

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

In the Matter of the Accusation Against:

Case No. 4119

**DORIAN NORSE LANGE**

532 Sherbrook  
Commerce Twp, MI 48382

Pharmacist License No. RPH 37814

Respondent.

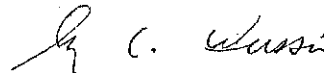
**DECISION AND ORDER**

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 December 3, 2012.

It is so ORDERED on November 2, 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 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 KAREN R. DENVIR  
Deputy Attorney General  
4 State Bar No. 197268  
1300 I Street, Suite 125  
5 P.O. Box 944255  
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Facsimile: (916) 327-8643  
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. 4119

12 **DORIAN NORSE LANGE**  
13 **903 Chester Street**  
**Eaton Rapids, MI 48827**

OAH No. 2011120660

14 **Pharmacist License No. RPH 37814**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

15 Respondent.

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 PARTIES

20 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.  
21 She brought this action solely in her official capacity and is represented in this matter by Kamala  
22 D. Harris, Attorney General of the State of California, by Karen R. Denvir, Deputy Attorney  
23 General.

24 2. Respondent Dorian Norse Lange (Respondent) is represented in this proceeding by  
25 attorney Adam G. Slote, whose address is: 255 California Street, Suite 1300, San Francisco, CA  
26 94111.

27 3. On or about May 24, 1983, the Board of Pharmacy issued Pharmacist License No.  
28 RPH 37814 to Dorian Norse Lange (Respondent). The Pharmacist License was in full force and

1 effect at all times relevant to the charges brought in Accusation No. 4119 and will expire on  
2 November 30, 2012, unless renewed.

3 JURISDICTION

4 4. Accusation No. 4119 was filed before the Board of Pharmacy (Board), Department of  
5 Consumer Affairs, and is currently pending against Respondent. The Accusation and all other  
6 statutorily required documents were properly served on Respondent on November 15, 2011.  
7 Respondent timely filed his Notice of Defense contesting the Accusation.

8 5. A copy of Accusation No. 4119 is attached as exhibit A and incorporated herein by  
9 reference.

10 ADVISEMENT AND WAIVERS

11 6. Respondent has carefully read, fully discussed with counsel, and understands the  
12 charges and allegations in Accusation No. 4119. Respondent has also carefully read, fully  
13 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
14 Order.

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

22 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
23 every right set forth above.

24 CULPABILITY

25 9. Respondent admits the truth of each and every charge and allegation contained in the  
26 Second and Third Causes for Discipline contained in Accusation No. 4119.

27 10. Respondent agrees that his Pharmacist License is subject to discipline and he agrees  
28 to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

1 CONTINGENCY

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

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

14 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
15 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
16 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
17 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
18 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
19 writing executed by an authorized representative of each of the parties.

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

23 DISCIPLINARY ORDER

24 IT IS HEREBY ORDERED that Pharmacist License No. RPH 37814 issued to Respondent  
25 Dorian Norse Lange (Respondent) is revoked. However, the revocation is stayed and Respondent  
26 is placed on probation for three (3) years on the following terms and conditions.

27 1. **Obey All Laws**

28 Respondent shall obey all state and federal laws and regulations.

1 Respondent shall report any of the following occurrences to the board, in writing, within  
2 seventy-two (72) hours of such occurrence:

- 3 • an arrest or issuance of a criminal complaint for violation of any provision of the  
4 Pharmacy Law, state and federal food and drug laws, or state and federal controlled  
5 substances laws
- 6 • a plea of guilty or nolo contendere in any state or federal criminal proceeding to any  
7 criminal complaint, information or indictment
- 8 • a conviction of any crime
- 9 • discipline, citation, or other administrative action filed by any state or federal agency  
10 which involves respondent's pharmacist's license or which is related to the practice of  
11 pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging  
12 for any drug, device or controlled substance.

13 Failure to timely report such occurrence shall be considered a violation of probation.

#### 14 **2. Report to the Board**

15 Respondent shall report to the board quarterly, on a schedule as directed by the board or its  
16 designee. The report shall be made either in person or in writing, as directed. Among other  
17 requirements, respondent shall state in each report under penalty of perjury whether there has  
18 been compliance with all the terms and conditions of probation. Failure to submit timely reports  
19 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency  
20 in submission of reports as directed may be added to the total period of probation. Moreover, if  
21 the final probation report is not made as directed, probation shall be automatically extended until  
22 such time as the final report is made and accepted by the board.

#### 23 **3. Interview with the Board**

24 Upon receipt of reasonable prior notice, respondent shall appear in person for interviews  
25 with the board or its designee, at such intervals and locations as are determined by the board or its  
26 designee. Failure to appear for any scheduled interview without prior notification to board staff,  
27 or failure to appear for two (2) or more scheduled interviews with the board or its designee during  
28 the period of probation, shall be considered a violation of probation.

1           **4. Cooperate with Board Staff**

2           Respondent shall cooperate with the board's inspection program and with the board's  
3 monitoring and investigation of respondent's compliance with the terms and conditions of his  
4 probation. Failure to cooperate shall be considered a violation of probation.

5           **5. Continuing Education**

6           Respondent shall provide evidence of efforts to maintain skill and knowledge as a  
7 pharmacist as directed by the board or its designee.

8           **6. Notice to Employers**

9           During the period of probation, respondent shall notify all present and prospective  
10 employers of the decision in case number 4119 and the terms, conditions and restrictions imposed  
11 on respondent by the decision, as follows:

12           Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
13 respondent undertaking any new employment, respondent shall cause his direct supervisor,  
14 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
15 tenure of employment) and owner to report to the board in writing acknowledging that the listed  
16 individual(s) has/have read the decision in case number 4119, and terms and conditions imposed  
17 thereby. It shall be respondent's responsibility to ensure that his employer(s) and/or supervisor(s)  
18 submit timely acknowledgment(s) to the board.

19           If respondent works for or is employed by or through a pharmacy employment service,  
20 respondent must notify his direct supervisor, pharmacist-in-charge, and owner at every entity  
21 licensed by the board of the terms and conditions of the decision in case number 4119 in advance  
22 of the respondent commencing work at each licensed entity. A record of this notification must be  
23 provided to the board upon request.

24           Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
25 (15) days of respondent undertaking any new employment by or through a pharmacy employment  
26 service, respondent shall cause his direct supervisor with the pharmacy employment service to  
27 report to the board in writing acknowledging that he has read the decision in case number 4119  
28

1 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure  
2 that his employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

3 Failure to timely notify present or prospective employer(s) or to cause that/those  
4 employer(s) to submit timely acknowledgments to the board shall be considered a violation of  
5 probation.

6 "Employment" within the meaning of this provision shall include any full-time,  
7 part-time, temporary, relief or pharmacy management service as a pharmacist or any  
8 position for which a pharmacist license is a requirement or criterion for employment,  
9 whether the respondent is an employee, independent contractor or volunteer.

10 **7. No Supervision of Interns, Serving as Pharmacist-in-Charge (PIC), Serving as**  
11 **Designated Representative-in-Charge, or Serving as a Consultant**

12 During the period of probation, respondent shall not supervise any intern pharmacist, be the  
13 pharmacist-in-charge or designated representative-in-charge of any entity licensed by the board  
14 nor serve as a consultant unless otherwise specified in this order. Assumption of any such  
15 unauthorized supervision responsibilities shall be considered a violation of probation.

16 **8. Reimbursement of Board Costs**

17 As a condition precedent to successful completion of probation, respondent shall pay to the  
18 board its costs of investigation and prosecution in the amount of \$5,202.00. Failure to reimburse  
19 the Board's cost of its investigation and prosecution shall constitute a violation of the  
20 probationary order, unless the Board or its designee agrees in writing to payment by an  
21 installment plan because of financial hardship. Any and all requests for a payment plan shall be  
22 submitted in writing by Respondent to the Board. However, full payment of any and all costs  
23 required by this condition must be received by the Board no later than one (1) year prior to the  
24 scheduled termination of probation. If Respondent's license expires, or is surrendered or  
25 revoked, the amount of cost recovery outstanding must be paid prior to the renewal or  
26 reinstatement of Respondent's license. The filing of bankruptcy by respondent shall not relieve  
27 respondent of his responsibility to reimburse the board its costs of investigation and prosecution.

28 ///

1           **9. Probation Monitoring Costs**

2           Respondent shall pay any costs associated with probation monitoring as determined by the  
3 board each and every year of probation. Such costs shall be payable to the board on a schedule as  
4 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall  
5 be considered a violation of probation.

6           **10. Status of License**

7           Respondent shall, at all times while on probation, maintain an active, current license with  
8 the board, including any period during which suspension or probation is tolled. Failure to  
9 maintain an active, current license shall be considered a violation of probation.

10           If respondent's license expires or is cancelled by operation of law or otherwise at any time  
11 during the period of probation, including any extensions thereof due to tolling or otherwise, upon  
12 renewal or reapplication respondent's license shall be subject to all terms and conditions of this  
13 probation not previously satisfied.

14           **11. License Surrender While on Probation/Suspension**

15           Following the effective date of this decision, should respondent cease practice due to  
16 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
17 respondent may tender his license to the board for surrender. The board or its designee shall have  
18 the discretion whether to grant the request for surrender or take any other action it deems  
19 appropriate and reasonable. Upon formal acceptance of the surrender of the license, respondent  
20 will no longer be subject to the terms and conditions of probation. This surrender constitutes a  
21 record of discipline and shall become a part of the respondent's license history with the board.

22           Upon acceptance of the surrender, respondent shall relinquish his pocket and wall license to  
23 the board within ten (10) days of notification by the board that the surrender is accepted.

24           Respondent may not reapply for any license from the board for three (3) years from the effective  
25 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
26 of the date the application for that license is submitted to the board, including any outstanding  
27 costs.

28           ///



1           **12. Notification of a Change in Name, Residence Address, Mailing Address or**  
2           **Employment**

3           Respondent shall notify the board in writing within ten (10) days of any change of  
4           employment. Said notification shall include the reasons for leaving, the address of the new  
5           employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
6           shall further notify the board in writing within ten (10) days of a change in name, residence  
7           address, mailing address, or phone number.

8           Failure to timely notify the board of any change in employer(s), name(s), address(es), or  
9           phone number(s) shall be considered a violation of probation.

10           **13. Tolling of Probation**

11           Except during periods of suspension, respondent shall, at all times while on probation, be  
12           employed as a pharmacist in California for a minimum of 40 hours per calendar month. Any  
13           month during which this minimum is not met shall toll the period of probation, i.e., the period of  
14           probation shall be extended by one month for each month during which this minimum is not met.  
15           During any such period of tolling of probation, respondent must nonetheless comply with all  
16           terms and conditions of probation.

17           Should respondent, regardless of residency, for any reason (including vacation) cease  
18           practicing as a pharmacist for a minimum of 40 hours per calendar month in California,  
19           respondent must notify the board in writing within ten (10) days of the cessation of practice, and  
20           must further notify the board in writing within ten (10) days of the resumption of practice. Any  
21           failure to provide such notification(s) shall be considered a violation of probation.

22           If respondent's probation remains tolled pursuant to the provisions of this condition for a  
23           total period, counting consecutive and non-consecutive months, exceeding thirty-six (36) months,  
24           the license will be deemed to have been surrendered by respondent.

25           "Cessation of practice" means any calendar month during which respondent is  
26           not practicing as a pharmacist for at least 40 hours, as defined by Business and  
27           Professions Code section 4000 et seq. "Resumption of practice" means any calendar  
28           month during which respondent is practicing as a pharmacist for at least 40 hours as a  
            pharmacist as defined by Business and Professions Code section 4000 et seq.

1           **14. Violation of Probation**

2           If a respondent has not complied with any term or condition of probation, the board shall  
3 have continuing jurisdiction over respondent, and probation shall automatically be extended, until  
4 all terms and conditions have been satisfied or the board has taken other action as deemed  
5 appropriate to treat the failure to comply as a violation of probation, to terminate probation, and  
6 to impose the penalty that was stayed.

7           If respondent violates probation in any respect, the board, after giving respondent notice  
8 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
9 was stayed. Notice and opportunity to be heard are not required for those provisions stating that a  
10 violation thereof may lead to automatic termination of the stay and/or revocation of the license. If  
11 a petition to revoke probation or an accusation is filed against respondent during probation, the  
12 board shall have continuing jurisdiction and the period of probation shall be automatically  
13 extended until the petition to revoke probation or accusation is heard and decided.

14           **15. Completion of Probation**

15           Upon written notice by the board or its designee indicating successful completion of  
16 probation, respondent's license will be fully restored.

17           **16. Community Services Program**

18           Within sixty (60) days of the effective date of this decision, respondent shall submit to the  
19 board or its designee, for prior approval, a community service program in which respondent shall  
20 provide free health-care related services on a regular basis to a community or charitable facility or  
21 agency for at least eighty (80) hours during the term of probation. Within thirty (30) days of  
22 board approval thereof, respondent shall submit documentation to the board demonstrating  
23 commencement of the community service program. A record of this notification must be  
24 provided to the board upon request. Respondent shall report on progress with the community  
25 service program in the quarterly reports. Failure to timely submit, commence, or comply with the  
26 program shall be considered a violation of probation.

27           **17. Supervised Practice**

28           During the period of probation, respondent shall practice only under the supervision of a

1 licensed pharmacist not on probation with the board. Upon and after the effective date of this  
2 decision, respondent shall not practice pharmacy and his license shall be automatically suspended  
3 until a supervisor is approved by the board or its designee. The supervision shall be, as required  
4 by the board or its designee, either:

5       Continuous – At least 75% of a work week

6       Substantial - At least 50% of a work week

7       Partial - At least 25% of a work week

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

9       Within thirty (30) days of the effective date of this decision, respondent shall have his  
10 supervisor submit notification to the board in writing stating that the supervisor has read the  
11 decision in case number 4119 and is familiar with the required level of supervision as determined  
12 by the board or its designee. It shall be the respondent's responsibility to ensure that his  
13 employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledgement(s) to the  
14 board. Failure to cause the direct supervisor and the pharmacist-in-charge to submit timely  
15 acknowledgements to the board shall be considered a violation of probation.

16       If respondent changes employment, it shall be the respondent's responsibility to ensure that  
17 his employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledgement(s) to  
18 the board. Respondent shall have his new supervisor, within fifteen (15) days after employment  
19 commences, submit notification to the board in writing stating the direct supervisor and  
20 pharmacist-in-charge have read the decision in case number 4119 and is familiar with the level of  
21 supervision as determined by the board. Respondent shall not practice pharmacy and his license  
22 shall be automatically suspended until the board or its designee approves a new supervisor.

23 Failure to cause the direct supervisor and the pharmacist-in-charge to submit timely  
24 acknowledgements to the board shall be considered a violation of probation.

25       Within ten (10) days of leaving employment, respondent shall notify the board in writing.

26       During suspension, respondent shall not enter any pharmacy area or any portion of the  
27 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of  
28 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices

1 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act  
2 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient  
3 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the  
4 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs  
5 and controlled substances. Respondent shall not resume practice until notified by the board.

6 During suspension, respondent shall not engage in any activity that requires the  
7 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the  
8 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a  
9 designated representative for any entity licensed by the board.

10 Subject to the above restrictions, respondent may continue to own or hold an interest in any  
11 licensed premises in which he holds an interest at the time this decision becomes effective unless  
12 otherwise specified in this order.

13 Failure to comply with this suspension shall be considered a violation of probation.

14 **18. No Ownership of Licensed Premises**

15 Respondent shall not own, have any legal or beneficial interest in, or serve as a manager,  
16 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
17 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell  
18 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)  
19 days following the effective date of this decision and shall immediately thereafter provide written  
20 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide  
21 documentation thereof shall be considered a violation of probation.

22 **19. Ethics Course**

23 Within sixty (60) calendar days of the effective date of this decision, respondent shall enroll  
24 in a course in ethics, at respondent's expense, approved in advance by the board or its designee.  
25 Failure to initiate the course during the first year of probation, and complete it within the second  
26 year of probation, is a violation of probation.

27 Respondent shall submit a certificate of completion to the board or its designee within five  
28 days after completing the course.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Adam G. Slote. I understand the stipulation and the effect it will have on my Pharmacist License. I 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:



DORIAN NORSE LANGE  
Respondent

I have read and fully discussed with Respondent Dorian Norse Lange the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.

I approve its form and content.

Digitally signed by Adam G. Slote  
DN: cn=Adam G. Slote, o=Slote & Links,  
ou, email=adam@slotelaw.com, c=US  
Date: 2012.08.09 14:47:16 -07'00

DATED:

Adam G. Slote  
Attorney for Respondent

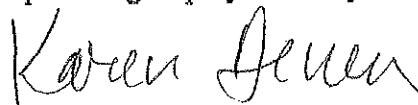
ENDORSEMENT

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: August 9, 2012

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
JANICE K. LACHMAN  
Supervising Deputy Attorney General



KAREN R. DENVIR  
Deputy Attorney General  
Attorneys for Complainant

**Exhibit A**

**Accusation No. 4119**

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 KAREN R. DENVIR  
Deputy Attorney General  
4 State Bar No. 197268  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5333  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 4119

12 **DORIAN NORSE LANGE**  
13 **532 Sherbrook**  
**Commerce TWP, MI 48382**  
14 **Pharmacist License No. RPH 37814**

**ACCUSATION**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about May 24, 1983, the Board of Pharmacy issued Pharmacist License  
22 Number RPH 37814 to Dorian Norse Lange (Respondent). The Pharmacist License was in full  
23 force and effect at all times relevant to the charges brought herein and will expire on November  
24 30, 2012, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Pharmacy (Board), Department of  
27 Consumer Affairs, under the authority of the following laws. All section references are to the  
28 Business and Professions Code unless otherwise indicated.

1           4.     Section 118, subdivision (b), of the Code provides that the expiration of a license  
2 shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period  
3 within which the license may be renewed, restored, reissued or reinstated.

4           5.     Section 4300 of the Code states, in pertinent part:

5           (a) Every license issued may be suspended or revoked.

6           (b) The board shall discipline the holder of any license issued by the board, whose  
7 default has been entered or whose case has been heard by the board and found guilty,  
8 by any of the following methods:

8           (1) Suspending judgment.

9           (2) Placing him or her upon probation.

10          (3) Suspending his or her right to practice for a period not exceeding one year.

11          (4) Revoking his or her license.

12          (5) Taking any other action in relation to disciplining him or her as the board in its  
13 discretion may deem proper.

14          6.     Section 4301 of the Code states, in pertinent part:

15          The board shall take action against any holder of a license who is guilty of  
16 unprofessional conduct or whose license has been procured by fraud or  
17 misrepresentation or issued by mistake. Unprofessional conduct shall include, but is  
18 not limited to, any of the following:

18          .....

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

21          .....

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

23          .....

24          (o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting  
25 the violation of or conspiring to violate any provision or term of this chapter or of the  
26 applicable federal and state laws and regulations governing pharmacy, including  
27 regulations established by the board or by any other state or federal regulatory  
28 agency.

27          .....



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7. Section 4306.5 of the Code states:

Unprofessional conduct for a pharmacist may include any of the following:

(a) Acts or omissions that involve, in whole or in part, the inappropriate exercise of his or her education, training, or experience as a pharmacist, whether or not the act or omission arises in the course of the practice of pharmacy or the ownership, management, administration, or operation of a pharmacy or other entity licensed by the board.

(b) Acts or omissions that involve, in whole or in part, the failure to exercise or implement his or her best professional judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled substances, dangerous drugs, or dangerous devices, or with regard to the provision of services.

(c) Acts or omissions that involve, in whole or in part, the failure to consult appropriate patient, prescription, and other records pertaining to the performance of any pharmacy function.

(d) Acts or omissions that involve, in whole or in part, the failure to fully maintain and retain appropriate patient-specific information pertaining to the performance of any pharmacy function.

8. Section 4059 of the Code states, in pertinent part:

(a) A person may not furnish any dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7. A person may not furnish any dangerous device, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7.

9. Section 4081 of the Code 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.

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1 COST RECOVERY

2 10. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 DRUGS

7 11. Propecia, Zithromax, Medrol, and Gianvi are all dangerous drugs as designated by  
8 Code section 4022.

9 FIRST CAUSE FOR DISCIPLINE

10 (Acts Involving Moral Turpitude, Dishonesty Fraud, Deceit or Corruption)

11 12. Respondent is subject to disciplinary action under section 4301, subdivision (f) in that  
12 he committed acts involving moral turpitude, dishonesty, fraud, deceit or corruption. The  
13 circumstances are as follows:

14 13. During 2010, all the specific dates which are not known, Respondent removed drugs  
15 from the pharmacy stock at Pharmacy Advantage, without a prescription, while working as a  
16 licensed pharmacist. Respondent admitted verbally and in writing that he stole the following  
17 dangerous drugs: two tablets of Medrol, one hundred tablets of finasteride (the generic name for  
18 Propecia), and a package of Zithromax for his own use. In addition, Respondent admitting to  
19 stealing a container of Gianvi, a dangerous drug, which he provided to his daughter, and to  
20 stealing two bottles of over the counter eye drops.

21 SECOND CAUSE FOR DISCIPLINE

22 (Violation of State or Federal Statutes Regulating Dangerous Drugs)

23 14. Respondent is subject to disciplinary action under section 4301, subdivision (j) in that  
24 he violated the statutes of this state regulating dangerous drugs. The circumstances are as  
25 follows:

26 a. During 2010, all the specific dates which are not known, Respondent violated Code  
27 section 4059, subdivision (a), in that he furnished dangerous drugs to himself without a  
28 prescription, as set forth more fully in paragraph 13, above.

1 b. During 2010, all of the specific dates which are not known, Respondent violated  
2 Code section 4081 in that he failed to maintain required records for the dangerous drugs he stole  
3 from Pharmacy Advantage, which are set forth more fully in paragraph 13, above.

4 **THIRD CAUSE FOR DISCIPLINE**

5 **(Acts or Omissions Constituting Unprofessional Conduct)**

6 15. Respondent is subject to discipline under Code section 4301, on the grounds of  
7 unprofessional conduct as defined in Code section 4306.5, in that during 2010, all of the specific  
8 dates which are not known, Respondent committed acts or omissions that constituted  
9 unprofessional conduct. The circumstances are as follows:

10 a. Respondent committed acts or omissions that involve, in whole or in part, the  
11 inappropriate exercise of his education, training, or experience as a pharmacist, as set forth more  
12 fully in paragraphs 13 and 14, above.

13 b. Respondent committed acts or omissions that involve, in whole or in part, the failure  
14 to exercise or implement his best professional judgment or corresponding responsibility with  
15 regard to the dispensing or furnishing of dangerous drugs, as forth more fully in paragraphs 13  
16 and 14, above.

17 c. Respondent committed acts or omissions that involve, in whole or in part, the failure  
18 to consult appropriate patient, prescription, and other records pertaining to the performance of any  
19 pharmacy function, as set forth more fully in paragraphs 13 and 14, above.

20 d. Respondent committed acts or omissions that involve, in whole or in part, the failure  
21 to fully maintain and retain appropriate patient-specific information pertaining to the performance  
22 of any pharmacy function, as set forth more fully in paragraphs 13 and 14, above.

23 **PRAYER**

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

26 1. Revoking or suspending Pharmacist License Number RPH 37814, issued to Dorian  
27 Norse Lange;

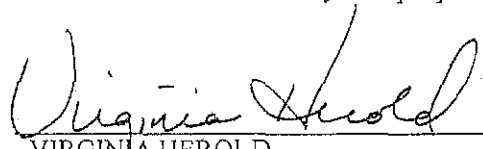
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2. Ordering Dorian Norse Lange to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: 10/28/11



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

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