

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

In the Matter of the Accusation Against:

**RITE AID PHARMACY #5429
ANNE CHUNG, Pharmacist in Charge
500 S. Broadway
Los Angeles, CA 90013
Pharmacy Permit No. PHY 42331**

**ANNE CHON-YIN CHUNG
3782 Moore Street
Los Angeles, CA 90066**

Original Pharmacist License No. RPH 40932

Respondents.

Case No. 4775

OAH No. 2014090139

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO RITE
AID #5429 ONLY**

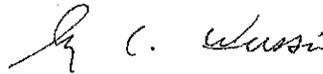
DECISION AND ORDER

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 January 28, 2015.

It is so ORDERED on January 21, 2015.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STAN C. WEISSER, Board President

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 GILLIAN E. FRIEDMAN
Deputy Attorney General
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Attorneys for Complainant

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

10 In the Matter of the Accusation Against:
11 **RITE AID PHARMACY #5429**
12 **ANNE CHUNG, Pharmacist in Charge**
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Pharmacy Permit No. PHY 42331

14 **ANNE CHON-YIN CHUNG,**
15 **3782 Moore Street**
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17 **Original Pharmacist License No. RPH 40932**

18 Respondents.
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**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO RITE
AID # 5429 ONLY**

20
21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
22 entitled proceedings that the following matters are true:

23 **PARTIES**

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

1 CULPABILITY

2 8. Respondent Pharmacy understands and agrees that the charges and allegations in
3 Accusation No. 4775, if proven at a hearing, constitute cause for imposing discipline upon its
4 Pharmacy Permit.

5 9. For the purpose of resolving the Accusation without the expense and uncertainty of
6 further proceedings, Respondent Pharmacy agrees that, at a hearing, Complainant could establish
7 a factual basis for the charges in the Accusation, and that Respondent Pharmacy hereby gives up
8 its right to contest those charges.

9 10. Respondent Pharmacy agrees that its Pharmacy Permit is subject to discipline and
10 Respondent Pharmacy agrees to be bound by the Board's probationary terms as set forth in the
11 Disciplinary Order below.

12 CONTINGENCY

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

23 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
24 copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format
25 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

26 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
27 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
28 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,

1 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
2 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
3 writing executed by an authorized representative of each of the parties.

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

7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 42331 issued to Respondent
9 Pharmacy Rite Aid 5429 (Respondent Pharmacy) is revoked. However, the revocation is stayed
10 and Respondent Pharmacy is placed on probation for five (5) years on the following terms and
11 conditions.

12 **1. Obey All Laws**

13 Respondent Pharmacy shall obey all state and federal laws and regulations.

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

- 16 an arrest or issuance of a criminal complaint for violation of any provision of the
17 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
18 substances laws
- 19 a plea of guilty or nolo contendere in any state or federal criminal proceeding to any
20 criminal complaint, information or indictment
- 21 a conviction of any crime
- 22 discipline, citation, or other administrative action filed by any state or federal agency
23 which involves Respondent Pharmacy's pharmacy permit or which is related to the
24 practice of pharmacy or the manufacturing, obtaining, handling or distributing,
25 billing, or charging for any drug, device or controlled substance.

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

27 **2. Report to the Board**

28 Respondent Pharmacy shall report to the board quarterly, on a schedule as directed by the

1 board or its designee. The report shall be made either in person or in writing, as directed. Among
2 other requirements, each report shall be made under penalty of perjury whether there has been
3 compliance with all the terms and conditions of probation. Failure to submit timely reports in a
4 form as directed shall be considered a violation of probation. Any period(s) of delinquency in
5 submission of reports as directed may be added to the total period of probation. Moreover, if the
6 final probation report is not made as directed, probation shall be automatically extended until
7 such time as the final report is made and accepted by the board.

8 **3. Interview with the Board**

9 Upon receipt of reasonable prior notice, Respondent Pharmacy shall appear in person for
10 interviews with the board or its designee, at such intervals and locations as are determined by the
11 board or its designee. Failure to appear for any scheduled interview without prior notification to
12 board staff, or failure to appear for two (2) or more scheduled interviews with the board or its
13 designee during the period of probation, shall be considered a violation of probation.

14 **4. Cooperate with Board Staff**

15 Respondent Pharmacy shall cooperate with the board's inspection program and with the
16 board's monitoring and investigation of Respondent Pharmacy's compliance with the terms and
17 conditions of its probation. Failure to cooperate shall be considered a violation of probation.

18 **5. Reimbursement of Board Costs**

19 As a condition precedent to successful completion of probation, Respondent Pharmacy
20 shall pay to the board its costs of investigation and prosecution in the amount of \$18,794.00.
21 Respondent shall pay the costs within ninety (90) days of the effective date of the Decision.
22 There shall be no deviation from this schedule absent prior written approval by the board or its
23 designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of
24 probation.

25 The filing of bankruptcy by Respondent Pharmacy shall not relieve Respondent Pharmacy
26 of its responsibility to reimburse the board its costs of investigation and prosecution.

27 **6. Probation Monitoring Costs**

28 Respondent Pharmacy shall pay any costs associated with probation monitoring as

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

4 **7. Status of License**

5 Respondent Pharmacy shall, at all times while on probation, maintain current licensure with
6 the board. If Respondent Pharmacy submits an application to the board, and the application is
7 approved, for a change of location, change of permit or change of ownership, the board shall
8 retain continuing jurisdiction over the license, and the Respondent Pharmacy shall remain on
9 probation as determined by the board. Failure to maintain current licensure shall be considered a
10 violation of probation.

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

15 **8. License Surrender While on Probation/Suspension**

16 Following the effective date of this decision, should Respondent Pharmacy discontinue
17 business, Respondent Pharmacy may tender the premises permit to the board for surrender. The
18 board or its designee shall have the discretion whether to grant the request for surrender or take
19 any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of
20 the license, Respondent Pharmacy will no longer be subject to the terms and conditions of
21 probation.

22 Upon acceptance of the surrender, Respondent Pharmacy shall relinquish the premises wall
23 and renewal permit to the board within ten (10) days of notification by the board that the
24 surrender is accepted. Respondent Pharmacy shall further submit a completed Discontinuance of
25 Business form according to board guidelines and shall notify the board of the records inventory
26 transfer.

27 Respondent Pharmacy shall also, by the effective date of this decision, arrange for the
28 continuation of care for ongoing patients of the pharmacy by, at minimum, providing a written

1 notice to ongoing patients that specifies the anticipated closing date of the pharmacy and that
2 identifies one or more area pharmacies capable of taking up the patients' care, and by cooperating
3 as may be necessary in the transfer of records or prescriptions for ongoing patients. Within five
4 days of its provision to the pharmacy's ongoing patients, Respondent Pharmacy shall provide a
5 copy of the written notice to the board. For the purposes of this provision, "ongoing patients"
6 means those patients for whom the pharmacy has on file a prescription with one or more refills
7 outstanding, or for whom the pharmacy has filled a prescription within the preceding sixty (60)
8 days.

9 Respondent Pharmacy may not apply for any new permit from the board for three (3) years
10 from the effective date of the surrender. Respondent Pharmacy shall meet all requirements
11 applicable to the license sought as of the date the application for that license is submitted to the
12 board.

13 Respondent Pharmacy further stipulates that it shall reimburse the board for its costs of
14 investigation and prosecution prior to the acceptance of the surrender.

15 **9. Notice to Employees**

16 Respondent Pharmacy shall, upon or before the effective date of this decision, ensure that
17 all employees involved in permit operations are made aware of all the terms and conditions of
18 probation, either by posting a notice of the terms and conditions, circulating such notice, or both.
19 If the notice required by this provision is posted, it shall be posted in a prominent place and shall
20 remain posted throughout the probation period. Respondent Pharmacy shall ensure that any
21 employees hired or used after the effective date of this decision are made aware of the terms and
22 conditions of probation by posting a notice, circulating a notice, or both. Additionally,
23 Respondent Pharmacy shall submit written notification to the board, within fifteen (15) days of
24 the effective date of this decision, that this term has been satisfied. Failure to submit such
25 notification to the board shall be considered a violation of probation.

26 "Employees" as used in this provision includes all full-time, part-time,
27 volunteer, temporary and relief employees and independent contractors employed or
28 hired at any time during probation.

1 **10. Owners and Officers: Knowledge of the Law**

2 Respondent Pharmacy shall provide, within thirty (30) days after the effective date of this
3 decision, signed and dated statements from its owners, including any owner or holder of ten
4 percent (10%) or more of the interest in Respondent Pharmacy or Respondent Pharmacy 's stock,
5 or any officer, or any district or regional manager authorized by Respondent, stating under
6 penalty of perjury that said individuals have read and are familiar with state and federal laws and
7 regulations governing the practice of pharmacy. The failure to timely provide said statements
8 under penalty of perjury shall be considered a violation of probation.

9 **11. Posted Notice of Probation**

10 Respondent Pharmacy shall prominently post a probation notice provided by the board in a
11 place conspicuous and readable to the public. The probation notice shall remain posted during
12 the entire period of probation.

13 Respondent Pharmacy shall not, directly or indirectly, engage in any conduct or make any
14 statement which is intended to mislead or is likely to have the effect of misleading any patient,
15 customer, member of the public, or other person(s) as to the nature of and reason for the probation
16 of the licensed entity.

17 Failure to post such notice shall be considered a violation of probation.

18 **12. Violation of Probation**

19 If a Respondent Pharmacy has not complied with any term or condition of probation, the
20 board shall have continuing jurisdiction over Respondent Pharmacy license, and probation shall
21 be automatically extended until all terms and conditions have been satisfied or the board has
22 taken other action as deemed appropriate to treat the failure to comply as a violation of probation,
23 to terminate probation, and to impose the penalty that was stayed.

24 If Respondent Pharmacy violates probation in any respect, the board, after giving
25 Respondent Pharmacy notice and an opportunity to be heard, may revoke probation and carry out
26 the disciplinary order that was stayed. Notice and opportunity to be heard are not required for
27 those provisions stating that a violation thereof may lead to automatic termination of the stay
28 and/or revocation of the license. If a petition to revoke probation or an accusation is filed against

1 Respondent Pharmacy during probation, the board shall have continuing jurisdiction and the
2 period of probation shall be automatically extended until the petition to revoke probation or
3 accusation is heard and decided.

4 **13. Completion of Probation**

5 Upon written notice by the board or its designee indicating successful completion of
6 probation, Respondent Pharmacy license will be fully restored.

7 **14. Community Services Program**

8 Within sixty (60) days of the effective date of this decision, Respondent Pharmacy shall
9 submit to the board or its designee, for prior approval, a community service program in which
10 Respondent Pharmacy shall provide free "sharps" disposal containers valuing \$15,000.00 to a
11 local law enforcement agency or the Department of Justice, or provide free or at a reduced cost
12 immunizations, brown bag consultations, or other health-care related services, to a community,
13 charitable facility, or agency valuing \$15,000.00. It is specifically contemplated by this
14 agreement that Respondent Pharmacy may commence an immunization program during the
15 calendar year 2015 and report on its progress in its quarterly reports.

16 Within thirty (30) days of board approval thereof, Respondent Pharmacy shall submit
17 documentation to the board demonstrating commencement of the community service program.
18 Respondent Pharmacy shall report on progress with the community service program in the
19 quarterly reports.

20 Failure to timely submit, commence, or comply with the program shall be considered a
21 violation of probation

22 **15. In-Service Staff Training:** Within ninety (90) days of the effective date of this
23 decision, Respondent Pharmacy shall submit to the board or its designee, for prior approval, an
24 in-service training program for all pharmacy staff on topics related to (1) the evaluating and
25 dispensing of controlled substances and (2) corresponding responsibility. Respondent Pharmacy
26 shall also provide a schedule for the completion of the training, training of future pharmacy staff,
27 as well as update training. The initial training shall be completed within the first two years of
28 probation.

1 Failure to timely submit a training program for approval and failure to complete the
2 approved in-service training during the specified time period, shall be considered a violation of
3 probation. The period of probation will be automatically extended until such in-service training is
4 successfully completed and written proof, in a form acceptable to the board, is provided to the
5 board or its designee.

6 ACCEPTANCE

7 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
8 discussed it with my attorney, Jonathan A. Klein. I understand the stipulation and the effect it
9 will have on my Pharmacy Permit. I enter into this Stipulated Settlement and Disciplinary Order
10 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
11 Board of Pharmacy.

12
13 DATED: 12-3-14

Michael A. Rodurski

RITE AID 5429

Respondent Pharmacy

By Michael A. Rodurski

Its VP, PHARMACY SERVICES

14
15
16 I have read and fully discussed with Respondent Pharmacy Rite Aid 5429 the terms and
17 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
18 I approve its form and content.

19 DATED: _____

Jonathan Klein
Kelly, Hockel & Klein
Attorneys for Respondent Pharmacy

20
21
22 ///

23 ///

24 ///

25 ///

26 ///

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28 ///

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2 approved in-service training during the specified time period, shall be considered a violation of
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9 will have on my Pharmacy Permit. I enter into this Stipulated Settlement and Disciplinary Order
10 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
11 Board of Pharmacy.

12
13 DATED: _____
14 RITE AID 5429
15 Respondent Pharmacy
16 By _____
17 Its _____

18 I have read and fully discussed with Respondent Pharmacy Rite Aid 5429 the terms and
19 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
20 I approve its form and content.

21 DATED: 12/2/14 _____
22 Jonathan Klein
23 Kelly Hoekel & Klein
24 Attorneys for Respondent Pharmacy
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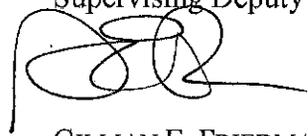
ENDORSEMENT

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

Dated: 12-3-14

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General



GILLIAN E. FRIEDMAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 4775

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 GILLIAN E. FRIEDMAN
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Attorneys for Complainant

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9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

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12 In the Matter of the Accusation Against:

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13 **RITE AID PHARMACY #5429**
14 **ANNE CHUNG, Pharmacist in Charge**
500 S. Broadway
15 Los Angeles, CA 90013
Pharmacy Permit No. PHY 42331

ACCUSATION

16 **ANNE CHON-YIN CHUNG,**
17 3782 Moore Street
18 Los Angeles, CA 90066
Original Pharmacist License No. RPH 40932

19
20 Respondents.

21
22 Complainant alleges:

23 **PARTIES**

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

26 2. On or about February 21, 1997, the Board of Pharmacy issued Pharmacy Permit
27 Number PHY 42331 to Rite Aid #5429, located at 500 S. Broadway, Los Angeles, California
28 90013-2302 (Respondent Rite Aid Pharmacy). The Pharmacy Permit was in full force and effect

1 at all times relevant to the charges brought herein and will expire on April 1, 2014, unless
2 renewed.

3 3. On or about May 13, 1987, the Board of Pharmacy issued Original Pharmacist
4 License No. RPH 40932 to Anne Chon-Yin Chung aka Anne Chung (Respondent Chung). The
5 Original Pharmacy License was in full force and effect at all times relevant to the charges brought
6 herein and will expire on January 31, 2015, unless renewed.

7 4. On or about April 9, 2000, Respondent Chung became the Pharmacist in Charge for
8 Respondent Rite Aid Pharmacy.

9 JURISDICTION

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

13 6. Section 4300 of the Code states:

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

15

16 7. Section 4301 of the Code states:

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

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

20 "(a) Gross immorality.

21 "(b) Incompetence.

22 "(c) Gross negligence.

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

25 "(e) The clearly excessive furnishing of controlled substances in violation of subdivision (a)
26 of Section 11153.5 of the Health and Safety Code. Factors to be considered in determining
27 whether the furnishing of controlled substances is clearly excessive shall include, but not be
28 limited to, the amount of controlled substances furnished, the previous ordering pattern of the

1 customer (including size and frequency of orders), the type and size of the customer, and where
2 and to whom the customer distributes its product.

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

6 "(g) Knowingly making or signing any certificate or other document that falsely represents
7 the existence or nonexistence of a state of facts.

8 "(h) The administering to oneself, of any controlled substance, or the use of any dangerous
9 drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to
10 oneself, to a person holding a license under this chapter, or to any other person or to the public, or
11 to the extent that the use impairs the ability of the person to conduct with safety to the public the
12 practice authorized by the license.

13 "(i) Except as otherwise authorized by law, knowingly selling, furnishing, giving away, or
14 administering or offering to sell, furnish, give away, or administer any controlled substance to an
15 addict.

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

18

19 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
20 violation of or conspiring to violate any provision or term of this chapter or of the applicable
21 federal and state laws and regulations governing pharmacy, including regulations established by
22 the board or by any other state or federal regulatory agency.

23 "(p) Actions or conduct that would have warranted denial of a license.

24 "(q) Engaging in any conduct that subverts or attempts to subvert an investigation of the
25 board.

26 "(r) The selling, trading, transferring, or furnishing of drugs obtained pursuant to Section
27 256b of Title 42 of the United States Code to any person a licensee knows or reasonably should
28

1 have known, not to be a patient of a covered entity, as defined in paragraph (4) of subsection (a)
2 of Section 256b of Title 42 of the United States Code.

3 "(s) The clearly excessive furnishing of dangerous drugs by a wholesaler to a pharmacy that
4 primarily or solely dispenses prescription drugs to patients of long-term care facilities. Factors to
5 be considered in determining whether the furnishing of dangerous drugs is clearly excessive shall
6 include, but not be limited to, the amount of dangerous drugs furnished to a pharmacy that
7 primarily or solely dispenses prescription drugs to patients of long-term care facilities, the
8 previous ordering pattern of the pharmacy, and the general patient population to whom the
9 pharmacy distributes the dangerous drugs. That a wholesaler has established, and employs, a
10 tracking system that complies with the requirements of subdivision (b) of Section 4164 shall be
11 considered in determining whether there has been a violation of this subdivision. This provision
12 shall not be interpreted to require a wholesaler to obtain personal medical information or be
13 authorized to permit a wholesaler to have access to personal medical information except as
14 otherwise authorized by Section 56 and following of the Civil Code. "

15 8. Section 4059 of the Code states, in pertinent part, that a person may not furnish any
16 dangerous drug except upon the prescription of a physician, dentist, podiatrist, optometrist,
17 veterinarian, or naturopathic doctor pursuant to Section 3640.7. A person may not furnish any
18 dangerous device, except upon the prescription of a physician, dentist, podiatrist, optometrist,
19 veterinarian, or naturopathic doctor pursuant to Section 3640.7.

20 9. Section 4081 of the Code states:

21 "(a) All records of manufacture and of sale, acquisition, or disposition of dangerous drugs
22 or dangerous devices shall be at all times during business hours open to inspection by authorized
23 officers of the law, and shall be preserved for at least three years from the date of making. A
24 current inventory shall be kept by every manufacturer, wholesaler, pharmacy, veterinary
25 food-animal drug retailer, physician, dentist, podiatrist, veterinarian, laboratory, clinic, hospital,
26 institution, or establishment holding a currently valid and unrevoked certificate, license, permit,
27 registration, or exemption under Division 2 (commencing with Section 1200) of the Health and
28

1 Safety Code or under Part 4 (commencing with Section 16000) of Division 9 of the Welfare and
2 Institutions Code who maintains a stock of dangerous drugs or dangerous devices.

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

6 "(c) The pharmacist-in-charge or representative-in-charge shall not be criminally
7 responsible for acts of the owner, officer, partner, or employee that violate this section and of
8 which the pharmacist-in-charge or representative-in-charge had no knowledge, or in which he or
9 she did not knowingly participate."

10 10. Section 4324 of the Code states:

11 "(a) Every person who signs the name of another, or of a fictitious person, or falsely makes,
12 alters, forges, utters, publishes, passes, or attempts to pass, as genuine, any prescription for any
13 drugs is guilty of forgery and upon conviction thereof shall be punished by imprisonment in the
14 state prison, or by imprisonment in the county jail for not more than one year.

15 "(b) Every person who has in his or her possession any drugs secured by a forged
16 prescription shall be punished by imprisonment in the state prison, or by imprisonment in the
17 county jail for not more than one year."

18 11. Health and Safety Code section 11200 states in pertinent part:

19

20 "(b) No prescription for a Schedule III or IV substance may be refilled more than five times
21 and in an amount, for all refills of that prescription taken together, exceeding a 120-day supply."

22

23 12. Health and Safety Code section 11153 subdivision (a) states:

24 A prescription for a controlled substance shall only be issued for a legitimate medical
25 purpose by an individual practitioner acting in the usual course of his or her professional practice.
26 The responsibility for the proper prescribing and dispensing of controlled substances is upon the
27 prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the
28

1 prescription. Except as authorized by this division, the following are not legal prescriptions: (1)
2 an order purporting to be a prescription which is issued not in the usual course of professional
3 treatment or in legitimate and authorized research; or (2) an order for an addict or habitual user of
4 controlled substances, which is issued not in the course of professional treatment or as part of an
5 authorized narcotic treatment program, for the purpose of providing the user with controlled
6 substances, sufficient to keep him or her comfortable by maintaining customary use.

7 13. California Code of Regulations, title 16, section 1717 subdivision (e), states:

8 "A pharmacist may transfer a prescription for Schedule III, IV or V controlled substances to
9 another pharmacy for refill purposes in accordance with Title 21, Code of Federal Regulations,
10 section 1306.25.

11 "Prescriptions for other dangerous drugs which are not controlled substances may also be
12 transferred by direct communication between pharmacists or by the receiving pharmacist's access
13 to prescriptions or electronic files that have been created or verified by a pharmacist at the
14 transferring pharmacy. The receiving pharmacist shall create a written prescription; identifying it
15 as a transferred prescription; and record the date of transfer and the original prescription number.
16 When a prescription transfer is accomplished via direct access by the receiving pharmacist, the
17 receiving pharmacist shall notify the transferring pharmacy of the transfer. A pharmacist at the
18 transferring pharmacy shall then assure that there is a record of the prescription as having been
19 transferred, and the date of transfer. Each pharmacy shall maintain inventory accountability and
20 pharmacist accountability and dispense in accordance with the provisions of section 1716 of this
21 Division. Information maintained by each pharmacy shall at least include:

22 "(1) Identification of pharmacist(s) transferring information;

23 "(2) Name and identification code or address of the pharmacy from which the prescription
24 was received or to which the prescription was transferred, as appropriate;

25 "(3) Original date and last dispensing date;

26 "(4) Number of refills and date originally authorized;

27 "(5) Number of refills remaining but not dispensed;

28

1 “(6) Number of refills transferred.”

2

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

4 "Current Inventory' as used in Sections 4081 and 4332 of the Business and Professions
5 Code shall be considered to include complete accountability for all dangerous drugs handled by
6 every licensee enumerated in Sections 4081 and 4332.

7 "The controlled substances inventories required by Title 21, CFR, Section 1304 shall be
8 available for inspection upon request for at least 3 years after the date of the inventory."

9 15. California Code of Regulations, title 16, section 1761, subdivision (a), states:

10 "No pharmacist shall compound or dispense any prescription which contains any significant
11 error, omission, irregularity, uncertainty, ambiguity or alteration. Upon receipt of any such
12 prescription, the pharmacist shall contact the prescriber to obtain the information needed to
13 validate the prescription."

14 16. Section 4105 of the Code states:

15 "(a) All records or other documentation of the acquisition and disposition of dangerous
16 drugs and dangerous devices by any entity licensed by the board shall be retained on the licensed
17 premises in a readily retrievable form.

18 "(b) The licensee may remove the original records or documentation from the licensed
19 premises on a temporary basis for license-related purposes. However, a duplicate set of those
20 records or other documentation shall be retained on the licensed premises.

21 "(c) The records required by this section shall be retained on the licensed premises for a
22 period of three years from the date of making.

23 "(d) Any records that are maintained electronically shall be maintained so that the
24 pharmacist-in-charge, the pharmacist on duty if the pharmacist-in-charge is not on duty, or, in the
25 case of a veterinary food-animal drug retailer or wholesaler, the designated representative on
26 duty, shall, at all times during which the licensed premises are open for business, be able to
27 produce a hard copy and electronic copy of all records of acquisition or disposition or other drug
28 or dispensing-related records maintained electronically.

1 21. **Vicodin/Vicodin-ES**, is brand name for Hydrocodone with Acetaminophen. It is a
2 schedule III controlled substance as designated by Health and Safety Code section 11056,
3 subdivision (e)(4) and is categorized as a "dangerous drug," pursuant to Business and Professions
4 Code section 4022.

5 22. **Phenergan with Codine** is a trade name for promethazine HCl. It is a Schedule V
6 controlled substance as designated by Health and Safety Code section 11058(c)(1) and is
7 categorized as a "dangerous drug," pursuant to Business and Professions Code section 4022. It is
8 primarily used for cough.

9 23. **Valium**, is brand name for Diazepam. It is a Schedule IV controlled substance as
10 designated by Health and Safety Code section 11057, subdivision (d)(9) and is categorized as a
11 "dangerous drug," pursuant to Business and Professions Code section 4022.

12 24. **Xanax**, is brand name for Alprazolam. It is a Schedule IV controlled substance as
13 designated by Health and Safety Code section 11057, subdivision (d)(1) and is categorized as a
14 "dangerous drug," pursuant to Business and Professions Code section 4022.

15 25. **Soma** is a brand name for Carisprodol. It is categorized as a "dangerous drug,"
16 pursuant to Business and Professions Code section 4022. Its primary indication for use is as a
17 muscle relaxant.

18 26. **Halcion** is a brand name for Triazolam. It is a Schedule IV controlled substance as
19 designated by Health and Safety Code section 11057, subdivision (d)(30) and is categorized as a
20 "dangerous drug," pursuant to Business and Professions Code section 4022. Its primary indication
21 for use is for anxiety.

22 27. **Ambien** is a brand name for Zolpidem. It is a Schedule IV controlled substance as
23 designated by Health and Safety Code section 11057, subdivision (d)(32) and is categorized as a
24 "dangerous drug," pursuant to Business and Professions Code section 4022. Its primary indication
25 for use is for insomnia.

26 28. **Suboxone** is a brand name for Buprenorphine. It is a Schedule III controlled
27 substance as designated by Title 21 Code of Federal Regulations section 1308.13(e)(2)(i), and is
28

1 categorized as a "dangerous drug," pursuant to Business and Professions Code section 4022. Its
2 primary indication for use is opioid dependence.

3 29. **Ativan**, is brand name for Lorazepam. It is a Schedule IV controlled substance as
4 designated by Health and Safety Code section 11057, subdivision (d)(16) and is categorized as a
5 "dangerous drug," pursuant to Business and Professions Code section 4022. Its primary indication
6 for use is anxiety.

7 30. **Klonopin** is brand name for Clonazepam. It is a Schedule IV controlled substance as
8 designated by Health and Safety Code section 11057, subdivision (d)(7) and is categorized as a
9 "dangerous drug," pursuant to Business and Professions Code section 4022. Its primary indication
10 for use is anxiety and anticonvulsant.

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Filling of Erroneous or Uncertain Prescriptions and**

13 **Failure to Assume Co-Responsibility in Legitimacy of a Prescription)**

14 **(Respondents Rite Aid Pharmacy and Chung)**

15 31. Respondent Rite Aid Pharmacy and Respondent Chung, Pharmacist-in-Charge of
16 Respondent Rite Aid, are subject to under sections 4300 and 4301, subdivision (d) and (o) of the
17 Business and Professions Code, for unprofessional conduct, for violating Health and Safety Code
18 section 11153, subdivision (a) and California Code of Regulations, title 16, section 1761,
19 subdivision (a), in that Respondents filled and dispensed prescriptions, which were uncertain and
20 ambiguous. It failed to question whether these prescriptions served legitimate purposes and
21 further failed to use its professional judgment to refuse to fill or refill prescriptions presented by
22 patients who presented as habitual doctor shoppers with erroneous/uncertain prescriptions for the
23 following:

24 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer J.A.**

25 32. Between June 3, 2010 and May 16, 2011, consumer J.A. went to 4 different doctors to
26 obtain prescriptions. He presented the prescriptions to Rite Aid Pharmacy #5429 which were
27 filled for Apap and hydrocodone/apap as follows:
28

1 a. On 6/3/2010, consumer J.A. had Rx # 54668 filled for 45 Apap #3, 22 day supply by
2 Dr. Amos.

3 b. On 6/19/2010, consumer J.A. had Rx # 549366 filled for 45 Apap #3 , 22 days
4 supply, 6 days early.

5 c. On 1/31/2011, consumer J.A. had Rx # 594508 filled for 150 hydrocodone/apap
6 10/325, 25 days supply.

7 d. On 2/19/2011, consumer J.A. had Rx # 598515 filled for 150 hydrocodone/apap
8 10/325, 25 day supply, 6 days early.

9 e. On 3/10/2011, consumer J.A. had Rx # 603673 filled for 90 hydrocodone /apap
10 10/325, 15 day supply, 6 days early.

11 f. On 4/27/2011, consumer J.A. had Rx # 613670 filled for 150 hydrocodone/apap
12 10/325, 25 day supply, Dr. Lahka.

13 g. On 5/16/2011, consumer J.A. had Rx # 611731 re-filled for 90 hydrocodone/apap
14 10/325, 15 day supply 6 days early. Rx 611731 was originally filled on 4/15/2011

15 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer R.B.**

16 33. Between November 11, 2011 and December 12, 2011, consumer R.B. presented
17 prescriptions to Rite Aid Pharmacy #5429 which were filled for hydrocodone/apap as follows:

18 a. On 11/11/2011, consumer R.B. had Rx # 659685 filled for 90 hydrocodone /apap
19 10/325, 22 days supply by Dr. Lakha.

20 b. On 11/28/2011, consumer R.B. had Rx # 64095 filled for 90 hydrocodone/apap
21 10/325, 22 days supply 5 days early.

22 c. On 12/2/2011, consumer R.B. had Rx # 666460 filled for 90 hydrocodone/apap
23 10/325, 22 day supply 18 days early.

24 d. On 12/12/2011, consumer R.B. had Rx # 669354 filled for 90 hydrocodone/apap
25 10/325, 12 days early.

26 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer T.B.**

27 34. Between August 25, 2009 and October 28, 2010, consumer T.B. presented
28 prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap which were filled as follows:

- 1 a. On 8/25/2009, consumer T.B. had Rx # 479013 filled for 60 hydrocodone/apap
2 7.5/750, 12 day supply by Dr. Pacheco.
- 3 b. On 9/1/2009, consumer T.B. had Rx # 479013 refilled for 60 hydrocodone/apap
4 7/5/750, 12 day supply, 5 days early.
- 5 c. On 11/30/2009, consumer T.B. had Rx # 511071 filled for 60 hydrocodone/apap
6 7.5/750, 30 day supply.
- 7 d. On 12/21/2009, consumer T.B. had Rx # 515055 filled for 60 hydrocodone/apap
8 7.5/750, 30 day supply, 8 days early.
- 9 e. On 6/24/2010, consumer T.B. had Rx # 547591 filled for 60 hydrocodone/apap 7.5,
10 30 days supply by Dr. Castro
- 11 f. On 7/8/2010, consumer T.B. had Rx # 547591 refilled for 60 hydrocodone/apap 7.5,
12 16 days early.
- 13 g. On 9/24/2010, consumer T.B. had Rx # 567365 filled for 60 hydrocodone/apap, 30
14 day supply by Dr. Pacheco. On 10/16/2010, Rx 567365 filled for 60 hydrocodone/apap 7.5, 30
15 day supply, 8 days early
- 16 h. On 10/28/2010, consumer T.B. had Rx 576154, filled for 60 hydrocodone/apap 7.5,
17 30 days supply 18 days early

18 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer R.B. (2)**

19 35. Between February 22, 2011 and January 23, 2012, consumer R.B. (2) presented
20 prescriptions to Rite Aid Pharmacy #5429 for diazepam and hydrocodone/apap, which were filled
21 as follows:

- 22 a. On 2/22/2011, consumer R.B. (2) had Rx # 587403 filled for 30 diazepam 10 mg, 30
23 day supply by Dr. Oganyan.
- 24 b. On 3/3/2011, consumer R.B. (2) had Rx # 602173 filled for 30 diazepam 10 mg, 30
25 day supply, 21 days early.
- 26 c. On 3/21/2011, consumer R.B. (2) had Rx # 606241 filled for 30 diazepam 10 mg, 30
27 day supply, 11 days early.
- 28

- 1 d. On 4/6/2011, consumer R.B. (2) had Rx # 606241 filled for 30 diazepam long, 30 day
2 supply, 14 days early.
- 3 e. On 4/23/2011, consumer R.B. (2) had Rx 60273 filled for 30 diazepam 10 mg, 30
4 days supply, 13 days early.
- 5 f. On 5/18/2011, consumer R.B. (2) had Rx 618613 filled for 30 diazepam 10 mg, 30
6 day supply.
- 7 g. On 6/5/2011, consumer R.B. (2) had Rx 618613 filled for 30 diazepam 10 mg, 30 day
8 supply, 12 days early.
- 9 h. On 6/28/2011, consumer R.B. (2) had Rx 618613 filled for 30 diazepam 10 mg, 30
10 days supply, 7 days early.
- 11 i. On 7/13/2011, consumer R.B. (2) had Rx # 630459 filled for 30 diazepam 10 mg, 30
12 day supply, 14 days early.
- 13 j. On 10/12/2011, consumer R.B. (2) had Rx # 652621 filled for 30 diazepam 10 mg, 30
14 days supply.
- 15 k. On 11/11/2011, consumer R.B. (2) had Rx # 652621 filled for 30 diazepam 10 mg, 30
16 day supply, 10 days early.
- 17 l. On 11/21/2011, consumer R.B. (2) had Rx # 652621 filled for 30 diazepam 10 mg, 10
18 days early.
- 19 m. On 12/8/2011, consumer R.B. (2) had Rx # 668302 filled for 30 diazepam 10 mg, 30
20 day supply.
- 21 n. On 12/28/2011, consumer R.B. (2) had Rx # 668302 filled for 30 diazepam 10 mg 30
22 day supply, 10 days early.
- 23 o. On 1/4/2012, consumer R.B. (2) had Rx # 673968 filled for 30 diazepam 10 mg, 13
24 days early.
- 25 p. On 11/21/2011, consumer R.B. (2) had Rx # 663543 filled for 90 hydrocodone/apap
26 7.5/750, 30 day supply.
- 27 q. On 12/8/2011, consumer R.B. (2) had Rx # 663543 filled for 90 hydrocodone/apap
28 7.5/750 13 days early and filled again on 1/5/2012, 30 day supply.

1 r. On 11/23/2012, consumer R.B. (2) had Rx # 679710 filled for 90 hydrocodone/apap
2 7.5, 12 days early.

3 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer P.B.**

4 36. Between October 21, 2011 and October 22, 2011, consumer P.B. presented
5 prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap, which were filled as follows:

6 a. On 10/21/2011, consumer P.B. had Rx # 654986 filled for 90 hydrocodone/apap
7 7.5/750, 30 days supply by Dr. Casillas.

8 b. On 10/22/2011, consumer P.B. had Rx # 655286 filled for 60 hydrocodone/apap
9 7.5, 20 day supply by Dr. Uche 28 days early.

10 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer L.B.**

11 37. Between March 30, 2011 and April 14, 2011, consumer L.B. presented
12 prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap, which were filled as follows:

13 a. On 3/30/2011, consumer L.B. had Rx # 608196 filled for 45 hydrocodone/apap
14 10/325, 22 day supply by Dr. Amos.

15 b. On 4/14/2011, consumer L.B. had Rx # 611482 filled for 45 hydrocodone/apap
16 10/325 by Dr. Hineman, 7 days early.

17 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer R.B.(3)**

18 38. Between March 30, 2011 and April 14, 2011, consumer R.B. (3) presented
19 prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap, which were filled as follows:

20 a. On 1/26/2011, consumer R.B.(3) had Rx # 594505 filled for 90 hydrocodone/apap
21 10/325, 22 day supply by Dr. R. Lakha.

22 b. On 2/10/2011, consumer R.B.(3) had Rx # 596506 filled for 90 hydrocodone/apap
23 10/325, 22 day supply, 7 days early.

24 c. On 3/4/2011, consumer R.B.(3) had Rx # 602521 filled for 90 hydrocodone/apap, 22
25 day supply, 10 days early.

26 d. On 6/3/2011, consumer R.B.(3) had Rx # 621917 filled for 90 hydrocodone/apap, 22
27 day supply, 7 days early.

28

1 e. On 8/19/2011, consumer R.B.(3) had Rx 639079 filled for 90 hydrocodone /apap
2 10/325, 22 days supply 6 days early.

3 f. On 9/3/2011, consumer R.B.(3) had Rx 641513 filled for 90 hydrocodone/apap
4 10/325, 22 day supply, 7 days early.

5 g. On 9/19/2011, consumer R.B.(3) had Rx # 646525 filled for 90 hydrocodone/apap
6 10/325,22 days supply. 6 days early.

7 h. On 10/4/2001, consumer R.B.(3) had Rx # 648240 filled for 90 hydrocodone/apap
8 10/325, 22 day supply, 7 days early.

9 i. On 10/19/2011, consumer R.B.(3) had Rx # 653716 filled for 90 hydrocodone/apap,
10 22 day supply, 7 days early.

11 j. On 11/3/2011, consumer R.B.(3) had Rx # 658465 filled for 90
12 hydrocodone/apap/10/325, 22 day supply, 7 days early.

13 k. On 11/17/2011, consumer R.B.(3) had had Rx # 661225 filled for 90 hydrocodone
14 /apap 10/325, 22 day supply, 8 days early.

15 l. On 11/23/2011, consumer R.B.(3) had Rx # 664096 filled for 90 hydrocodone/apap
16 10/325, 22 day supply 16 days early.

17 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer S.B.**

18 39. Between April 14, 2009 and October 21, 2011, consumer S.B., who went to 16
19 doctors and 5 pharmacies within this time period, presented prescriptions to Rite Aid Pharmacy
20 #5429 for hydrocodone/apap, which were filled as follows:

21 a. On 10/21/2011, consumer S.B. had Rx # 655458 filled for 30 alprazolam 1 mg, 15
22 day supply by Dr. S. Ho.

23 b. On 10/26/2011, consumer S.B. had Rx # 655458 refilled for 30 alprazolam 1 mg, 10
24 days early.

25 c. On 4/16/2009, consumer S.B. had Rx 466989 refilled for 60 alprazolam 2 mg, 30 day
26 supply, by Dr. C. Christian, 16 days early.

27 d. On 5/6/2009, consumer S.B. had Rx # 473496 filled for 60 alprazolam 2 mg, 30 day
28 supply by Dr. Christian, 9 days early.

- 1 e. On 6/5/2009, consumer S.B. had Rx # 478051 refilled for 60 alprazolam 2 mg, 30
2 days supply by Dr. F. Rundall, 26 days early.
- 3 f. On 6/12/2009, consumer S.B. had Rx # 478051 refilled for 60 alprazolam 2 mg, 30
4 days supply, 23 days early.
- 5 g. On 6/19/2009, consumer S.B. Rx # 481847 filled for 60 alprazolam 2 mg, 30 days
6 supply by Dr. Rundall, 23 days early.
- 7 h. On 8/11/2009, consumer S.B. had Rx # 490374 refilled for 30 alprazolam 2 mg, 15
8 day supply by Dr. Christian, 10 days early.
- 9 i. On 9/15/2011, consumer S.B. had Rx # 496572 refilled for 30 alprazolam 2 mg, 15
10 day supply by Dr. Charistian 10 days early and again on 9/25/2009.
- 11 j. On 10/1/2009, consumer S.B. had Rx # 496572 refilled for 30 alprazolam 2 mg, 15
12 day supply, 8 days early.
- 13 k. On 10/10/2009, consumer S.B. had Rx # 501604, filled for 30 alprazolam 2 mg, 15
14 day supply by Dr. Rundall, 6 days early •
- 15 l. On 10/16/2009, consumer S.B. had Rx # 501604 refilled for 30 alprazolam 2 mg, 15
16 day supply, 9 days early.
- 17 m. On 11/6/2009, consumer S.B. had Rx 507087 filled for 60 alprazolam 2 mg, 30 day
18 supply by Dr. Christian.
- 19 n. On 11/17/2009, consumer S.B. had Rx # 508939 filled for 30 alprazolam 2 mg, 15
20 day supply (DS) by Dr. D. Amos, 19 days early.
- 21 o. On 11/21/2009, consumer S.B. had Rx 508939 filled for 30 alprazolam 2 mg, 10 days
22 early.
- 23 p. On 12/1/2009, consumer S.B. had Rx 511332 filled for 30 alprazolam 2 mg, 15 DS
24 by Dr. D. Amos.
- 25 q. On 12/5/2009, consumer S.B. had Rx 511332 filled for 30 alprazolam 2 mg, 9 days
26 early.
- 27 r. On 12/17/2009, consumer S.B. had Rx 514401 filled for 30 alprazolam 2 mg, 15 DS
28 by Dr. C. Christian.

1 s. On 12/21/2009, consumer S.B. had Rx # 514401 filled for 30 alprazolam 2 mg, 11
2 days early.

3 t. On 2/16/2010, consumer S.B. had Rx # 525423 filled for 30 alprazolam 2 mg, 15 DS
4 by Dr. D. Amos.

5 u. On 2/18/2010, consumer S.B. had Rx # 525423 filled for 30 alprazolam 2 mg, 13
6 days early.

7 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer R.C.**

8 40. Between March 5, 2010 and December 3, 2010, consumer R.C., who went to 6
9 doctors for prescriptions, presented prescriptions to Rite Aid Pharmacy #5429 for triazolam,
10 which were filled as follows:

11 a. On 3/5/2010, consumer R.C. had Rx # 524863 filled for 30 triazolam 0.25 mg, 30 DS
12 by Dr. K. Wong.

13 b. On 3/27/2010, consumer R.C. had Rx # 524863 filled for 30 triazolam 0.25, 30 DS, 8
14 days early

15 c. On 4/19/2010, consumer R.C. had Rx # 524863 filled for 30 Triazolam 0.25, 30 DS,
16 8 days early.

17 d. On 5/11/2010, consumer R.C. had Rx # 524863 filled for 30 triazolam 0.25, 30 DS.

18 e. On 6/2/2010, consumer R.C. had Rx # 544315 filled for 30 triazolam 0.25, 30 DS by
19 Dr. V. Bustamente, 8 days early.

20 f. On 6/30/2010 and 7/26/2010, consumer R.C. had Rx # 544315 refilled for 30
21 triazolam 0.25, 30 DS.

22 g. On 8/17/2010, consumer R.C. had Rx # 544315 refilled for 30 triazolam 0.25, 30 DS,
23 8 days early.

24 h. On 10/22/2010, consumer R.C. had Rx # 574199 filled for 30 triazolam 0.25, 30 DS.

25 i. On 11/8/2010, consumer R.C. had Rx # 574199 refilled for 30 triazolam 0.25, 30 DS,
26 15 days early.

27 j. On 11/27/2010, consumer R.C. had Rx # 576371 filled for 30 triazolam 0.25, 30 DS
28 by Dr. V. Bustamente.

1 k. On 12/1/2010, consumer R.C. had Rx # 582717 filled for 30 triazolam 0.25, 30 DS by
2 Dr. A. Chai, 26 days early.

3 l. On 12/3/2010, consumer R.C. had Rx # 583219, filled for 31 triazolam 0.25, 31 DS
4 by Dr. A. Chai, 29 days early.

5 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer H.C.**

6 41. Between August 16, 2010 and January 7, 2012, consumer H.C. presented
7 prescriptions to Rite Aid Pharmacy #5429. During this time period, he went to 13 doctors and 9
8 pharmacies for controlled substances.

9 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer J.D.**

10 42. Between March 2, 2009 and April 15, 2011, consumer J.D. who went to 12
11 doctors for prescriptions, and 4 pharmacies, presented prescriptions to Rite Aid Pharmacy #5429
12 for hydrocodone/apap, which were filled as follows:

13 a. On 3/7/2009, consumer J.D. had Rx # 462123 filled for 60 hydrocodone/apap 5/500,
14 30 DS by J. Mays, 10 days early.

15 b. On 5/27/2009, consumer J.D. had Rx # 477314 filled for 30 hydrocodone/apap 5/500,
16 15 DS by Dr. Mays.

17 c. On 6/1/2009, consumer J.D. had Rx # 477314 refilled for 30 hydrocodone/apap
18 5/500, 15 DS, 10 days early.

19 d. On 6/8/2009, consumer J.D. had Rx # 479380 filled for 30 hydrocodone/apap 5/500,
20 10 DS by Dr. Adetola, 8 days early.

21 e. On 12/15/2009, consumer J.D. had Rx # 514165 filled for 35 hydrocodone/apap
22 ,5/500, 35 DS by J Mays.

23 f. On 12/30/2009, consumer J.D. had Rx 516589 filled for 30 hydrocodone/apap 5/500,
24 5 DS by Dr. N Dzebolie, 20 days early.

25 g. On 4/12/2011, consumer J.D. had Rx # 611185 filled for 15 hydrocodone/apap 5/500,
26 15 DS by J. Mays.

27 h. On 4/15/2011, consumer J.D. had Rx # 611185 refilled for 15 hydrocodone/apap
28 5/500 12 days early.

1 ///

2 ///

3 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer J.F.**

4 43. Between December 20, 2010 and November 15, 2011 consumer J.F. presented
5 prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap, which were filled as follows:

6 a. On 12/20/2010, consumer J.F. had Rx # 586842 filled for 30 Alprazolam 2 mg, 13
7 days early

8 b. On 1/24/2011, consumer J.F. had Rx # 593887 filled for 60 hydrocodone/apap
9 10/325, 10 DS by Dr. Lakha.

10 c. On 1/25/2011, consumer J.F. had Rx # 593887 filled for 60 hydrocodone/apap
11 10/325, 9 days early.

12 d. On 3/13/2011, consumer J.F. had Rx # 603674 filled for 120 hydrocodone/apap
13 10/325 20 DS by Dr. Lakha.

14 e. On 3/17/2011, consumer J.F. had Rx # 605518 filled for 120 hydrocodone/10/325, 20
15 DS, 16 days early.

16 f. On 3/31/2011, consumer J.F. had Rx # 608397 filled for 120 hydrocodone/apap
17 10/325, 22 days early.

18 g. On 7/8/2011, consumer J.F. had Rx # 629245 filled for 120 hydrocodone/apap
19 10/325, 20 DS.

20 h. On 7/14/2011, consumer J.F. had Rx # 630608 filled for 120 hydrocodone/apap
21 10/325, 20 DS.

22 i. On 7/24/2011, consumer J.F. had Rx # 632619 filled for 120 hydrocodone/apap
23 10/325, 10 days early.

24 j. On 9/27/2011, consumer J.F. had Rx # 646910 filled for 120 hydrocodone/apap
25 10/325, 20 DS.

26 k. On 9/29/2011, consumer J.F. had Rx # 649041 filled for 120 hydrocodone/apap
27 10/325, 18 days early.

28

1 l. On 11/3/2011, consumer J.F. had Rx # 657908 filled for 120 hydrocodone/apap
2 10/325, 20 DS.

3 m. On 11/15/2011, consumer J.F. had Rx # 660117 filled for 120 hydrocodone/apap
4 10/325, 20 DS, 8 days early.

5 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer S.F.**

6 44. Consumer S.F., who went to 19 doctors for prescriptions, and 4 pharmacies,
7 presented prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap, which were filled as
8 follows:

9 a. On 1/15/2010, consumer S.F. had Rx # 519943 filled for 120 hydrocodone/apap
10 10/325, 30 DS by Dr. D. Ricklis.

11 b. On 1/28/2010, consumer S.F. had Rx # 521962 filled for 120 hydrocodone/apap
12 10/325, 15 DS by Dr. B. Chaudry, 17 days early.

13 c. On 6/16/2010, consumer S.F. had Rx # 549416 filled for 120 hydrocodone/apap
14 10/325,30 DS by Dr. B. Collins.

15 d. On 7/5/2010, consumer S.F. had Rx # 552283 filled for 60 hydrocodone/apap 10/325,
16 15 DS by Dr. B. Chaudry, 10 days early. On 7/5/2010.

17 e. On 7/14/2010, consumer S.F. had Rx # 555066 filled for 120 hydrocodone/apap
18 10/325, 15 DS by Dr. W. Mao, 16 days early.

19 f. On 12/10/2010, consumer S.F. had Rx # 585027 filled for 120 hydrocodone/apap
20 10/325, 20 DS by Dr. L Hashemi.

21 g. On 12/23/2010, consumer S.F. had Rx # 585027 refilled for 120 hydrocodone/apap
22 10/325, 7 days early

23 h. On 2/3/2011, consumer S.F. had Rx # 596345 filled for 60 hydrocodone/apap 10/325,
24 20 DS by Dr. S. Desai.

25 i. On 2/10/2011, consumer S.F. had Rx # 597839 filled for 60 hydrocodone/apap
26 10/325, 20 DS, 13
27 days early.

28 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer S.K.**

1 45. Consumer S.K. presented prescriptions to Rite Aid Pharmacy #5429 for
2 alprazolam, which were filled as follows:

3 a. On 4/7/2009, consumer S.K. had Rx # 465434 filled for 60 alprazolam 1 mg, 30
4 DS.

5 b. On 4/16/2009, consumer S.K. had Rx # 465434 filled for 60 alprazolam 1 mg, 30
6 DS, 21 days early.

7 c. On 4/7/2009, consumer S.K. had Rx # 465431 filled for 60 hydrocodone/apap
8 5/500,30 DS.

9 d. On 4/16/2009, consumer S.K. had Rx # 465431 filled for 60 hydrocodone/apap 5/500,
10 21 days early.

11 e. On 4/23/2009, consumer S.K. had Rx # 471224 filled for 30 zolpidem 10 mg, 30
12 DS.

13 f. On 4/30/2009, consumer S.K. had Rx. # 471224 filled for 30 zolpidem 10 mg, 23
14 days early.

15 g. On 8/17/2009, consumer S.K. had Rx. # 491855 filled for 30 zolpidem 10 mg, 30
16 DS.

17 h. On 8/21/2009, consumer S.K. had Rx. # 491855 filled for 30 zolpidem 10 mg, 26
18 days early.

19 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer L.L.**

20 46. Consumer L.L. who went to 7 doctors for prescriptions, and 7 pharmacies, during
21 this time period presented prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap,
22 which were filled as follows:

23 a. On 12/2/2011, consumer L.L. had Rx # 666330 filled for 50 hydrocodone/apap
24 10/325, 12 DS, by Dr. E. Levente.

25 b. On 12/5/2011, consumer L.L. had Rx # 666330 filled for 50 hydrocodone/apap
26 10/325, 12 DS, 9 days early.

27 c. On 12/8/2011, consumer L.L. had Rx 666330 filled for 47 hydrocodone/apap 10/325,
28 11 DS, 18 days early.

1 d. On 12/11/2011, consumer L.L. had Rx # 666330 filled for 3 Hydrocodone/apap, 1
2 day supply, 26 days early.

3 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer W.L.**

4 47. Consumer W.L. who went to 28 doctors between April 4, 2011 and January 23,
5 2012 and a total of 45 doctors for prescriptions, and 7 pharmacies, during this time presented
6 prescriptions to Rite Aid Pharmacy #5429.

7 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer C.L.**

8 48. Consumer C.L. who went to between approximately 5 to 13 doctors within 5 months
9 and 9 pharmacies, during this time presented prescriptions to Rite Aid Pharmacy #5429.

10 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer A.M.**

11 49. Consumer A.M. presented prescriptions to Rite Aid Pharmacy #5429 for
12 hydrocodone/apap, which were filled as follows:

13 a. On 3/15/2011, consumer A.M. had Rx # 604067 filled for 90 hydrocodone/apap
14 10/325, 30 DS.

15 b. On 3/21/2011, consumer A.M. had Rx # 606134 for 90 hydrocodone/apap 10/325,
16 30 DS, 24 days early.

17 c. On 4/14/2011, consumer A.M. had Rx # 609993 filled for 90 hydrocodone/apap
18 10/325 30 DS, 9 days early

19 d. On 5/2/1022, consumer A.M. had Rx # 614878 filled for 90 hydrocodone/apap
20 10/325, 30 DS, 12 days early

21 e. On 5/12/2011, consumer A.M. had Rx # 617318 filled for 90 hydrocodone/apap
22 10/325, 30 DS, 20 days early.

23 f. On 5/24/2011, consumer A.M. had Rx # 619777 filled for 90 hydrocodone/apap
24 10/325, 30 DS. 18 days early.

25 g. On 6/9/2011, consumer A.M. had Rx # 623012 filled for 90 hydrocodone/apap
26 10/325, 30 DS, 16 days early.

27 h. On 6/28/2011, consumer A.M. had Rx # 624898 filled for 90 hydrocodone/apap
28 10/325, 30 DS, 11 days early.

1 i. On 7/19/2011, consumer A.M. had Rx # 631706 filled for 90 hydrocodone/apap
2 10/325,30 DS. 8 days early.

3 j. On 7/29/2011, consumer A.M. had Rx # 634354 filled for 90 hydrocodone/apap
4 10/325. 30 DS, 20 days early

5 k. On 8/16/2011, consumer A.M. had Rx # 638293 filled for 90 hydrocodone/apap
6 10/325, 30 DS, 13 days early.

7 l. On 8/31/2011, consumer A.M. had Rx # 641907 filled for 90 hydrocodone/apap
8 10/325,30 DS, 15 days early.

9 m. On 9/10/2011, consumer A.M. had Rx # 644392 filled for 90 hydrocodone/apap
10 10/325. 30 DS. 20 days early.

11 n. On 9/13/2011, consumer A.M. had Rx # 645080 filled for 90 hydrocodone/apap
12 10/325, 30 DS, 27 days early.

13 o. On 9/28/2011, consumer A.M. had Rx # 647790 filled for 90 hydrocodone/apap
14 10/325, 30 DS, 15 days early.

15 p. On 10/6/2011, consumer A.M. had Rx # 650865 filled for 90 hydrocodone/apap
16 10/325, 30 DS, 21 days early.

17 q. On 10/28/2011, consumer A.M. had Rx # 653162 filled for 90 hydrocodone/apap
18 10/325, 30 DS, 8 days early.

19 r. On 11/11/2011, consumer A.M. had Rx # 660732 filled for 90 hydrocodone/apap
20 10/325, 30 DS, 17 days early.

21 s. On 11/28/2011, consumer A.M. had Rx # 664800 filled for 90 hydrocodone/apap
22 10/325, 13 days early.

23 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer N.M.**

24 50. Consumer N.M. who went to between approximately 2 to 8 doctors and 6
25 pharmacies, during this time presented prescriptions to Rite Aid Pharmacy #5429 for
26 hydrocodone/apap, which were filled as follows:

27 a. On 7/15/2011, consumer N.M. had Rx # 630998 filled for 150 hydrocodone/apap
28 7.5/750, 37 DS by Dr. J. Borovic.

- 1 b. On 7/26/2011, consumer N.M. had Rx # 630998 filled for 150 hydrocodone/apap
2 7.5.750, 37 DS, 26 days early.
- 3 c. On 8/8/2011, consumer N.M. had Rx # 636130 filled for 150 hydrocodone/apap
4 7.5.750, 37 DS, 24 days early.
- 5 d. On 8/12/2011, consumer N.M. had Rx # 637422 filled for 120 hydrocodone/apap
6 7.5.750, 30 DS, by Dr. A. Weinberg, 33 days early.
- 7 e. On 9/8/2011, consumer N.M. had Rx # 643767 filled for 60 hydrocodone/apap
8 7.5.750, 15 DS, by Dr. Weinberg.
- 9 f. On 9/14/2011, consumer N.M. had Rx # 645560 filled for 150 hydrocodone/apap
10 7.5.750, 37 DS by Dr. Borovic, 8 days early.
- 11 g. On 10/12/2011, consumer N.M. had Rx # 652655 filled for 150 hydrocodone/apap
12 7.5.750, 37 DS, 9 days early.
- 13 h. On 10/26/2011, consumer N.M. had Rx # 652655 filled for 150 hydrocodone/apap
14 7.5.750, 37 DS, 23 days early.
- 15 i. On 11/6/2011, consumer N.M. had Rx # 659168 filled for 60 hydrocodone/apap
16 7.5.750, 30 DS by Dr., A. Weinberg, 26 days early.
- 17 j. On 11/18/2011, consumer N.M. had Rx # 662988 filled for 150 hydrocodone/apap
18 7.5.750, 37 DS, By Dr. Borovic, 18 days early.
- 19 k. On 12/5/2011, consumer N.M. had Rx # 666997 filled for 150 hydrocodone/apap
20 7.5.750/ 37 DS, 19 days early.
- 21 l. On 12/14/2011, consumer N.M. had Rx # 666997 filled for 150 hydrocodone/apap
22 7.5.750, 37 DS, 28 days early.
- 23 m. On 1/3/2011, consumer N.M. had Rx # 675571 filled for 150 hydrocodone/apap
24 7.5.750, 17 days early.

25 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer B.M.**

26 51. Consumer B.M. presented prescriptions to Rite Aid Pharmacy #5429 for
27 669 DS of Suboxone between 12/2/10 and 12/16/11 totaling 362 days.

28 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer W.M.**

1 52. Consumer W.M. presented prescriptions to Rite Aid Pharmacy #5429 for
2 hydrocodone/apap, which were filled as follows:
3 a. On 9/6/2010, consumer W.M. had Rx #565136 filled for 60 hydrocodone/apap
4 7.5.750, 30 DS.
5 b. On 9/29/2010, consumer W.M. had Rx # 567049 filled for 60 hydrocodone/apap
6 7.5.750, 30 DS, 7 days early.
7 c. On 1/21/2011, consumer W.M. had Rx # 593582 filled for 60 hydrocodone/apap
8 7.5.750, 30 DS.
9 d. On 2/13/2011, consumer W.M. had Rx # 593582 filled for 60 hydrocodone/apap
10 7.5.750, 30 DS, 7 days early.
11 e. On 2/3/2009, consumer W.M. had Rx # 448587 filled for 30 hydrocodone/apap
12 5/500, 30 DS.
13 f. On 2/6/2009, consumer W.M. had Rx # 448587 filled for 30 hydrocodone/apap
14 5/500, 30 DS, 27 days early.
15 g. On 3/3/2009, consumer W.M. had Rx # 461058 filled for 30 hydrocodone/apap
16 5/500, 30 DS.
17 h. On 3/26/2009, consumer W.M. had Rx # 461058 filled for 30 hydrocodone/apap
18 5/500,30 DS, 7 days early.
19 i. On 4/3/2009, consumer W.M. had Rx # 461058 filled for 30 hydrocodone/apap
20 5/500, 30 DS, 23 days early.
21 j. On 4/22/2009, consumer W.M. had Rx # 461058 filled for 30 hydrocodone/apap
22 5/500, 30 DS. 11 days early .
23 k. On 5/4/2009, consumer W.M. had Rx # 472874 filled for 30 hydrocodone/apap
24 5/500,30 DS, 18 days early.
25 l. On 5/19/2009, consumer W.M. had Rx # 472874 filled for 30 hydrocodone/apap
26 5/500,30 DS, 18 days early.
27 m. On 6/11/2009, consumer W.M. had Rx # 472874 filled for 30 hydrocodone/apap
28 5/500, 30 DS.

1 n. On 6/22/2009, consumer W.M. had Rx # 472874 filled for 30 hydrocodone/apap
2 5/500, 30 DS, 19 days early.

3 o. On 7/6/2009, consumer W.M. had Rx # 483727 filled for 30 hydrocodone/apap
4 5/500, 16 days early.

5 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer W.N.**

6 53. Consumer W.N. who went to between approximately 3 and 8 doctors and 7
7 pharmacies within a year, presented prescriptions to Rite Aid Pharmacy #5429 for
8 hydrocodone/apap, which were filled as follows:

9 a. On 8/11/2011, consumer W.N. had Rx # 637252 filled for 90 hydrocodone 7.5/750 by
10 Dr. D. Amos.

11 b. On 8/29/2011, consumer W.N. had Rx # 641282 filled for 90 hydrocodone/apap
12 7.5/750, 22 DS, 12 days early.

13 c. On 9/12/2011, consumer W.N. had Rx # 644841 filled for 90 hydrocodone/apap
14 7.5.750, 8 days early.

15 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer R.P.**

16 54. Between March 16, 2010 and January 26, 2012, consumer R.P. went to 19 doctors
17 for 3 different strengths of hydrocodone/apap, according to records at Rite Aid Pharmacy.
18 Additional reports showed she saw 23 doctors and went to 13 pharmacies during the same time
19 period. She presented prescriptions to Rite Aid Pharmacy #5429 for hydrocodone/apap, which
20 were filled as follows:

21 a. On 12/27/2010, consumer R.P. had Rx # 587948, filled for 60 hydrocodone /apap
22 7.5/750, 30 DS, by Dr. Rojo.

23 b. On 12/31/2011, consumer R.P. had Rx # 589088 filled for 30 hydrocodone /apap
24 7.5/750, 10 DS by Dr. M. Kohanima, 26 days early.

25 c. On 3/24/2011, consumer R.P. had Rx # 606889 filled for 50 hydrocodone /apap
26 7.5/750, 16 DS by Dr. D. Amos.

27 d. On 3/26/2011, consumer R.P. had Rx # 606889 filled for 40 hydrocodone /apap
28 7.5/750 14 days early.

- 1 e. On 6/1/2011, consumer R.P. had Rx # 621550 filled for 60 hydrocodone /apap
2 7.5/750, 30 DS by Dr. L. Montecito.
- 3 f. On 6/11/2011, consumer R.P. had Rx # 623563 filled for 35 hydrocodone /apap
4 7.5/750, 35 DS by Dr. J. Mays, 20 days early.
- 5 g. On 6/16/2011, consumer R.P. had Rx # 624654 filled for 100 hydrocodone /apap
6 7.5/750, 33 DS by Dr. D Amos, 30 days early.
- 7 h. On 7/7/2011, consumer R.P. had Rx # 629179 filled for 30 hydrocodone /apap
8 7.5/750, by Dr. F. Chu, 11 days early
- 9 i. On 7/25/2011, consumer R.P. had Rx # 633165 filled for 60 hydrocodone /apap
10 7.5/750, 20 DS by Dr. N. Anakwenze.
- 11 j. On 8/4/2011, consumer R.P. had Rx # 635513 filled for 60 hydrocodone /apap
12 7.5/750, 15 DS by Dr. F. Chu, 10 days early.
- 13 k. On 8/25/2011, consumer R.P. had Rx # 640667 filled for 60 hydrocodone /apap
14 7.5/750, 20 DS, by Dr. N. Anakwenze.
- 15 l. On 9/1/2011, consumer R.P. had Rx # 642283 filled for 60 hydrocodone /apap
16 7.5/750, 30 DS, 13 days early.
- 17 m. On 9/9/2011, consumer R.P. had Rx # 642283 filled for 60 hydrocodone /apap
18 7.5/750, 30 DS, 22 days early.
- 19 n. On 9/16/2011, consumer R.P. had Rx # 646279 filled for 60 hydrocodone /apap
20 7.5/750, 60 DS by Dr. C. Okoye, 23 days early.
- 21 o. On 10/29/2011, consumer R.P. had Rx # 657247 filled for 60 hydrocodone /apap
22 7.5/750, 30 DS by Dr. C. Okoye.
- 23 p. On 11/14/2011, consumer R.P. had Rx # 660955 filled for 50 hydrocodone /apap
24 7.5/750 by Dr. J. Soliman, 14 days early.
- 25 q. On 1/22/2011, consumer R.P. had Rx # 593791 filled for 100 hydrocodone/apap
26 10/325, 33 DS by Dr. M. Kohanim.
- 27 r. On 2/11/2011, consumer R.P. had Rx # 598125 filled for 50 hydrocodone/apap
28 10/325, 16 DS, 13 days early.

- 1 s. On 2/20/2022, consumer R.P. had Rx # 598125 filled for 50 hydrocodone/apap
2 10/325, 16 DS, 7 days early.
- 3 t. On 7/14/2011, consumer R.P. had Rx # 630586 filled for 50 hydrocodone/apap
4 10/325, 12 DS, by Dr. D. Amos.
- 5 u. On 7/15/2011, consumer R.P. had Rx # 630586 filled for 50 hydrocodone/apap
6 10/325, 12 DS, 11 days early.
- 7 v. On 10/5/2011, consumer R.P. had Rx # 650830 filled for 60 hydrocodone/apap
8 10/325, 20 DS, by Dr. O. Wallace.
- 9 w. On 10/9/2011, consumer R.P. had Rx # 650830 filled for 30 hydrocodone/apap
10 10/325, 10 DS, 16 days early.
- 11 x. On 10/10/2011, consumer R.P. had Rx # 651837 filled for 90 hydrocodone/apap
12 10/325, 30 DS, by J. Rojo, 9 days early.
- 13 y. On 11/21/2011, consumer R.P. had Rx # 663197 filled for 60 hydrocodone/apap
14 10/325, 15 DS by Dr. A. Sefa.
- 15 z. On 11/23/2011, consumer R.P. had Rx # 663197 filled for 60 hydrocodone/apap
16 10/325, 15 DS, 13 days early.
- 17 aa. On 12/2/2011, consumer R.P. had Rx # 663197 filled for 120 hydrocodone/apap
18 10/325,30 DS.
- 19 bb. On 12/19/2011, consumer R.P. had Rx # 663197 filled for 50 hydrocodone/apap
20 10/325, 12 DS, 13 days early.
- 21 cc. On 12/24/2011, consumer R.P. had Rx # 663197 filled for 70 hydrocodone/apap
22 10/325, 17 DS, 7 days early.
- 23 dd. On 12/26/2011, consumer R.P. had Rx # 663197 filled for 120 hydrocodone/apap
24 10/325,30 DS, 13 days early.
- 25 ee. On 1/2/2012, consumer R.P. had Rx # 663197 filled for 50 hydrocodone/apap 10/325,
26 12 DS, 23 days early.
- 27 ff. On 1/9/2012, consumer R.P. had Rx # 663197 filled for 50 hydrocodone/apap 10/325,
28 12 DS, 5 days early and filled again on 1/26/2012 for 20 hydrocodone/apap 10/325. 5 DS.

1 gg. On 8/12/2011, consumer R.P. had Rx # 637374 filled for 45 hydrocodone/apap
2 10/325, 15 DS, by Dr. D. Amos.

3 hh. On 8/13/2011, consumer R.P. had Rx 3 637374 filled for 45 hydrocodone/apap
4 10/325, 13 days early.

5 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer V.R.**

6 55. Between June 19, 2009 and December 2, 2011, Consumer V.R. went to between
7 14 and 17 doctors and 31 pharmacies and presented prescriptions to Rite Aid Pharmacy #5429
8 for alprazolam, hydrocodone/apap and hydromorphone which were filled as follows:

9 a. On 7/12/2010, consumer V.R. had Rx # 554375 filled for 60 alprazolam 2 mg, 30 DS
10 by Dr. D. Amos.

11 b. On 7/17/2010, consumer V.R. had Rx # 555618 filled for 60 alprazolam 2 mg, 30 DS,
12 by Dr. J. Rojo, 25 days early.

13 c. On 7/31/2010, consumer V.R. had Rx # 558330, filled for 60 alprazolam 2 mg, 30 DS
14 by Dr. D. Amos, 16 days early.

15 d. On 8/11/2011, consumer V.R. had Rx # 560524 filled for 60 alprazolam 2 mg, 30 DS,
16 19 days early.

17 e. On 8/23/2010, consumer V.R. had Rx # 562722 filled for 60 alprazolam 2 mg, 30 DS
18 by Dr. J. Rojo, 18 days early.

19 f. On 8/31/2010, consumer V.R. had Rx # 564090 filled for 60 alprazolam 2 mg, 30 DS
20 by Dr. D. Amos, 22 days early.

21 g. On 9/13/2010, consumer V.R. had Rx # 566913 filled for 60 alprazolam 2 mg, 30 DS,
22 17 days early.

23 h. On 10/4/2010, consumer V.R. had Rx # 570951 filled for 60 alprazolam 2 mg, 15 DS,
24 9 days early.

25 i. On 10/18/2010, consumer V.R. had Rx # 573685 filled for 60 alprazolam 2 mg, 30
26 DS by J. Rojo.

27 j. On 10/28/2010, consumer V.R. had Rx # 576028 filled for 60 alprazolam 2 mg, by
28 Dr. D. Amos, 20 days early.

- 1 k. On 9/2/2009, consumer V.R. had Rx # 495064 filled for 45 hydrocodone/apap
2 7.5/750, 22 DS by Dr. D. Amos.
- 3 l. On 9/8/2009, consumer V.R. had Rx # 495064 filled for 45 hydrocodone/apap
4 7.5/750, 22 DS, 16 days early.
- 5 m. On 9/21/2009, consumer V.R. had Rx # 495064 filled for 45 hydrocodone/apap
6 7.5/750, 22 DS, 9 days early.
- 7 n. On 10/12/2009, consumer V.R. had Rx # 499979 filled for 120 hydrocodone/apap
8 7.5/750, 40 DS by Dr. J. Greenfield.
- 9 o. On 10/19/2009 consumer V.R. had Rx # 495064 filled for 45 hydrocodone/apap
10 7.5/750, 22 DS, 33 days early.
- 11 p. On 10/21/2009, consumer V.R. had Rx # 503510 filled for 100 hydrocodone/apap
12 7.5/750, 33 DS by Dr. M. Akhavan, 19 days early.
- 13 q. On 11/6/2009, consumer V.R. had Rx # 507006 filled for 30 hydrocodone/apap
14 7.5/750, 30 DS by Dr. D. Amos, 17 days early.
- 15 r. On 11/24/2009, consumer V.R. had Rx # 510363, filled for 90 hydrocodone/apap
16 7.5/750,30 DS, by Dr. M Akhavan, 12 days early.
- 17 s. On 12/4/2009, consumer V.R. had Rx # 511575 filled for 90 hydrocodone/apap
18 7.5/750, 30 DS, by Dr. F. Rundall, 19 days early.
- 19 t. On 12/8/2009, consumer V.R. had Rx # 512581 filled for 30 hydrocodone/apap
20 7.5/750, 10 DS, by Dr. J. Rojo, 26 days early.
- 21 u. On 12/10/2009, consumer V.R. had Rx # 513248 filled for 30 hydrocodone/apap
22 7.5/750, 30 DS, by Dr. B. Chabra, 8 days early.
- 23 v. On 12/18/2009, consumer V.R. had Rx # 514733 filled for 90 hydrocodone/apap
24 7.5/750, 30 DS by Dr. G. Ma, 22 days early.
- 25 w. On 1/15/2010, consumer V.R. had Rx # 519875 filled for 90 hydrocodone/apap
26 7.5/750, 30 DS, by Dr. F. Rundall.
- 27 x. On 1/21/2010, consumer V.R. had Rx # 520810 filled for 50 hydrocodone/apap
28 7.5/750, 12 DS, by Dr. N. Anakwenze, 24 days early.

- 1 y. On 1/26/2010, consumer V.R. had Rx # 510818 filled for 50 hydrocodone/apap
2 7.5/750, 12 DS, 7 days early.
- 3 z. On 1/30/2010, consumer V.R. had Rx # 520818 filled for 50 hydrocodone/apap
4 7.5/750, 12 DS, 8 days early.
- 5 aa. On 2/4/2010, consumer V.R. had Rx # 523224 filled for 60 hydrocodone/apap
6 7.5/750, 15 DS, 7 days early.
- 7 bb. On 2/22/2010, consumer V.R. had Rx # 522650 filled for 60 hydrocodone/apap
8 7.5/750, 30 DS, by Dr. J. Slusher.
- 9 cc. On 2/26/2010, consumer V.R. had Rx # 526671 filled for 60 hydrocodone/apap
10 7.5/750, 30 DS, 26 days early.
- 11 dd. On 3/11/2010, consumer V.R. had Rx # 527877 filled for 60 hydrocodone/apap
12 7.5/750, 15 DS by Dr. J. Rojo, 27 days early.
- 13 ee. On 3/9/2010, consumer V.R. had Rx # 527877 filled for 60 hydrocodone/apap
14 7.5/750, 15 DS, 7 days early.
- 15 ff. On 3/13/2010, consumer V.R. had Rx # 527877 filled for 60 hydrocodone/apap
16 7.5/750, 15 DS, 11 days early.
- 17 gg. On 3/18/2010, consumer V.R. had Rx # 531783 filled for 60 hydrocodone/apap
18 7.5/750, 15 DS, 10 days early.
- 19 hh. On 3/29/2010, consumer V.R. had Rx # 533630 filled for 60 hydrocodone/apap
20 7.5/750, 15 DS.
- 21 ii. On 4/5/20010, consumer V.R. had Rx # 535125 filled for 60 hydrocodone/apap
22 7.5/750, 8 days early.
- 23 jj. On 5/6/2010, consumer V.R. had Rx # 541344 filled for 60 hydrocodone/apap
24 7.5/750, 30 DS, by Dr. D. Amos.
- 25 kk. On 5/18/2010, consumer V.R. had Rx 543672 filled for 90 hydrocodone/apap 7.5/750
26 30 DS, by Dr. M. Akhavanim, 18 days early.
- 27 ll. On 5/21/2010, consumer V.R. had Rx # 544470 filled for 50 hydrocodone/apap
28 7.5/750, 12 DS, by Dr. N. Anakwenzie, 27 days early.

- 1 mm. On 6/7/2010, consumer V.R. had Rx # 547419 filled for 60 hydrocodone/apap
2 7.5/750, 30 DS, by Dr. J. Rojo.
- 3 nn. On 6/22/2010, consumer V.R. had Rx # 550599 filled for 90 hydrocodone/apap
4 7.5/750, 30 DS, by Dr. M Akhavanim, 15 days early.
- 5 oo. On 7/21/2010, consumer V.R. had Rx # 556218 filled for 90 hydrocodone/apap
6 7.5/750, 30 DS by Dr. G. Ma.
- 7 pp. On 7/26/2010, consumer V.R. had Rx # 557330 filled for 60 hydrocodone/apap
8 7.5/750, 30 DS, by Dr. D. Amos, 25 days early.
- 9 qq. On 6/16/2010, consumer V.R. had Rx # 549423, was filled for 100 hydrocodone/apap
10 10/325, 50 DS, by Dr. D. Amos.
- 11 rr. On 6/24/2010, consumer V.R. had Rx # 551051, filled for 90 hydrocodone/apap
12 10/325, 45 DS, 42 days early.
- 13 ss. On 7/12/2010, consumer V.R. had Rx # 554376 filled for 90 hydrocodone/apap
14 10/325,20 DS, 27 days early.
- 15 tt. On 10/12/2010, consumer V.R. had two prescriptions Rx # 572546 and Rx # 572593
16 filled for 120 hydromorphone 4 mg, for a total 40 DS, by Dr. D. Amos.

17 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer L.R.**

18 56. Between July 18, 2009 and November 12, 2011, Consumer L.R. went to between 5
19 and 8 doctors and 17 pharmacies and presented prescriptions to Rite Aid Pharmacy #5429 for
20 diazepam and hydrocodone/apap which were filled as follows:

- 21 a. On 11/1/2011, consumer L.R. had Rx # 657799 filled for 30 diazepam 10 mg, 30 DS,
22 by Dr. J. Mays.
- 23 b. On 11/21/2011, consumer L.R. had Rx # 661116 filled for 30 diazepam 10 mg, 10
24 days early.
- 25 c. On 1/9/2010, consumer L.R. had Rx # 518589 filled for 38 hydrocodone/apap
26 7.5/750, 12 DS by Dr. S. Dela Rosa.
- 27 d. On 1/12/2010, consumer L.R. had Rx # 518589 filled for 22 hydrocodone/apap
28 7.5/750, 9 days early.

1 e. On 8/11/2011, consumer L.R. had Rx # 637099 filled for 35 hydrocodone/apap
2 7.5/750, 35 DS by Dr. J. Mays.

3 f. On 8/17/2011, consumer L.R. had Rx # 638501 filled for 25 hydrocodone/apap
4 7.5/750, 25 DS by Dr. S. De la Rosa, 29 days early.

5 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer D.R.**

6 57. Consumer D.R. presented prescriptions to Rite Aid Pharmacy #5429 for
7 acetaminophen-cod, which were filled as follows:

8 a. On 3/3/2010, consumer D.R. had Rx # 528616 filled for 90 acetaminophen-cod #3,
9 30 DS by Dr. D. Sanchez.

10 b. On 3/22/2010, consumer D.R. had Rx # 532371 filled for 90 acetaminophen-cod #3,
11 11 days early.

12 c. On 6/7/2010, consumer D.R. had Rx # 547239 filled for 150 acetaminophen-cod #3,
13 18 DS.

14 d. On 6/17/2010, consumer D.R. had Rx # 547239 filled for 150 acetaminophen-cod #3,
15 8 days early.

16 e. On 2/25/2011, consumer D.R. had Rx # 599682 filled for 175 acetaminophen-cod #3.
17 58 DS.

18 f. On 3/10/2011, consumer D.R. had Rx # 599682 filled for 50 acetaminophen-cod #3,
19 16 DS, 43 days early.

20 g. On 3/15/2011, consumer D.R. had Rx # 599682 filled for 50 acetaminophen-cod #3,
21 16 DS, 9 days early.

22 h. On 3/22/2011, consumer D.R. had Rx # 606281 filled for 75 acetaminophen-cod #3,
23 25 DS.

24 i. On 3/30/2011, consumer D.R. had Rx # 608355 filled for 175 acetaminophen-cod #3,
25 43 DS, 17 days early.

26 j. On 4/9/2011, consumer D.R. had Rx # 608355 filled for 50 acetaminophen-cod #3,
27 12 DS, 33 days early.

28

1 k. On 4/14/2011, consumer D.R. had Rx # 608355 filled for 50 acetaminophen-cod #3,
2 12 DS, 7 days early.

3 l. On 4/20/2011, consumer D.R. had Rx # 608355 filled for 75 acetaminophen-cod #3,
4 6 days early.

5 m. On 4/25/2011, consumer D.R. had Rx 613355 filled for 75 acetaminophen-cod #3, 18
6 DS 13 days early.

7 n. On 5/2/2011, consumer D.R. had Rx 613355 filled for 175 acetaminophen-cod #3, 43
8 DS, 10 days early.

9 o. On 5/9/2011, consumer D.R. had Rx # 613355 filled for 100 acetaminophen-cod #3,
10 25 DS, 34 days early

11 p. On 5/18/2011, consumer D.R. had Rx # 618466 filled for 175 acetaminophen-cod #3,
12 43 DS, 16 days early.

13 q. On 5/27/2011, consumer D.R. had Rx # 618466 filled for 175 acetaminophen-cod #3,
14 34 days early.

15 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer A.R.**

16 58. Between June 9, 2009 and January 2, 2012, Consumer A.R. went to between 4 and 11
17 doctors and 8 pharmacies and presented prescriptions to Rite Aid Pharmacy #5429 for
18 hydrocodone/apap which were filled as follows:

19 a. On 6/9/2010, consumer A.R. had Rx # 547647 filled for 90 hydrocodone/apap
20 7.5/750, 30 DS, by Dr. Guzman

21 b. On 6/29/2010, consumer A.R. had Rx # 547647 filled for 90 hydrocodone/apap
22 7.5/750, 10 days early.

23 c. On 10/18/2010, consumer A.R. had Rx # 573565 filled for 90 hydrocodone/apap
24 7.5/750, 30 DS by Dr. G. Lopez.

25 d. On 11/1/2010, consumer A.R. had Rx # 573565 filled for 90 hydrocodone/apap
26 7.5/750, 30 DS, 17 days early.

27 e. On 11/26/2010, consumer A.R. had Rx # 573565 filled for 90 hydrocodone/apap
28 7.5/750, 30 DS.

- 1 f. On 12/9/2010, consumer A.R. had Rx # 573565 filled for 90 hydrocodone/apap
2 7.5/750, 30 DS, 17 days early.
- 3 g. On 12/26/2010, consumer A.R. had Rx # 587894 filled for 90 hydrocodone/apap
4 7.5/750, 30 DS, 13 days early.
- 5 h. On 1/2/2011, consumer A.R. had Rx # 587894 filled for 90 hydrocodone/apap
6 7.5/750, 30 DS. 23 days early.
- 7 i. On 1/17/2011, consumer A.R. had Rx # 592578 filled for 100 hydrocodone/apap
8 7.5/750, 33 DS, 15 days early.
- 9 j. On 2/1/2011, consumer A.R. had Rx # 592578 filled for 100 hydrocodone/apap
10 7.51750, 33 DS, 18 days early.
- 11 k. On 2/17/2011, consumer A.R. had Rx #592578 filled for 100 hydrocodone/apap
12 7.5/750, 33 DS, 17 days early.
- 13 l. On 2/28/2011, consumer A.R. had Rx # 592578 filled for 100 hydrocodone/apap
14 7.5/750, 33 DS, 22 days early
- 15 m: On 3/23/2011, consumer A.R. had Rx # 604495, filled for 100 hydrocodone/apap
16 7.5/750, 33 DS.
- 17 n. On 4/13/2011, consumer A.R. had Rx # 611358 filled for 100 hydrocodone/apap
18 7.5/750, 33 DS 13 days early.
- 19 o. On 5/2/2011, consumer A.R. had Rx # 614887 filled for 100 hydrocodone/apap
20 7.5/750, 33 DS, 15 days early.
- 21 p. On 8/28/2011, consumer A.R. had Rx # 629238 filled for 120 hydrocodone/apap
22 7.5/750, 30 DS.
- 23 q. On 9/14/2011, consumer A.R. had Rx # 639940 filled for 120 hydrocodone/apap
24 7.5/750, 30 DS. 11 days early.
- 25 r. On 10/7/2011, consumer A.R. had Rx # 639940 filled for 120 hydrocodone/apap
26 7.5/750, 7 days early
- 27 s. On 10/24/2011, consumer A.R. had Rx 639940 filled for 120 hydrocodone/apap
28 7.5/750, 30 DS, 13 days early.

1 t. On 11/13/2011, consumer A.R. had Rx # 639940 filled for 120 hydrocodone/apap
2 7.5/750, 30 DS, 10 days early.

3 u. On 11/28/2011, consumer A.R. had Rx # 664552 filled for 120 hydrocodone/apap
4 7.5/750, 30 Ds, 15 days early.

5 v. On 12/15/2011, consumer A.R. had Rx # 670541 filled for 120 hydrocodone/apap
6 7.5/750, 30 DS, 13 days early.

7 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer M.S..**

8 59. Consumer M.S. presented prescriptions to Rite Aid Pharmacy #5429 for alprazolam
9 which were filled as follows:

10 a. On 10/23/2010, consumer M.S. had Rx # 575001 filled for 30 alprazolam 2 mg, 15
11 DS.

12 b. On 10/24/2010, consumer M.S. had Rx # 575001 filled for 30 alprazolam 2 mg, 15
13 DS, 14 days early.

14 c. On 11/1/2010, consumer M.S. had Rx # 578564 filled for 50 alprazolam 2 mg, 25 DS.

15 d. On 11/12/2010, consumer M.S. had Rx # 578564 filled for 25 alprazolam 12 DS, 24
16 days early.

17 e. On 2/4/2011, consumer M.S. had Rx # 596633 filled for 60 alprazolam 2 mg, 30 DS.

18 f. On 2/18/2011, consumer M.S. had Rx # 599561 filled for 60 alprazolam 2 mg, 30 DS,
19 16 days early.

20 g. On 2/25/2011, consumer M.S. had Rx # 599561 filled for 30 alprazolam 2 mg, 15 DS,
21 23 days early.

22 h. On 2/26/2011, consumer M.S. had Rx # 599561 filled for 30 alprazolam 2 mg, 15 Ds,
23 14 days early.

24 i. On 10/23/2010, consumer M.S. had Rx # 575000 filled for 50 hydrocodone/apap
25 10/325, 12 DS.

26 j. On 10/24/2010, consumer M.S. had Rx # 575000 filled for 50 hydrocodone/apap
27 10/325, 11 days early.

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1 **Prescriptions presented to Rite Aid Pharmacy #5429 by customer B.W.**

2 60. Between April 10, 2009 and October 22, 2011, Consumer B.W. went to between 6
3 and 15 doctors and 14 pharmacies and presented prescriptions to Rite Aid Pharmacy #5429 for
4 clonazepam and hydrocodone/apap which were filled as follows:

5 a. On 4/9/2009, consumer B.W. had Rx # 468444 filled for 30 clonazepam 2 mg, 15 DS
6 by Dr. Z. Lin.

7 b. On 4/13/2009, consumer B.W. had Rx # 468444, filled for 30 clonazepman 2 mg, 11
8 days early.

9 c. On 7/9/2009, consumer B.W. had Rx # 485094 filled for 30 clonazepam 2 mg, 15 DS.

10 d. On 7/10/2009, consumer B.W. had Rx # 485094 filled for 20 clonazepam 2 mg, 10
11 DS, 14 days early.

12 e. On 6/22/2010, consumer B.W. had Rx # 550558 filled for 60 clonazepam 2 mg, 30
13 DS by Dr. M. Nasir.

14 f. On 7/2/2010, consumer B.W. had Rx # 552659 filled for 30 Clonazepam 2 mg, 15
15 DS, by Dr. Z. Lin, 20 days early.

16 g. On 7/3/2010, consumer B.W. had Rx # 552659 filled for 30 clonazepam 2 mg, 15 DS,
17 14 days early.

18 h. On 10/14/2010, consumer B.W. had Rx # 573129 filled for 70 hydrocodone/apap
19 7.5/750, 23 DS, by Dr. M Nasir.

20 i. On 10/28/2010, consumer B.W. had Rx # 576119 filled for 90 hydrocodone/apap
21 7.5/750, 30 DS, by Dr. I. Shah, 9 days early.

22 j. On 11/11/2010, consumer B.W. had Rx # 578906 filled for 70 hydrocodone/apap
23 7.5/750, 35 DS, by Dr. Nasir, 21 days early.

24 k. On 12/3/2010, consumer B.W. had Rx # 583554 filled for 90 hydrocodone/apap
25 7.5/750, 30 DS, 13 days early.

26 l. On 12/16/2010, consumer B.W. had Rx # 586388 filled for 90 hydrocodone/apap
27 7.5/750, 30 DS by Dr. I Shah, 17 days early

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1 m. On 1/28/2011, consumer B.W. had Rx # 595063 filled for 60 hydrocodone/apap
2 7.5/750, 30 DS by Dr. M. Nasir.

3 n. On 2/11/2011, consumer B.W. had Rx # 598142 filled for 90 hydrocodone/apap
4 7.5/750, 30 DS, by Dr. I. Shah. 16 days early.

5 **SECOND CAUSE FOR DISCIPLINE**

6 (Non-Complaint Refilling of Controlled Substance Prescriptions)

7 (Respondents Rite Aid Pharmacy and Chung)

8 61. Respondents Rite Aid Pharmacy and Chung, are subject to under sections 4300 and
9 4301, subdivision (d) and (o) of the Business and Professions Code, for unprofessional conduct,
10 for violating Health and Safety Code section 11200, subd. (b), in that Respondents refilled
11 prescriptions more than 5 times and in amount, for all refills of that prescription taken together,
12 exceeded a 120-day supply. The circumstances are as follows:

13 62. On or about 6/2/2010, Rx # 544315 filled for 30 triazolam 0.25, 30 DS for Mr. R.C.
14 and filled on 6/30/2010, 7/26/2010, 8/17/2010, 9/8/2010 and 9/30/2010 for 30 triazolam 0.25, 30
15 DS for total of 150 days supply.

16 63. On 11/21/2011, Rx # 663197 filled for 60 hydrocodone/apap 10/325 15 DS for Ms.
17 R.P by Dr. A. Sefa. Rx # 663197 was subsequently refilled by Respondent Rite Aid Pharmacy
18 #5429 as follow: On 11/23/2011 for 60 hydrocodone/apap 10/325, 15 DS; on 12/2/2011 for 120
19 hydrocodone/apap 10/325,30 DS; on 12/19/2011, for 50 hydrocodone/apap 10/325, 12 DS; on
20 12/24/2011 for 70 hydrocodone/apap 10/325, 17 DS; on 12/26/2011 for 120 hydrocodone/apap
21 10/325, 30 DS; on 1/2/2012 for 50 hydrocodone/apap 10/325, 12 DS; on 1/9/2012 for 50
22 hydrocodone/apap 10/325, 12 Day; and on 1/26/2012 for 20 hydrocodone/apap 10/325, 5 DS. In
23 total, Rx # 663197 filled 8 times for a total of 148 days supply.

24 **THIRD CAUSE FOR DISCIPLINE**

25 (Non-Compliant Transferring of a Controlled Substance Prescription)

26 (Respondents Rite Aid and Chung)

27 64. Respondents Rite Aid Pharmacy and Chung, are subject to discipline under sections
28 4300 and 4301, subdivision (d) and (o) of the Business and Professions Code, for unprofessional

1 conduct, for violating title 16, section 1717, subdivision (e), in that Respondent Rite Aid
2 Pharmacy transferred prescriptions for Schedule III, IV or V controlled substances to another for
3 refill that did not include the requisite information required under Title 21, Code of Federal
4 Regulations, section 1306.25. The circumstances were as follows:

5 65. On or about Rite Aid Pharmacy #5429, located at 500 S. Broadway in Los Angeles,
6 CA. 90013 transferred prescriptions from other pharmacies on the following dates and
7 prescription numbers:

8 a. As to Rx # 491888, dated August 17, 2009, for 120 Norco 7.5/325 for Ms. A.L., a
9 copy of the prescription was faxed from Rite Aid #5345, Portland Oregon. It did not contain the
10 identification of the pharmacist transferring the information, the name and address of both
11 pharmacies, the last dispensing date, the number of refills remaining but not dispensed, nor the
12 number of refills transferred.

13 b. As to Rx # 550442, dated June 22, 2010, for Ms. A.L. for 120 Hydrocodone/apap
14 7.5/325, a notation was included that stated transferred Rx # 426595 from 5345 only. It did not
15 contain the identification of the pharmacist transferring the information, the name and address of
16 both pharmacies, the last dispensing date, the number of refills remaining but not dispensed, nor
17 the number of refills transferred.

18 c. As to Rx # 601131, dated February 28, 2011, for Ms. A.L. for 84 Hydrocodone/apap
19 7.5/325, a notation stated transferred Rx # 426595 from 5345 only. It did not contain the
20 identification of the pharmacist transferring the information, the name and address of both
21 pharmacies, the last dispensing date, the number of refills remaining but not dispensed, nor the
22 number of refills transferred.

23 d. As to Rx # 640471, dated August 26, 2011, for Ms. A.L. for 120 Hydrocodone/apap
24 7.5/325, a notation stated transferred Rx # 446599 from 5345 only. It did not contain the
25 identification of the pharmacist transferring the information, the name and address of both
26 pharmacies, the last dispensing date, the number of refills remaining but not dispensed, nor the
27 number of refills transferred.

28

1 e. As to Rx # 656273, dated October 26, 2011, for Ms. A.L. for 84 Hydrocodone/apap
2 7.5/325 a notation stated transferred from Rite# 5345 only. It did not contain the identification of
3 the pharmacist transferring the information, the name and address of both pharmacies, the last
4 dispensing date, the number of refills remaining but not dispensed, nor the number of refills
5 transferred.

6 **FOURTH CAUSE FOR DISCIPLINE**

7 (Conduct that Subverts or Attempts to Subvert an Investigation by the Board)

8 (Respondents Rite Aid Pharmacy and Chung)

9 66. Respondents Rite Aid Pharmacy and Chung are subject to disciplinary action under
10 section Business and Professions Code section 4301 subd. (q) for unprofessional conduct in that
11 Respondents engaged in conduct that subverts or attempts to subvert an investigation of the
12 Board. The circumstances are as follows:

13 67. Respondents refused to provide original prescription documents requested by the
14 Board in writing dated October 18, 2012.

15 **PRAYER**

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

18 1. Revoking or suspending Pharmacy Permit Number PHY 42331, issued to Rite Aid
19 Pharmacy # 5429;

20 2. Revoking or suspending Original Pharmacy License Number RPH 40932, issued to
21 Anne Chon-Yin Chung aka Anne Chung;

22 3. Ordering Rite Aid Pharmacy # 5429 to pay the Board of Pharmacy the reasonable
23 costs of the investigation and enforcement of this case, pursuant to Business and Professions
24 Code section 125.3;

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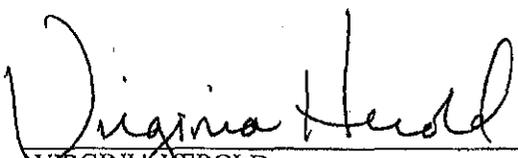
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4. Ordering Anne Chon-Yin Chung to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: 3/14/14 

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

Complainant

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