo C-70.

22 c. On or about March 4, 2003, after pleading guilty, Respondent was convicted of one
23 felony count of violating Penal Code section 470, subdivision (d) [forgery] in the criminal
24 proceeding entitled *The People of the State of California v. Faranzim Arakelian* (Super. Ct. Los
25 Angeles County, 2003, No. VA074023). The Court sentenced Respondent to 16 months in State
26 Prison and denied probation. The circumstances surrounding the conviction are that on or about
27 September 30 2002, Respondent fraudulently altered, forged, or counterfeited, uttered, published,

28 ///

1 passed or attempted or offered to pass, as true and genuine, knowing the same to be false, an
2 altered, forged, or counterfeited check.

3 d. On or about October 29, 2002, after pleading guilty, Respondent was convicted of
4 one felony count of violating Penal Code section 487, subdivision (a) [grand theft: property over
5 \$400] in the criminal proceeding entitled *The People of the State of California v. Paranzem*
6 *Arakelyan* (Super. Ct. Los Angeles County, 2002, No. LA038998). The Court sentenced
7 Respondent to 200 days in Los Angeles County Jail and placed him on 3 years formal probation,
8 with terms and conditions. On or about March 27, 2003, the Court revoked Respondent's
9 probation and sentenced her to 16 months in State Prison for violating the terms and conditions of
10 probation. The circumstances surrounding the conviction are that on or about July 18, 2001,
11 Respondent presented a stolen check to the victim as payment for jewelry. The check was a Bank
12 of America check #1143, Account #0694830995, in the name of Anilam K. and Narindar S.,
13 made payable to H.H.Z. Gem Jewelry, in the amount of \$12,000.

14 **SECOND CAUSE FOR DISCIPLINE**

15 *(Dishonest Acts, Fraud, or Deceit)*

16 11. Respondent is subject to disciplinary action under section 4301, subdivision (f), in
17 that Respondent committed dishonest acts, fraud, or deceit. Complainant refers to, and by this
18 reference incorporates, the allegations set forth above in paragraph 10, subdivisions (a) through
19 (d), inclusive, as though set forth fully.

20 **THIRD CAUSE FOR DISCIPLINE**

21 *(Insurance Fraud)*

22 12. Respondent is subject to disciplinary action under sections 4301, subdivision (g) and
23 810, subdivision (a)(2), in that Respondent knowingly prepared a certificate or other document
24 that falsely represents the existence or nonexistence of a state of facts, with the intent to present
25 or use the same, or to allow it to be presented or used in support of a false or fraudulent claim.
26 Complainant refers to, and by this reference incorporates, the allegations set forth above in
27 paragraph 10, subdivision (a), as though set forth fully.

28 ///

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 Technician Registration No. TCH 30530, issued to Respondent;
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 5/27/11

Virginia Herold

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

LA201060082

RECEIVED
MAY 27 2011
STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS