

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

In the Matter of the First Amended Accusation  
Against:

**FARMACIA FAMILIAR, FKA BRISTOL  
FAMILY PHARMACY; ABDUL  
KAREEM JAWAD, PRESIDENT  
1126 South Bristol Street  
Santa Ana, CA 92704**

**Pharmacy Permit No. PHY 50205**

**and**

**ABDUL KAREEM JAWAD  
801-B Baker Street  
Costa Mesa, CA 92626**

**Pharmacist License No. RPH 45101**

Respondents.

Case No. 4930

OAH No. 2014051292

**STIPULATED SURRENDER OF  
LICENSE AND ORDER AS TO  
FARMACIA FAMILIAR ONLY**

**DECISION AND ORDER**

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

This Decision shall become effective on August 21, 2015.

It is so ORDERED on July 22, 2015.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

\_\_\_\_\_  
AMARYLIS GUTIERREZ  
Board President

1 KAMALA D. HARRIS  
Attorney General of California  
2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 MARICHELLE S. TAHIMIC  
Deputy Attorney General  
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*Attorneys for Complainant*

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

11 In the Matter of the First Amended Accusation  
12 Against:

Case No. 4930

13 **FARMACIA FAMILIAR, fka BRISTOL**  
**FAMILY PHARMACY; ABDUL**  
14 **KAREEM JAWAD, PRESIDENT**  
1126 South Bristol Street  
15 Santa Ana, CA 92704

OAH No. 2014051292

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

16 **Pharmacy Permit No. PHY 50205**

17 and

18 **ABDUL KAREEM JAWAD**  
801-B Baker Street  
19 Costa Mesa, CA 92626

20 **Pharmacy License No. RPH 45101**

21 Respondents.  
22

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

25 PARTIES

26 1. Virginia Herold ("Complainant") is the Executive Officer of the Board of Pharmacy.  
27 She brought this action solely in her official capacity and is represented in this matter by Kamala  
28

1 D. Harris, Attorney General of the State of California, by Marichelle S. Tahimic, Deputy  
2 Attorney General.

3 2. Respondents Farmacia Familiar, fka Bristol Family Pharmacy, Abdul Kareem Jawad,  
4 President and Abdul Kareem Jawad ("Respondents") are represented in this proceeding by  
5 attorney John Cronin, whose address is: 5720 Oberlin Drive, San Diego, CA 92121-1723,

6 3. On or about December 21, 2012, the Board of Pharmacy issued Pharmacy Permit No.  
7 PHY 50205 to Farmacia Familiar, fka Bristol Family Pharmacy, Abdul Kareem Jawad, President  
8 (Respondent). The Pharmacy Permit was in full force and effect at all times relevant to the  
9 charges brought in Accusation No. 4930 and will expire on April 1, 2016, unless renewed.

10 4. On or about March 18, 1992, the Board of Pharmacy issued Pharmacist License No.  
11 RPH 45101 to Abdul Kareem Jawad, President (Respondent). The Pharmacist License was in  
12 full force and effect at all times relevant to the charges brought in Accusation No. 4930 and will  
13 expire on December 31, 2015, unless renewed.

14 JURISDICTION

15 5. First Amended Accusation No. 4930 was filed by the Board of Pharmacy (Board),  
16 Department of Consumer Affairs, on May 11, 2015 and served on Respondents on May 14, 2015  
17 and is currently pending against Respondents. Accusation No. 4930 was filed before the Board on  
18 April 5, 2014. The Accusation and all other statutorily required documents were properly served  
19 on Respondents on April 24, 2014. Respondent timely filed its Notice of Defense contesting the  
20 Accusation.

21 6. A copy of First Amended Accusation No. 4930 is attached as exhibit A and  
22 incorporated herein by reference.

23 ADVISEMENT AND WAIVERS

24 7. Respondents have carefully read, fully discussed with counsel, and understand the  
25 charges and allegations in First Amended Accusation No. 4930. Respondents have also carefully  
26 read, fully discussed with counsel, and understand the effects of this Stipulated Settlement and  
27 Disciplinary Order.

28



1 or participation by Respondent or its counsel. By signing the stipulation, Respondents understand  
2 and agree that they may not withdraw their agreement or seek to rescind the stipulation prior to  
3 the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its  
4 Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or  
5 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,  
6 and the Board shall not be disqualified from further action by having considered this matter.

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

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

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

19 **DISCIPLINARY ORDER**

20 IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 50205 issued to Respondent  
21 Farmacia Familiar, fka Bristol Family Pharmacy, Abdul Kareem Jawad, President, is surrendered  
22 and accepted by the Board of Pharmacy. The surrender of Pharmacy Permit No. PHY 50205 is  
23 stayed thirty (30) days from the effective date of the Decision, at which time the pharmacy shall  
24 be sold or closed.

25 1. In the event that Respondent Farmacia Familiar, fka Bristol Family Pharmacy is sold,  
26 or there is a change in ownership, and an application for a new permit is submitted to the Board,  
27 the Board shall expedite the processing of that application.

28

1           2.     In the event the new owner of Farmacia Familiar, fka Bristol Family Pharmacy  
2 continues to operate the pharmacy as "Farmacia Familiar, fka Bristol Family Pharmacy," a new  
3 Pharmacist-in-Charge shall be selected for Farmacia Familiar, fka Bristol Family Pharmacy and a  
4 "Change in Pharmacist-in-Charge" (Form 17A-14) shall be submitted to the Board for approval  
5 on or before thirty (30) days from the effective date of the Decision.

6           3.     The surrender of Respondent's Pharmacy Permit PHY 50205 and the acceptance of  
7 the surrendered license by the Board shall constitute the imposition of discipline against  
8 Respondent Farmacia Familiar, fka Bristol Family Pharmacy. This stipulation constitutes a  
9 record of the discipline and shall become a part of Respondent's license history with the Board of  
10 Pharmacy.

11           IT IS HEREBY FURTHER ORDERED that Pharmacist License No. RPH 45101 issued to  
12 Respondent Abdul Kareem Jawad (Respondent Jawad) is revoked in First Amended Accusation  
13 No. 4930 and First Amended Accusation 4661. However, the revocation is stayed and  
14 Respondent Jawad is placed on probation for five (5) years on the following terms and conditions  
15 for First Amended Accusation No. 4930 and First Amended Accusation No. 4661.

16           1.     **Suspension**

17           As part of probation, respondent is suspended from the practice of pharmacy until he  
18 provides proof of completion of either of the following: (1) a minimum 6-hour continuing  
19 education course on the topic of corresponding responsibility presented by the Drug Enforcement  
20 Agency; or, (2) a minimum 6-hour, in-person, pre-approved, continuing education course on the  
21 topic of corresponding responsibility.

22           During suspension, respondent shall not enter any pharmacy area or any portion of the  
23 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of  
24 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices  
25 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act  
26 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient  
27 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the  
28

1 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs  
2 and devices or controlled substances.

3 Respondent shall not engage in any activity that requires the professional judgment of a  
4 pharmacist. Respondent shall not direct or control any aspect of the practice of pharmacy.  
5 Respondent shall not perform the duties of a pharmacy technician or a designated representative  
6 for any entity licensed by the board.

7 Subject to the above restrictions, respondent may continue to own or hold an interest in any  
8 licensed premises in which they holds an interest at the time this decision becomes effective  
9 unless otherwise specified in this order.

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

11 **2. Obey All Laws**

12 Respondent Jawad shall obey all state and federal laws and regulations.

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

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

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

26 **3. Report to the Board**

27 Respondent Jawad shall report to the board quarterly, on a schedule as directed by the board  
28 or its designee. The report shall be made either in person or in writing, as directed. Among other

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

7 **4. Interview with the Board**

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

13 **5. Cooperate with Board Staff**

14 Respondent Jawad shall cooperate with the board's inspection program and with the board's  
15 monitoring and investigation of respondent's compliance with the terms and conditions of their  
16 probation. Failure to cooperate shall be considered a violation of probation.

17 **6. Continuing Education**

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

20 **7. Notice to Employers**

21 During the period of probation, respondent Jawad shall notify all present and prospective  
22 employers of the decision in case number 4930 and the terms, conditions and restrictions imposed  
23 on respondent by the decision, as follows:

24 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
25 respondent undertaking any new employment, respondent shall cause his direct supervisor,  
26 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
27 tenure of employment) and owner to report to the board in writing acknowledging that the listed  
28 individual(s) has/have read the decision in case number 4930, and terms and conditions imposed



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

3 If respondent works for or is employed by or through a pharmacy employment service,  
4 respondent must notify their direct supervisor, pharmacist-in-charge, and owner at every entity  
5 licensed by the board of the terms and conditions of the decision in case number 4930 in advance  
6 of the respondent commencing work at each licensed entity. A record of this notification must be  
7 provided to the board upon request.

8 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
9 (15) days of respondent undertaking any new employment by or through a pharmacy employment  
10 service, respondent shall cause their direct supervisor with the pharmacy employment service to  
11 report to the board in writing acknowledging that they has read the decision in case number 4930  
12 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure  
13 that their employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

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

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

21 **8. No Supervision of Interns, Serving as Pharmacist-in-Charge (PIC), Serving as**  
22 **Designated Representative-in-Charge, or Serving as a Consultant**

23 During the period of probation, Respondent Jawad shall not supervise any intern  
24 pharmacist, be the pharmacist-in-charge or designated representative-in-charge of any entity  
25 licensed by the board nor serve as a consultant unless otherwise specified in this order.  
26 Assumption of any such unauthorized supervision responsibilities shall be considered a violation  
27 of probation.

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1           **9. Reimbursement of Board Costs**

2           Respondents Farmacia Familiar, fka Bristol Family Pharmacy and Abdul Kareem Jawad,  
3 shall pay to the board its costs of investigation and prosecution in the amount of \$15,000.00.  
4 Respondents may pay these costs in a payment program acceptable to the Board. Respondents  
5 shall be jointly and severally liable for the payment of these costs.

6           There shall be no deviation from the payment schedule absent prior written approval by the  
7 board or its designee. Failure to pay costs by the deadline(s) as directed shall be considered a  
8 violation of probation.

9           The filing of bankruptcy by respondent shall not relieve respondent of their responsibility to  
10 reimburse the board its costs of investigation and prosecution.

11           **10. Probation Monitoring Costs**

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

16           **11. Status of License**

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

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

24           **12. License Surrender While on Probation/Suspension**

25           Following the effective date of this decision, should respondent cease practice due to  
26 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
27 respondent may tender their license to the board for surrender. The board or its designee shall  
28 have the discretion whether to grant the request for surrender or take any other action it deems

1 appropriate and reasonable. Upon formal acceptance of the surrender of the license, respondent  
2 will no longer be subject to the terms and conditions of probation. This surrender constitutes a  
3 record of discipline and shall become a part of the respondent's license history with the board.

4 Upon acceptance of the surrender, respondent shall relinquish their pocket and wall license  
5 to the board within ten (10) days of notification by the board that the surrender is accepted.  
6 Respondent may not reapply for any license from the board for three (3) years from the effective  
7 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
8 of the date the application for that license is submitted to the board, including any outstanding  
9 costs.

10 **13. Notification of a Change in Name, Residence Address, Mailing Address or**  
11 **Employment**

12 Respondent Jawad shall notify the board in writing within ten (10) days of any change of  
13 employment. Said notification shall include the reasons for leaving, the address of the new  
14 employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
15 shall further notify the board in writing within ten (10) days of a change in name, residence  
16 address, mailing address, or phone number.

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

19 **14. Tolling of Probation**

20 Except during periods of suspension, Respondent Jawad shall, at all times while on  
21 probation, be employed as a pharmacist in California for a minimum of 40 hours per calendar  
22 month. Any month during which this minimum is not met shall toll the period of probation, i.e.,  
23 the period of probation shall be extended by one month for each month during which this  
24 minimum is not met. During any such period of tolling of probation, respondent must  
25 nonetheless comply with all terms and conditions of probation.

26 Should respondent, regardless of residency, for any reason (including vacation) cease  
27 practicing as a pharmacist for a minimum of 40 hours per calendar month in California,  
28 respondent must notify the board in writing within ten (10) days of the cessation of practice, and

1 must further notify the board in writing within ten (10) days of the resumption of practice. Any  
2 failure to provide such notification(s) shall be considered a violation of probation.

3 It is a violation of probation for respondent's probation to remain tolled pursuant to the  
4 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
5 exceeding thirty-six (36) months.

6 "Cessation of practice" means any calendar month during which respondent is  
7 not practicing as a pharmacist for at least 40 hours, as defined by Business and  
8 Professions Code section 4000 et seq. "Resumption of practice" means any calendar  
9 month during which respondent is practicing as a pharmacist for at least 40 hours as a  
10 pharmacist as defined by Business and Professions Code section 4000 et seq.

#### 11 15. Violation of Probation

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

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

#### 24 16. Completion of Probation

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

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1           **17. Remedial Education**

2           Within sixty (60) days of the effective date of this decision, respondent shall submit to the  
3 board or its designee, for prior approval, an appropriate program of remedial education related to  
4 the appropriate use of controlled substances for pain management or corresponding responsibility.  
5 The program of remedial education shall consist of at least six (6) hours per year, at least 50% of  
6 which shall be in person, for each year of the five (5) years of probation, and shall be completed  
7 at Respondent Jawad's own expense. All remedial education shall be in addition to, and shall not  
8 be credited toward, continuing education (CE) courses used for license renewal purposes.

9           Failure to timely submit or complete the approved remedial education shall be considered a  
10 violation of probation. The period of probation will be automatically extended until such  
11 remedial education is successfully completed and written proof, in a form acceptable to the board,  
12 is provided to the board or its designee.

13           Following the completion of each course, the board or its designee may require the  
14 respondent, at their own expense, to take an approved examination to test the respondent's  
15 knowledge of the course. If the respondent does not achieve a passing score on the examination,  
16 this failure shall be considered a violation of probation. Any such examination failure shall  
17 require respondent to take another course approved by the board in the same subject area.

18           **18. Supervised Practice**

19           During the period of probation, respondent shall practice only under the supervision of a  
20 licensed pharmacist not on probation with the board. Upon and after the effective date of this  
21 decision, respondent shall not practice pharmacy and their license shall be automatically  
22 suspended until a supervisor is approved by the board or its designee. The supervision shall be,  
23 as required by the board or its designee, either:

24           Continuous – At least 75% of a work week

25           Substantial - At least 50% of a work week

26           Partial - At least 25% of a work week

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

28           Within thirty (30) days of the effective date of this decision, respondent shall have their

1 supervisor submit notification to the board in writing stating that the supervisor has read the  
2 decision in case number 4930 and is familiar with the required level of supervision as determined  
3 by the board or its designee. It shall be the respondent's responsibility to ensure that their  
4 employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledgement(s) to the  
5 board. Failure to cause the direct supervisor and the pharmacist-in-charge to submit timely  
6 acknowledgements to the board shall be considered a violation of probation.

7 If respondent changes employment, it shall be the respondent's responsibility to ensure that  
8 their employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledgement(s)  
9 to the board. Respondent shall have their new supervisor, within fifteen (15) days after  
10 employment commences, submit notification to the board in writing stating the direct supervisor  
11 and pharmacist-in-charge have read the decision in case number 4930 and is familiar with the  
12 level of supervision as determined by the board. Respondent shall not practice pharmacy and  
13 their license shall be automatically suspended until the board or its designee approves a new  
14 supervisor. 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 Within ten (10) days of leaving employment, respondent shall notify the board in writing.

17 During suspension, respondent shall not enter any pharmacy area or any portion of the  
18 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of  
19 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices  
20 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act  
21 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient  
22 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the  
23 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs  
24 and controlled substances. Respondent shall not resume practice until notified by the board.

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

1 Subject to the above restrictions, respondent may continue to own or hold an interest in any  
2 licensed premises in which they holds an interest at the time this decision becomes effective  
3 unless otherwise specified in this order.

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

5 **19. No Ownership of Licensed Premises**

6 Respondent Jawad shall not own, have any legal or beneficial interest in, or serve as a  
7 manager, administrator, member, officer, director, trustee, associate, or partner of any business,  
8 firm, partnership, or corporation currently or hereinafter licensed by the board. Respondent shall  
9 sell or transfer any legal or beneficial interest in any entity licensed by the board within thirty (30)  
10 days following the effective date of this decision and shall immediately thereafter provide written  
11 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide  
12 documentation thereof shall be considered a violation of probation.

13 Respondent shall not acquire any new ownership, legal or beneficial interest nor serve as a  
14 manager, administrator, member, officer, director, trustee, associate, or partner of any additional  
15 business, firm, partnership, or corporation licensed by the board.

16 **20. Ethics Course**

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

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

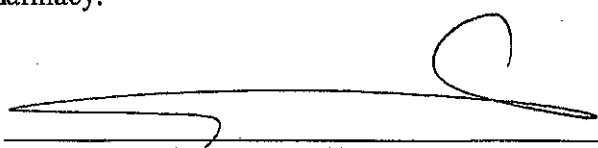
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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, John Cronin. I understand the stipulation and the effect it will have on my Pharmacy Permit, and 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.

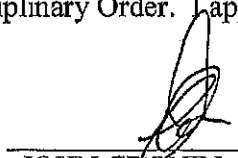
DATED: 6/8/2015



ABDUL KAREEM JAWAD  
as an individual and as the President and authorized agent on behalf of FARMACIA FAMILIAR, FKA BRISTOL FAMILY PHARMACY Respondents

I have read and fully discussed with Respondents Farmacia Familiar, fka Bristol Family Pharmacy and Abdul Kareem Jawad, the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 6/8/2015



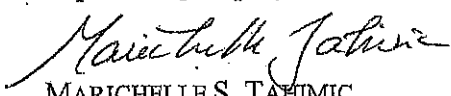
JOHN CRONIN  
Attorney for Respondents

ENDORSEMENT

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

Dated: June 8, 2015

Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
JAMES M. LEDAKIS  
Supervising Deputy Attorney General



MARICHELLE S. TAHIMIC  
Deputy Attorney General  
Attorneys for Complainant



**Exhibit A**

**First Amended  
Accusation No. 4930**

1 KAMALA D. HARRIS  
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2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
3 MARICHELLE S. TAHIMIC  
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8  
9 **BEFORE THE**  
**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the First Amended Accusation  
12 Against:

Case No. 4930

13 **FARMACIA FAMILIAR, fka BRISTOL**  
**FAMILY PHARMACY; ABDUL**  
14 **KAREEM JAWAD, PRESIDENT**  
1126 South Bristol Street  
15 Santa Ana, CA 92704

**FIRST AMENDED**  
**ACCUSATION**

16 **Pharmacy Permit No. PHY 50205**

17 **and**

18 **ABDUL KAREEM JAWAD**  
801-B Baker Street  
19 Costa Mesa, CA 92626

20 **Pharmacy License No. RPH 45101**

21 Respondents.

22  
23 Complainant alleges:

24 **PARTIES**

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



1 6. Section 4300.1 of the Code states:

2 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
3 by operation of law or by order or decision of the board or a court of law, the  
4 placement of a license on a retired status, or the voluntary surrender of a license  
5 by a licensee shall not deprive the board of jurisdiction to commence or proceed  
6 with any investigation of, or action or disciplinary proceeding against, the  
7 licensee or to render a decision suspending or revoking the license.

8 **STATUTORY AND REGULATORY PROVISIONS**

9 7. Section 4301 of the Code states:

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

14 ...  
15 (c) Gross negligence.

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

18 ...  
19 (j) The violation of any of the statutes of this state, or any other state, or of the  
20 United States regulating controlled substances and dangerous drugs.

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

27 ...  
28 8. Section 4307 states:

(a) Any person who has been denied a license or whose license has been  
revoked or is under suspension, or who has failed to renew his or her license  
while it was under suspension, or who has been a manager, administrator,  
owner, member, officer, director, associate, or partner of any partnership,  
corporation, firm, or association whose application for a license has been  
denied or revoked, is under suspension or has been placed on probation, and  
while acting as the manager, administrator, owner, member, officer, director,  
associate, or partner had knowledge of or knowingly participated in any  
conduct for which the license was denied, revoked, suspended, or placed on  
probation, shall be prohibited from serving as a manager, administrator, owner,  
member, officer, director, associate, or partner of a licensee as follows:

1 (1) Where a probationary license is issued or where an existing license is  
2 placed on probation, this prohibition shall remain in effect for a period not to  
3 exceed five years.

4 (2) Where the license is denied or revoked, the prohibition shall continue  
5 until the license is issued or reinstated.

6 (b) "Manager, administrator, owner, member, officer, director, associate, or  
7 partner," as used in this section and Section 4308, may refer to a pharmacist or  
8 to any other person who serves in that capacity in or for a licensee.

9 (c) The provisions of subdivision (a) may be alleged in any pleading filed  
10 pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3  
11 of the Government Code. However, no order may be issued in that case except  
12 as to a person who is named in the caption, as to whom the pleading alleges the  
13 applicability of this section, and where the person has been given notice of the  
14 proceeding as required by Chapter 5 (commencing with Section 11500) of Part  
15 1 of Division 3 of the Government Code. The authority to proceed as provided  
16 by this subdivision shall be in addition to the board's authority to proceed under  
17 Section 4339 or any other provision of law.

18 9. Section 11153 of the Healthy and Safety Code provides in part:

19 (a) A prescription for a controlled substance shall only be issued for a  
20 legitimate medical purpose by an individual practitioner acting in the usual  
21 course of his or her professional practice. The responsibility for the proper  
22 prescribing and dispensing of controlled substances is upon the prescribing  
23 practitioner, but a corresponding responsibility rests with the pharmacist who  
24 fills the prescription. Except as authorized by this division, the following are  
25 not legal prescriptions: (1) an order purporting to be a prescription which is  
26 issued not in the usual course of professional treatment or in legitimate and  
27 authorized research; or (2) an order for an addict or habitual user of controlled  
28 substances; which is issued not in the course of professional treatment or as part  
of an authorized narcotic treatment program, for the purpose of providing the  
user with controlled substances, sufficient to keep him or her comfortable by  
maintaining customary use....

10. Section 11172 of the Health and Safety Code states, "No person shall antedate or  
postdate a prescription."

11. Title 16, California Code of Regulations (hereinafter "CCR"), section 1761 states:

(a) No pharmacist shall compound or dispense any prescription which contains  
any significant error, omission, irregularity, uncertainty, ambiguity or  
alteration. Upon receipt of any such prescription, the pharmacist shall contact  
the prescriber to obtain the information needed to validate the prescription.

(b) Even after conferring with the prescriber, a pharmacist shall not compound  
or dispense a controlled substance prescription where the pharmacist knows or  
has objective reason to know that said prescription was not issued for a  
legitimate medical purpose.

///

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1 12. Title 16, CCR, section 1764 states:

2 No pharmacist shall exhibit, discuss, or reveal the contents of any prescription,  
3 the therapeutic effect thereof, the nature, extent, or degree of illness suffered by  
4 any patient or any medical information furnished by the prescriber with any  
5 person other than the patient or his or her authorized representative, the  
6 prescriber or other licensed practitioner then caring for the patient, another  
7 licensed pharmacist serving the patient, or a person duly authorized by law to  
8 receive such information

9 13. Civil Code section 56.10 states in part:

10 (a) No provider of health care, health care service plan, or contractor shall  
11 disclose medical information regarding a patient of the provider of health care  
12 or an enrollee or subscriber of a health care service plan without first obtaining  
13 an authorization, except as provided in subdivision (b) or (c).

14  
15  
16 **COST RECOVERY**

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

21 **DRUGS**

22 15. Alprazolam, sold under the brand name Xanax, is a Schedule IV controlled substance  
23 as designated by Health and Safety Code section 11057(d)(1), and is a dangerous drug pursuant to  
24 Business and Professions Code section 4022. Alprazolam tablets are indicated for the  
25 management of anxiety disorder or the short-term relief of symptoms of anxiety.

26 16. Hydrocodone bitartate/acetaminophen, also known by the brand names Vicodin,  
27 Norco, among others, is a narcotic Schedule III controlled substance as designated by Health and  
28 Safety Code section 11056(e)(4), and is a dangerous drug pursuant to Business and Professions  
Code section 4022. Hydrocodone is used as a narcotic analgesic in the relief of pain

17 17. Oxycodone, sold under the brand names Oxycontin or OxyIR, is a Schedule II  
18 controlled substance as designated by Health and Safety Code section 11055, subdivision  
19 (b)(1)(M), and is a dangerous drug pursuant to Business and Professions Code section 4022.  
20 Oxycodone is a narcotic analgesic.



1 the shopping center's shared trash dumpster. The documents containing confidential patient  
2 information were not shredded or redacted prior to disposal to ensure confidentiality.

3 22. During the inspection, A.Y. selected and obtained prescription profiles and original  
4 prescriptions for 35 patients and Physician Dispensing Reports for five doctors, Doctors J.G.,  
5 R.L., B.O., R.S. and V.S. Doctors J.G., R.L. and B.O. worked out of the same location in Reseda.  
6 This location was more than 50 miles from Bristol Pharmacy. The estimated travel time from the  
7 medical office to Bristol Pharmacy exceeded one hour without traffic. The Reseda office was  
8 operated by A.D., who was convicted of illegally distributing oxycodone in September, 2012.  
9 A.D. admitted that she and her husband operated four clinics where people purchased oxycodone  
10 prescriptions for cash following a medical exam. Cappers then brought the individual to a  
11 pharmacy to fill the prescriptions. Once filled, the drugs were brought back to A.D.'s clinic to be  
12 sold to a dealer for later sale on the street.

13 23. On January 7, 2013, A.Y. sent a letter to the 35 patients advising that the Board was  
14 conducting an investigation of Bristol Pharmacy and that the pharmacy's records showed the  
15 patient filled a prescription at Bristol Pharmacy. All 35 patients paid cash for their prescriptions.  
16 The letter requested each patient to contact A.Y. Of the 35 letters sent, 16 letters were returned as  
17 undeliverable because the addressee was not known, or because of an insufficient or non-existent  
18 address.

19 24. Three of the 35 patients responded to A.Y.'s letter, they were K.P, L.B. and P.O. On  
20 January 17, 2013, a questionnaire was sent to these three patients asking them if they were  
21 patients of Bristol Pharmacy, if they were under the care of the prescribers listed on the pharmacy  
22 profile, if they received the medication identified in the profile, and if they were consulted by the  
23 pharmacist for their medications. Two of the 35 patients, K.P. and L.B, completed and returned  
24 the questionnaires and confirmed they were patients of Bristol Pharmacy, the name of their  
25 prescriber and receipt of their medication from the pharmacy.

26 25. CURES data for the prescribing histories of Doctors J.G., R.L. and B.O. were  
27 obtained for the period December 1, 2010 through November 28, 2012. Doctor J.G. wrote a total  
28 of 7,721 controlled substance prescriptions. Dr. J.G.'s most-prescribed drug was oxycodone 30



1 mg, which accounted for 52.42% of all prescriptions written by him. About 83% of Dr. J.G.'s  
2 prescriptions were paid for in cash. Among the 609 pharmacies that dispensed Dr. J.G.'s  
3 controlled substance prescriptions, Bristol Pharmacy dispensed the fourth highest amount of Dr.  
4 J.G.'s controlled substance prescriptions.

5 26. Doctor R.L. wrote 9,886 controlled substance prescriptions; the most prescribed drug  
6 was oxycodone 30 mg, which accounted for 58.78% of all prescriptions written by Dr. R.L.  
7 About 78.96% of Dr. R.L.'s prescriptions were paid for in cash.

8 27. Doctor B.O. wrote 8,459 controlled substance prescriptions; the most prescribed drug  
9 was oxycodone 30 mg, which accounted for 41.97% of all prescriptions written by Dr. B.O.  
10 About 73.71% of Dr. J.G.'s prescriptions were paid for in cash.

11 28. The prescribing histories of Doctors J.G., R.L. and B.O. revealed a suspicious pattern  
12 of prescribing oxycodone 30 mg, which coupled with high diversion rate and abuse potential of  
13 oxycodone 30 mg, should have raised a red flag as to the legitimacy of the medical necessity for  
14 issuing these prescriptions.

15 29. Between December 1, 2010 and December 31, 2011, Bristol Pharmacy dispensed  
16 1,508 controlled substance prescriptions. Dr. J.G. was the top prescriber for controlled substance  
17 prescriptions dispensed by Bristol Pharmacy. Dr. J.G.'s prescriptions made up 24.80% (or 374  
18 prescriptions of 1,508 prescriptions) of all controlled substance prescriptions. Doctors B.O. and  
19 R.L. were the third and fifth highest controlled substance prescribers, respectively. Prescriptions  
20 by these three doctors constituted 35.28% (532 prescriptions out of 1,508 prescriptions) of all  
21 controlled substance prescriptions dispensed by Bristol Pharmacy.

22 30. Oxycodone 30 mg was the most dispensed controlled substance by Bristol Pharmacy  
23 from the period December 1, 2010 through December 31, 2011. It accounted for 34.75% of all  
24 controlled substance prescriptions filled. Bristol Pharmacy dispensed almost three times as many  
25 oxycodone 30 mg prescriptions than APAP/codeine, the second most dispensed drug by Bristol  
26 Pharmacy. Almost 76% of Bristol Pharmacy's controlled substance prescriptions were paid for in  
27 cash and all of the controlled substance prescriptions written by Doctors J.G., R.L. and B.O. were  
28 paid for in cash. When compared with the five nearby pharmacies, Bristol Pharmacy had the

1 highest percentage of cash-paying customers for all controlled substance prescriptions at 63.64%,  
 2 followed by 49.78% at Farmacia Bristol and 27.55% at Bristol Medical Pharmacy, from  
 3 December 1, 2010 through November 28, 2012.

4 31. Almost all of the prescriptions written by Doctors J.G., R.L. and B.O. and dispensed  
 5 by Bristol Pharmacy were for controlled substances:

6 Prescriber	Total # of all RXs	# of controlled substance RXs	# of non-controlled substance RXs	% of controlled substance RXs
7 Dr. J.G.	394	394	0	100%
8 Dr. R.L.	68	67	1	99%
9 Dr. B.O.	110	109	1	99%

10 32. Summaries of the prescribing history of Doctors J.G., R.L. and B.O. for prescriptions  
 11 dispensed at Bristol Pharmacy are set forth below:

12 Prescribing History of Dr. J.G. 12/1/10-12/31/11 13 for prescriptions filled at Bristol Pharmacy		
Drug	# of RXs	% of all RXs
14 Oxycodone 30 mg	340	86.29%
15 Promethazine/Codeine	24	6.09%
16 Hydrocodone/APAP 10/325	23	5.84%
Alprazolam 2 mg	5	1.27%
Hydrocodone/APAP 10/500	2	0.51%
17 TOTAL	394	100.00%

18 Prescribing History of Dr. R.L. 12/1/10-12/31/11 19 for prescriptions filled at Bristol Pharmacy		
Drug	# of RXs	% of all RXs
20 Oxycodone 30 mg	57	83.82%
21 Alprazolam 2 mg	3	4.41%
22 Promethazine/Codeine	3	4.41%
Hydrocodone/APAP 10/325	2	2.94%
23 Oxycontin 30 mg	1	1.47%
Amphetamine 30 mg	1	1.47%
24 Ibuprofen 800 mg	1	1.47%
25 TOTAL	68	100.00%

26 ///

27 ///

28

Prescribing History of Dr. B.O. 12/1/10-12/31/11 for prescriptions filled at Bristol Pharmacy		
Drug	# of RXs	% of all RXs
Oxycodone 30 mg	44	40.00%
Hydrocodone/APAP 10/325	30	27.27%
Alprazolam 2 mg	19	17.27%
Promethazine/Codeine	13	11.82%
Promethazine VC/Codeine	2	1.82%
Promethazine/DM	1	0.91%
Norco	1	0.91%
TOTAL	110	100.00%

33. Further review of the pharmacy's CURES data revealed that Dr. J.G. prescribed more controlled substance prescriptions than Doctors R.L. and B.O. Based on data from CURES, A.Y. selected the 25 patients with the most prescriptions written by Dr. J.G. for review.

34. CURES data and patient profiles for 25 of Dr. J.G.'s patients showed that 17 of the 25 patients resided outside of Bristol Pharmacy's normal trading area and that 15 of the 25 patients resided at least 25 miles from Bristol Pharmacy and resided an average of 37 miles from Dr. J.G. The distance between Bristol Pharmacy and Dr. J.G. was 55 miles.

35. Of the 25 patients, 22 received only controlled substance medications from Bristol Pharmacy and no other medications; 21 of the 25 patients received only oxycodone 30 mg from Bristol Pharmacy. Dr. J.G. wrote a total of 138 prescriptions for these 25 patients and all of these prescriptions were for oxycodone 30 mg. These patients received prescriptions for the same drug, strength, directions and quantities rather than receiving individualized therapy: 92.75% (128 of 138 prescriptions written by Dr. J.G.) of controlled-substance prescriptions written for the 25 patients selected was for oxycodone 30 mg, #240; 2 tablets four times daily.

36. All of these 25 patients paid cash for oxycodone 30 mg. The patients initially paid \$240 for 240 tablets of oxycodone 30 mg. In mid-2011, the cash price increased to \$350 for 240 tablets of oxycodone 30 mg. Bristol Pharmacy's cost for oxycodone 30 mg ranged from \$0.30 to \$0.37 per tablet, leading to a profit of about \$168 per \$261 for each prescription.

37. A review of the CURES data showing the prescription history for these 25 patients showed that they filled a total of 344 prescriptions written by various prescribers with 67.44% of the prescriptions issued by Dr. J.G. About 74% of these prescriptions were for oxycodone 30 mg

1 and about 81% were paid for in cash. Many of these patients were receiving controlled substance  
2 prescriptions from several other physicians and filling them at other pharmacies. Narcotic naïve  
3 patients were prescribed oxycodone 30 mg, which is a highly potent medication, without previous  
4 exposure to other analgesics and/or titrating the medication to the appropriate dose for the patient.  
5 In addition, some patients abruptly discontinued their medication.

6 38. The CURES data indicated six patients (M.H., Y.I. R.J. R.M., J.N. and M.W.)  
7 exhibited signs of pharmacy shopping in order to obtain early refills of their medication during  
8 the time they were obtaining prescriptions from Bristol Pharmacy.

9 a. **M.H.** – M.H. alternated filling prescriptions between Bristol Pharmacy and two other  
10 pharmacies. During the period January 10, 2011 through August 26, 2011 (228 days), M.H.  
11 obtained a 660-day supply of oxycodone 30 mg between these three pharmacies, paid cash at all  
12 three pharmacies and filled only oxycodone 30 mg.

13 b. **Y.I.** – From January 13, 2011 through July 19, 2011, Y.I. obtained eight prescriptions  
14 for oxycodone 30 mg, of which 6 were dispensed by Bristol Pharmacy. Y.I. alternated between  
15 Bristol Pharmacy and one other pharmacy. Y.I. paid cash for all oxycodone 30 mg prescriptions  
16 filled at Bristol Pharmacy and the other pharmacy. During this six month period (187 days), Y.I.  
17 obtained a 270-day supply of oxycodone 30 mg between the two pharmacies. Y.I. also obtained  
18 hydrocodone/APAP 7.5/750 from two other pharmacies for prescriptions written by another  
19 prescriber.

20 c. **R.J.** – From December 3, 2010 through August 11, 2011, R.J. obtained 14  
21 prescriptions for oxycodone 30 mg, 7 of which were dispensed by Bristol Pharmacy. R.J.  
22 alternated between Bristol Pharmacy and two other pharmacies and paid in cash. All  
23 prescriptions for oxycodone 30 mg were issued by Dr. J.G. During this eight month period (251  
24 days), R.J. obtained a 510-day supply of oxycodone 30 mg between the three pharmacies.

25 d. **R.M.** – From February 2, 2011 through May 12, 2011, R.M. obtained six  
26 prescriptions for oxycodone 30 mg from Bristol Pharmacy and one other pharmacy and paid in  
27 cash. All of the prescriptions for oxycodone 30 mg were issued by Dr. J.G. During this three  
28

1 month period (99 days), R.M. obtained a 180-day supply of oxycodone 30 mg between the two  
2 pharmacies.

3 e. J.N. -- From January 25, 2011 through December 9, 2011, J.N. obtained 29  
4 prescriptions for oxycodone 30 mg, of which 7 were dispensed at Bristol Pharmacy. J.N.  
5 alternated between ten pharmacies during this time frame and paid in cash for 23 of the 29  
6 prescriptions. Dr. J.G. issued 27 of the 29 oxycodone 30 mg prescriptions. During the eleven  
7 month period (318 days), J.N. obtained a 910-day supply of oxycodone 30 mg between the ten  
8 pharmacies.

9 f. M.W. -- From January 5, 2011 through December 2, 2011, M.W. obtained 31  
10 prescriptions for oxycodone 30 mg, of which 9 were dispensed at Bristol Pharmacy. M.W.  
11 alternated between ten pharmacies during this time frame and paid in cash for 24 of the 31  
12 prescriptions. Dr. J.G. issued 23 of the 31 oxycodone 30 mg prescriptions. During the eleven  
13 month period (318 days), J.N. obtained a 910-day supply of oxycodone 30 mg between the ten  
14 pharmacies.

15 39. All of the prescriptions written by Doctors J.G., R.L. and B.O. for oxycodone 30 mg  
16 were reviewed. There were a total of 273 prescriptions for oxycodone 30 mg written by these  
17 three doctors from December 21, 2010 through August 10, 2011 and dispensed by Bristol  
18 Pharmacy as follows:

	# of oxycodone 30 mg prescriptions written
Dr. J.G.	211
Dr. R.L.	30
Dr. B.O.	32
TOTAL	273

24  
25 All of these prescriptions were dispensed by Respondent Jawad.

26 40. Only 34 of the 273 prescriptions, or 12.45%, contained some type of documentation  
27 of patient identification or verification of prescription or diagnosis: 21 prescriptions had patient  
28 identification written on the original prescription; 12 prescriptions had documentation of verbal

1 verification of the prescription; and, 7 prescriptions contained documentation of the patient's  
2 diagnosis.

3 41. All of the 273 prescriptions were for the same drug (oxycodone 30 mg), dosage and  
4 quantity. These prescriptions had similar directions for use by all three physicians rather than an  
5 individualized therapy. The method of payment was cash for 220 prescriptions, the method of  
6 payment could not be determined for the remainder.

7 42. Several of the 273 prescriptions for oxycodone 30 mg were filled on dates that  
8 preceded the dates the prescriptions were written:

Patient	RX #	Date written	Date filled	RPH	Prescriber
D.O	5954	2/21/11	1/25/11	PIC Jawad	Dr. J.G.
S.B.	5956	2/21/11	1/25/11	PIC Jawad	Dr. J.G.
J.N.	6307	3/14/11	2/22/11	PIC Jawad	Dr. J.G.
M.G.	6309	3/21/11	2/22/11	PIC Jawad	Dr. J.G.
L.M.	6306	3/23/11	2/22/11	PIC Jawad	Dr. J.G.
L.B.	6310	3/23/11	2/22/11	PIC Jawad	Dr. J.G.
S.P.	6476	4/4/11	3/5/11	PIC Jawad	Dr. J.G.
T.H.	6930	5/12/11	1/13/11	PIC Jawad	Dr. J.G.
Y.L.	6931	5/12/11	1/13/11	PIC Jawad	Dr. J.G.

16 43. Many patients had prescriptions written by Dr. J.G. that bore the same date that were  
17 almost consecutively dispensed by Bristol Pharmacy, which was almost 50 miles away.

18 **FIRST CAUSE FOR DISCIPLINE**

19 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

20 **(Failure to Comply with Corresponding Responsibility**

21 **for Legitimate Controlled Substance Prescriptions)**

22 44. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
23 pursuant to Code section 4301, subdivision (j), in conjunction with Health and Safety Code  
24 section 11153, subdivision (a), for unprofessional conduct in that Respondents failed to comply  
25 with their corresponding responsibility to ensure that controlled substances are dispensed for a  
26 legitimate medical purpose when, from the period December 21, 2010 to on or about August 23,  
27 2011, Respondents failed to evaluate the totality of the circumstances (information from the  
28 patient, physician and other sources) to determine the prescription's legitimate medical purpose in

1 light of information showing that prescriptions for controlled substances were filled early, there  
2 was duplication of therapy, the same drug combinations were repeatedly prescribed for multiple  
3 patients by the same prescriber, numerous patients had addresses outside of Bristol Pharmacy's  
4 normal trade area, and certain prescribers wrote a disproportionate number of prescriptions for  
5 oxycodone 30 mg, among other things, as more fully set forth in paragraphs 17-42 above, and  
6 incorporated by this reference as though set forth in full herein.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

9 **(Dispensing Postdated Controlled Substance Prescriptions)**

10 45. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
11 pursuant to Code section 4301, subdivision (o), in conjunction with Health and Safety Code  
12 section 11172 for unprofessional conduct in that Respondents dispensed controlled substances  
13 prior to the dates the prescriptions were written, as more fully set forth in paragraphs 17-42  
14 above, and incorporated by this reference as though set forth in full herein.

15 **THIRD CAUSE FOR DISCIPLINE**

16 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

17 **(Unauthorized Disclosure of Prescriptions)**

18 46. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
19 pursuant to Code section 4301, subdivision (o), in conjunction with title 16, California Code of  
20 Regulations, section 1764 and Code section 4301, subdivision (j), in conjunction with Civil Code  
21 section 56.10(a) for unprofessional conduct. Respondents exhibited, revealed or disclosed the  
22 contents of prescriptions and/or medical information, without the patient's authorization, to  
23 persons other than the patient or his authorized representative. Respondents discarded  
24 confidential patient information into the shopping center's trash dumpster without first shredding  
25 or redacting patient specific information, as more fully set forth in paragraphs 17-42 above, and  
26 incorporated by this reference as though set forth in full herein.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 **AS TO BRISTOL FAMILY PHARMACY AND ABDUL JAWAD**

3 **(Excessive Furnishing of Controlled Substances)**

4 47. Respondents Bristol Family Pharmacy and Abdul Jawad are subject to discipline  
5 pursuant to Code section 4301, subdivision (d), for unprofessional conduct in that Respondents  
6 excessively furnished controlled substances during the period December 21, 2010 to on or about  
7 August 23, 2011, as more fully set forth in paragraphs 17-42 above, and incorporated by this  
8 reference as though set forth in full herein.

9 **FIFTH CAUSE FOR DISCIPLINE**

10 **AS TO ABDUL JAWAD**

11 **(Unprofessional Conduct – Gross Negligence)**

12 48. Respondent Abdul Jawad is subject to discipline pursuant to Code section 4301,  
13 subdivision (c), for unprofessional conduct in that Respondent was grossly negligent in  
14 dispensing controlled substances during the period December 21, 2010 to on or about August 23,  
15 2011, in that Respondent knew or should have known that the controlled substances prescribed by  
16 Doctors J.G., R.L. and B.O. were likely to be diverted or used for other than a legitimate medical  
17 purpose and that Respondent failed to take appropriate steps upon being presented with numerous  
18 prescriptions for the same controlled substances, to wit, oxycodone 30 mg, from a small group of  
19 prescribers, including but not limited to, contacting the prescribers, interviewing the patients and  
20 performing additional investigation to determine whether the prescriptions were issued for a  
21 legitimate medical purpose, as more fully set forth in paragraphs 17-42 above, and incorporated  
22 by this reference as though set forth in full herein.

23 **SIXTH CAUSE FOR DISCIPLINE**

24 **AS TO ABDUL JAWAD**

25 **(Unprofessional Conduct – Negligence)**

26 49. Respondent Abdul Jawad is subject to discipline pursuant to Code section 4301, for  
27 unprofessional conduct in that Respondent was negligent in dispensing controlled substances  
28 during the period December 21, 2010 to on or about August 23, 2011, in that Respondent knew or



1 should have known that the controlled substances prescribed by Doctors J.G., R.L. and B.O. were  
2 likely to be diverted or used for other than a legitimate medical purpose and that Respondent  
3 failed to take appropriate steps upon being presented with numerous prescriptions for the same  
4 controlled substances, to wit, oxycodone 30 mg, from a small group of prescribers, including but  
5 not limited to, contacting the prescribers, interviewing the patients and performing additional  
6 investigation to determine whether the prescriptions were issued for a legitimate medical purpose,  
7 as more fully set forth in paragraphs 17-42 above, and incorporated by this reference as though  
8 set forth in full herein.

9 **SEVENTH CAUSE FOR DISCIPLINE**

10 **AS TO ABDUL JAWAD**

11 **(Unprofessional Conduct)**

12 50. Respondent Abdul Jawad is subject to discipline pursuant to Code section 4301 for  
13 unprofessional conduct in that Respondent engaged in the activity described in paragraphs 17-42  
14 above, and incorporated by this reference as though set forth in full herein.

15 **OTHER MATTERS**

16 51. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number  
17 PHY 50205 issued to Farmacia Familiar, fka Bristol Family Pharmacy, it shall be prohibited from  
18 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a  
19 licensee for five years if Pharmacy Permit Number PHY 50205 is placed on probation, or until  
20 Pharmacy Permit Number 50205 is reinstated if it is revoked.

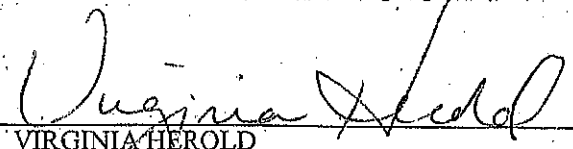
21 52. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number  
22 PHY 50205 issued to Farmacia Familiar, fka Bristol Family Pharmacy, while Abdul Kareem  
23 Jawad was a manager, administrator, owner, member, officer, director, associate, or partner and  
24 had knowledge of or knowingly participated in any conduct for which the licensee was  
25 disciplined, Abdul Kareem Jawad shall be prohibited from serving as a manager, administrator,  
26 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy  
27 Permit Number PHY 50205 is placed on probation, or until Pharmacy Permit Number PHY  
28 50205 is reinstated if it is revoked.



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

DATED: 5/11/15



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

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