

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

In the Matter of the Accusation Against:

**ARTESIA PHARMACY, INC. DBA  
TRIAD COMPOUNDING PHARMACY  
11090 Artesia Blvd., Suite H  
Cerritos, CA 90703**

**Pharmacy Permit No. PHY 41551**

**RONALD STEPHEN MILLER  
736 N. Skyridge Drive  
Anaheim, CA 92808**

**Pharmacist License No. RPH 29677**

Respondents.

Case No. 5186

OAH No. 2016090353

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER AS TO  
RONALD STEPHEN MILLER  
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 at 5:00 p.m. on November 15, 2017.

It is so ORDERED on October 16, 2017.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

\_\_\_\_\_  
Amy Gutierrez, Pharm.D.  
Board President

1 XAVIER BECERRA  
Attorney General of California  
2 THOMAS L. RINALDI  
Supervising Deputy Attorney General  
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8 **BEFORE THE**  
9 **BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
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RONALD STEPHEN MILLER ONLY**

16 **RONALD STEPHEN MILLER**  
17 **736 S. Skyridge Dr.**  
18 **Anaheim, CA 92808**

18 **Pharmacist License No. RPH 29677**

19 Respondent.

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

22 PARTIES

23 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy  
24 (Board). She brought this action solely in her official capacity and is represented in this matter by  
25 Xavier Becerra, Attorney General of the State of California, by Cristina Felix, Deputy Attorney  
26 General.



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CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 5186, if proven at a hearing, constitute cause for imposing discipline upon his pharmacist license

10. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest those charges.

11. Respondent further agrees that in any future proceedings before the Board all allegations set forth in the Accusation shall be deemed admitted.

CONTINGENCY

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

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

14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary

1 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
2 writing executed by an authorized representative of each of the parties.

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

6 **DISCIPLINARY ORDER**

7 IT IS HEREBY ORDERED that Pharmacist License Number 29677 issued to Respondent  
8 Ronald Stephen Miller. However, the revocation is stayed and Respondent is placed on probation  
9 for five (5) years on the following terms and conditions.

10 1. **Obey All Laws**

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

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

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

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

25 2. **Report to the Board**

26 Respondent shall report to the board quarterly, on a schedule as directed by the board or its  
27 designee. The report shall be made either in person or in writing, as directed. Among other  
28 requirements, respondent shall state in each report under penalty of perjury whether there has

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

6 **3. Interview with the Board**

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

12 **4. Cooperate with Board Staff**

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

16 **5. Continuing Education**

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

19 **6. Notice to Employers**

20 During the period of probation, respondent shall notify all present and prospective  
21 employers of the decision in case number 5186 and the terms, conditions and restrictions imposed  
22 on respondent by the decision, as follows:

23 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
24 respondent undertaking any new employment, respondent shall cause their direct supervisor,  
25 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
26 tenure of employment) and owner to report to the board in writing acknowledging that the listed  
27 individual(s) has/have read the decision in case number 5186, and terms and conditions imposed  
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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 5186 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 have read the decision in case number  
12 5186 and the terms and conditions imposed thereby. It shall be respondent's responsibility to  
13 ensure 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 **7. 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 can remain as Pharmacist-in-Charge of Artesia  
24 Pharmacy, Inc. dba Triad Compounding Pharmacy. Respondent shall not supervise any intern  
25 pharmacist, be the pharmacist-in-charge or designated representative-in-charge of any entity  
26 licensed by the board nor serve as a consultant unless otherwise specified in this order.  
27 Assumption of any such unauthorized supervision responsibilities shall be considered a violation  
28 of probation.

1           **8. Reimbursement of Board Costs**

2           As a condition precedent to successful completion of probation, respondent shall pay to the  
3 board its costs of investigation and prosecution in the amount of \$18,500. Respondent is jointly  
4 and severally responsible with Triad Compounding Pharmacy for payment in full of this total  
5 amount. Effective the date of the Decision, Respondent and Triad Compounding Pharmacy shall  
6 make fifty-eight (58) monthly payments in the amount of \$318.96 and one final payment of  
7 \$318.97.

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

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

13           **9. Probation Monitoring Costs**

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

18           **10. Status of License**

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

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

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

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

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

15           **12. Notification of a Change in Name, Residence Address, Mailing Address or**  
16 **Employment**

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

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

24           **13. Tolling of Probation**

25           Except during periods of suspension, respondent shall, at all times while on probation, be  
26 employed as a pharmacist in California for a minimum of forty (40) hours per calendar month.  
27 Any month during which this minimum is not met shall toll the period of probation, i.e., the  
28 period of probation shall be extended by one month for each month during which this minimum is

1 not met. During any such period of tolling of probation, respondent must nonetheless comply  
2 with all terms and conditions of probation.

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

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

11 "Cessation of practice" means any calendar month during which respondent is  
12 not practicing as a pharmacist for at least forty (40) hours, as defined by Business and  
13 Professions Code section 4000 et seq. "Resumption of practice" means any calendar  
14 month during which respondent is practicing as a pharmacist for at least forty (40)  
15 hours as a pharmacist as defined by Business and Professions Code section 4000 et  
16 seq.

17 **14. Violation of Probation**

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

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

3 **15. Completion of Probation**

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

6 **16. Remedial Education**

7 Within ninety (90) days of the effective date of this decision, respondent shall submit to the  
8 board or its designee, for prior approval, an appropriate program of remedial education related to  
9 pharmacy law, pharmacy operations, and the role of pharmacists-in-charge. The program of  
10 remedial education shall consist of a total of thirty (30) hours, and at least six (6) hours per year.  
11 The program shall be completed within fifty-four (54) months of the effective date of the  
12 Decision and at respondent's own expense. Fifty percent (50%) of the remedial education must  
13 be in-person education. All remedial education shall be in addition to, and shall not be credited  
14 toward, continuing education (CE) courses used for license renewal purposes.

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

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

24 **17. No Ownership of Licensed Premises**

25 Respondent shall not acquire any new ownership, legal or beneficial interest nor serve as a  
26 manager, administrator, member, officer, director, trustee, associate, or partner of any additional  
27 business, firm, partnership, or corporation licensed by the board. If Respondent currently owns or  
28 has any legal or beneficial interest in, or serves as a manager, administrator, member, officer,

1 director, trustee, associate, or partner of any business, firm, partnership, or corporation currently  
2 or hereinafter licensed by the board, respondent may continue to serve in such capacity or hold  
3 that interest, but only to the extent of that position or interest as of the effective date of this  
4 decision. Violation of this restriction shall be considered a violation of probation.

5 **18. Ethics Course**

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


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

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1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
3 discussed it with my attorney, Adam Brown, Esq. I understand the stipulation and the effect it  
4 will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary  
5 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order  
6 of the Board of Pharmacy.

7  
8 DATED: 8/25/17

  
9 RONALD STEPHEN MILLER  
Respondent

10 I have read and fully discussed with Respondent Ronald Stephen Miller the terms and  
11 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
12 I approve its form and content.

13  
14 DATED: 8-25-17

  
15 ADAM BROWN, ESQ.  
16 Attorney for Respondent

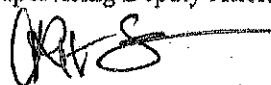
17 ENDORSEMENT

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

20  
21 Dated: 8-25-17

Respectfully submitted,

22 XAVIER BECERRA  
23 Attorney General of California  
24 THOMAS L. RINALDI  
Supervising Deputy Attorney General

  
25 CRISTINA FELIX  
26 Deputy Attorney General  
27 Attorneys for Complainant

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**Exhibit A**

**Accusation No. 5186**

1 KAMALA D. HARRIS  
Attorney General of California  
2 THOMAS L. RINALDI  
Supervising Deputy Attorney General  
3 CRISTINA FELIX  
Deputy Attorney General  
4 State Bar No. 195663  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2455  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
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**ACCUSATION**

14 Pharmacy Permit No. PHY 41551

15 **RONALD STEPHEN MILLER**  
736 S. Skyridge Dr.  
16 Anaheim, CA 92808

17 Pharmacist License No. RPH 29677

18 Respondent.  
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20 Complainant alleges:

21 **PARTIES**

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

24 2. On or about April 5, 1996, the Board of Pharmacy issued Pharmacy Permit Number  
25 PHY 41551 to Artesia Pharmacy, Inc. doing business as Triad Compounding Pharmacy  
26 (Respondent Triad Compounding Pharmacy). The Pharmacy Permit was in full force and effect  
27 at all times relevant to the charges brought herein and will expire on April 1, 2015, unless  
28 renewed.





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9. Section 4052(a)(1) of the Code states:

(a) Notwithstanding any other law, a pharmacist:

(1) Furnish a reasonable quantity of compounded drug product to a prescriber for office use by the prescriber.

10. Section 4126.5 (a) of the Code states:

(a) A pharmacy may furnish dangerous drugs only to the following:

(1) A wholesaler owned or under common control by the wholesaler from whom the dangerous drug was acquired.

(2) The pharmaceutical manufacturer from whom the dangerous drug was acquired.

(3) A licensed wholesaler acting as a reverse distributor.

(4) Another pharmacy or wholesaler to alleviate a temporary shortage of a dangerous drug that could result in the denial of health care. A pharmacy furnishing dangerous drugs pursuant to this paragraph may only furnish a quantity sufficient to alleviate the temporary shortage.

(5) A patient or to another pharmacy pursuant to a prescription or as otherwise authorized by law.

(6) A health care provider that is not a pharmacy but that is authorized to purchase dangerous drugs.

(7) To another pharmacy under common control.

11. Section 4163 (a) of the Code states:

A manufacturer, wholesaler, repackager, or pharmacy may not furnish a dangerous drug or dangerous device to an unauthorized person.

12. Section 4169 (a)(1) of the Code states:

A person may not do any of the following: Purchase, trade, sell, or transfer dangerous drugs or dangerous devices at wholesale with a person or entity that is not licensed with the board as a wholesaler.

13. Section 4301 of the Code states in pertinent part:

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

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

14. Section 4113 (c) of the Code states:

The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all state and federal laws and regulations pertaining to the practice of pharmacy.

15. California Code of Regulations, title 16, section 1717 (c) states:

Promptly upon receipt of an orally transmitted prescription, the pharmacist shall reduce it to writing, and initial it, and identify it as an orally transmitted prescription. If the prescription is then dispensed by another pharmacist, the dispensing pharmacist shall also initial the prescription to identify him or herself. All orally transmitted prescriptions shall be received and transcribed by a pharmacist prior to compounding, filling, dispensing or furnishing. Chart orders as defined in section 4019 of the Business and Professions Code are not subject to the provisions of this subsection.

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

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.

**COST RECOVERY**

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

**FACTUAL ALLEGATIONS**

18. At all times referenced herein, Respondent Ronald Miller was the Pharmacist-in-Charge of Respondent Triad Compounding Pharmacy.

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1 19. From at least October 28, 2011 through August 8, 2013, Respondents received  
2 electronic image and data transmission prescription orders via facsimile or email from an  
3 unlicensed entity, SportPharm Pharmaceuticals, Inc. or a wholesaler, Champion Health Services,  
4 Inc. instead of a prescriber. Respondents then dispensed, furnished and sold drugs to SportPharm  
5 Pharmaceuticals, Inc. which the Board had issued two citations and fines for engaging in  
6 unlicensed activities and/or to Champion Health Services, Inc.

7 20. Respondents furnished non-patient specific compounded drug products, allegedly for  
8 "prescriber office use" to Champion Healthcare Services, Inc. and SportPharm Pharmaceuticals,  
9 Inc. who were not prescribers.

10 21. Respondents accepted and filled prescriptions which did not contain the dates of  
11 issuance on them. Respondents also accepted and filled prescriptions from sources other than the  
12 prescriber, SportsPharm Pharmaceuticals, Inc. and Champion Healthcare Services, Inc. without  
13 documenting that they contacted the prescribers to validate the prescriptions. Respondents also  
14 did not reduce oral prescriptions to writing nor did pharmacists initial oral prescriptions which  
15 were reduced to writing.

16 22. From June 25, 2013 through August 8, 2013, Respondents sold and shipped drugs to  
17 states where Respondent Triad Compounding Pharmacy was not licensed to ship drugs but was  
18 required to be licensed to ship drugs into those states.

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Sold Drugs to Unlicensed Entity)**

21 23. Respondents are subject to disciplinary action under Code section 4301(o), for  
22 violating Business and Professions Code section 4169(a)(1), in that they sold or transferred  
23 dangerous drugs to an unlicensed entity, as set forth in paragraphs 18 through 22 above, which  
24 are incorporated herein by reference.

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**SECOND CAUSE FOR DISCIPLINE**

**(Furnished Drugs to Unauthorized Entities)**

24. Respondents are subject to disciplinary action under Code section 4301(o), for violating Business and Professions Code section 4126.5(a)(1), in that they furnished dangerous drugs to an unlicensed entity and a wholesaler, as set forth in paragraphs 18 through 22 above, which are incorporated herein by reference.

**THIRD CAUSE FOR DISCIPLINE**

**(Furnished Drugs to Unauthorized Person)**

25. Respondents are subject to disciplinary action under Code section 4301(o), for violating Business and Professions Code section 4163(a)(1), in that they furnished dangerous drugs to an unauthorized person, an unlicensed entity, as set forth in paragraphs 18 through 22 above, which are incorporated herein by reference.

**FOURTH CAUSE FOR DISCIPLINE**

**(Sold or Delivered Drugs Out of State Without Licensure)**

26. Respondents are subject to disciplinary action under Code section 4301(o), for violating Business and Professions Code section 4059.5(e), in that they sold and shipped dangerous drugs into states where Respondent Triad Compounding Pharmacy was unlicensed to ship drugs but was required to be licensed to do so, as set forth in paragraphs 18 through 22 above, which are incorporated herein by reference.

**FIFTH CAUSE FOR DISCIPLINE**

**(Failure to Reduce Oral Prescriptions to Writing or Initial Them)**

27. Respondents are subject to disciplinary action under Code section 4301(o), for violating California Code of Regulations, title 16, section 1717(e), in that they failed to reduce oral prescriptions to writing and failed to have the pharmacist initial oral prescriptions reduced to writing, as set forth in paragraphs 18 through 22 above, which are incorporated herein by reference.

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1 **SIXTH CAUSE FOR DISCIPLINE**

2 **(Failure to Contact Prescriber to Validate Prescriptions)**

3 28. Respondents are subject to disciplinary action under Code section 4301(o), for  
4 violating California Code of Regulations, title 16, section 1761(a), in that they did not contact the  
5 prescriber to validate prescriptions received from sources other than the prescribers, as set forth  
6 in paragraphs 18 through 22 above, which are incorporated herein by reference.

7 **SEVENTH CAUSE FOR DISCIPLINE**

8 **(Accepted and Filled Prescriptions Without Date of Issue)**

9 29. Respondents are subject to disciplinary action under Code section 4301(o), for  
10 violating Business and Professions Code section 4040(a)(1)(C), in that they accepted and filled  
11 prescriptions which did not contain the date issue written on them, as set forth in paragraphs 18  
12 through 22 above, which are incorporated herein by reference.

13 **EIGHTH CAUSE FOR DISCIPLINE**

14 **(Accepted and Received Prescriptions From Unlicensed Entity and Wholesaler)**

15 30. Respondents are subject to disciplinary action under Code section 4301(o), for  
16 violating California Code of Regulations, title 16, section 1761(a), in that they accepted and filled  
17 electronic transmission prescriptions from an unlicensed entity and a wholesaler, as set forth in  
18 paragraphs 18 through 22 above, which are incorporated herein by reference.

19 **NINTH CAUSE FOR DISCIPLINE**

20 **(Furnished Non-Patient Specific Compounded Drugs to Unlicensed Entity and Wholesaler)**

21 31. Respondents are subject to disciplinary action under Code section 4301(o), for  
22 violating Business and Professions Code section 4052(a)(1), in that they furnished non-patient  
23 specific compounded drugs for "prescriber office use" to entities who were not prescribers, as set  
24 forth in paragraphs 18 through 22 above, which are incorporated herein by reference.

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1 TENTH CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 32. Respondents are subject to disciplinary action under Code section 4301 for  
4 unprofessional conduct in that they engaged in the activities described in paragraphs 18 through  
5 22 above, which are incorporated herein by reference.

6 PRAYER

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

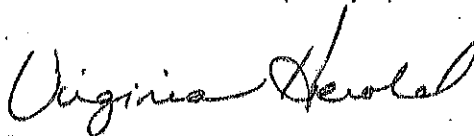
9 1. Revoking or suspending Pharmacy Permit Number PHY 41551, issued to Artesia  
10 Pharmacy, Inc., doing business as Triad Compounding Pharmacy;

11 2. Revoking or suspending Pharmacist License Number RPH 29677, issued to Ronald  
12 Stephen Miller;

13 3. Ordering Artesia Pharmacy, Inc. doing business as Triad Compounding Pharmacy  
14 and Ronald Stephen Miller to pay the Board of Pharmacy the reasonable costs of the investigation  
15 and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

17  
18 DATED: 3/15/16



19 VIRGINIA HEROLD  
20 Executive Officer  
21 Board of Pharmacy  
22 Department of Consumer Affairs  
23 State of California  
24 Complainant

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