

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

In the Matter of the Accusation Against:

Case No. 5370

**JASPREET SINGH CHOHAN  
845 Rolling Oak Court  
Modesto, CA 95351**

**Pharmacy Technician Registration  
No. TCH 123446**

Respondent.

**DECISION AND ORDER**

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

This Decision shall become effective on January 8, 2016.

It is so ORDERED on December 9, 2015.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

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

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 JEFFREY M. PHILLIPS  
Deputy Attorney General  
4 State Bar No. 154990  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-6292  
Facsimile: (916) 327-8643  
7 Attorneys for Complainant

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

10  
11 In the Matter of the Accusation Against:

Case No. 5370

12 **JASPREET SINGH CHOHAN**  
845 Rolling Oak Court  
13 Modesto, CA 95351

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

14 **Pharmacy Technician Registration**  
15 **No. TCH 123446**

16 Respondent.

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

19 PARTIES

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

24 2. Jaspreet S. Chohan (Respondent) is represented in this proceeding by attorney  
25 Gradford Alonzo, whose address is 1202 H St, Modesto, CA 95354.

26 3. On or about May 8, 2012, the Board of Pharmacy issued Pharmacy Technician  
27 Registration No. TCH 123446 to Jaspreet S. Chohan (Respondent). The Pharmacy Technician  
28 Registration was in full force and effect at all times relevant to the charges brought in Accusation

1 No. 5370 and will expire on August 31, 2015, unless renewed.

2 JURISDICTION

3 4. Accusation No. 5370 was filed before the Board of Pharmacy (Board), Department of  
4 Consumer Affairs, and is currently pending against Respondent. The Accusation and all other  
5 statutorily required documents were properly served on Respondent on July 29, 2015.  
6 Respondent has not yet filed his Notice of Defense contesting the Accusation. A copy of  
7 Accusation No. 5370 is attached as Exhibit A and incorporated by reference.

8 ADVISEMENT AND WAIVERS

9 5. Respondent has carefully read, fully discussed with counsel, and understands the  
10 charges and allegations in Accusation No. 5370. Respondent also has carefully read, fully  
11 discussed with counsel, and understands the effects of this Stipulated Surrender of License and  
12 Order.

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

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
21 every right set forth above.

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in Accusation  
24 No. 5370, except as to paragraph number 10 which respondent neither admits nor denies, and  
25 agrees that cause exists for discipline and hereby surrenders his Pharmacy Technician  
26 Registration No. TCH 123446 for the Board's formal acceptance.

27 //

28 //

1 9. Respondent understands that by signing this stipulation he enables the Board to issue  
2 an order accepting the surrender of his Pharmacy Technician Registration without further process.

3 RESERVATION

4 10. The admissions made by Respondent herein are only for the purposes of this  
5 proceeding, or any other proceedings in which the Board of Pharmacy or other professional  
6 licensing agency is involved, and shall not be admissible in any other criminal or civil  
7 proceeding.

8 CONTINGENCY

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

18 12. The parties understand and agree that Portable Document Format (PDF) and facsimile  
19 copies of this Stipulated Surrender of License and Order, including Portable Document Format  
20 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

ORDER

1  
2 IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 123446,  
3 issued to Respondent Jaspreet S. Chohan, is surrendered and accepted by the Board of Pharmacy.

4 1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance  
5 of the surrendered license by the Board shall constitute the imposition of discipline against  
6 Respondent. This stipulation constitutes a record of the discipline and shall become a part of  
7 Respondent's license history with the Board of Pharmacy.

8 2. Respondent shall lose all rights and privileges as a pharmacy technician in California  
9 as of the effective date of the Board's Decision and Order.

10 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was  
11 issued, his wall certificate on or before the effective date of the Decision and Order.

12 4. Respondent understands and agrees that if he or she ever files an application for  
13 licensure or a petition for reinstatement in the State of California, the board shall treat it as a new  
14 application for licensure. Respondent may not apply for any license, permit, or registration from  
15 the board for three (3) years from the effective date of this decision. Respondent stipulates that  
16 should he or she apply for any license from the board on or after the effective date of this  
17 decision, all allegations set forth in the Accusation shall be deemed to be true, correct and  
18 admitted by respondent when the board determines whether to grant or deny the application.  
19 Respondent shall satisfy all requirements applicable to that license as of the date the application is  
20 submitted to the board, including, but not limited to certification by a nationally recognized body  
21 prior to the issuance of a new license. Respondent is required to report this surrender as  
22 disciplinary action..

23 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
24 amount of \$1,275.00, prior to issuance of a new or reinstated license.

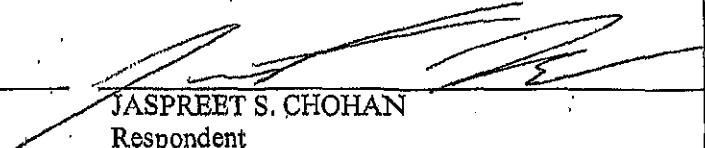
25 6. If Respondent should ever apply or reapply for a new license or certification, or  
26 petition for reinstatement of a license, by any other health care licensing agency in the State of  
27 California, all of the charges and allegations contained in Accusation, No. 5370 shall be deemed  
28 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any

1 other proceeding seeking to deny or restrict licensure.

2 ACCEPTANCE

3 I have carefully read the above Stipulated Surrender of License and Order and have fully  
4 discussed it with my attorney, Gradford Alonzo. I understand the stipulation and the effect it will  
5 have on my Pharmacy Technician Registration. I enter into this Stipulated Surrender of License  
6 and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and  
7 Order of the Board of Pharmacy.

8  
9 DATED: 8-28-15

  
10 JASPREET S. CHOCHAN  
11 Respondent

12 I have read and fully discussed with Respondent Jaspreet S. Chohan the terms and  
13 conditions and other matters contained in this Stipulated Surrender of License and Order. I  
14 approve its form and content.

15  
16 DATED: 8-28-15

  
17 GRADFORD ALONZO  
18 Attorney for Respondent

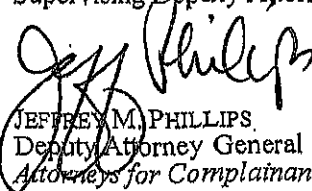
19 ENDORSEMENT

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

22 Dated: 8/31/15

Respectfully submitted,

23 KAMALA D. HARRIS  
24 Attorney General of California  
25 JANICE K. LACHMAN  
26 Supervising Deputy Attorney General

  
27 JEFFREY M. PHILLIPS  
28 Deputy Attorney General  
Attorneys for Complainant

SA2014119551

**Exhibit A**

**Accusation No. 5370**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 JEFFREY M. PHILLIPS  
Deputy Attorney General  
4 State Bar No. 154990  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-6292  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 5370

12 **JASPREET SINGH CHOCHAN**  
13 **845 Rolling Oak Court**  
**Modesto, CA 95351**

**AMENDED ACCUSATION**

14 **Pharmacy Technician Registration**  
15 **No. TCH 123446**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about May 8, 2012, the Board of Pharmacy issued Pharmacy Technician  
23 Registration Number TCH 123446 to Jaspreet S. Chohan (Respondent). The Pharmacy  
24 Technician Registration was in full force and effect at all times relevant to the charges brought  
25 herein and will expire on August 31, 2015, unless renewed.

26 **JURISDICTION**

27 3. Business and Professions Code ("Code") section 4300(a) states, that every license  
28 issued may be suspended or revoked.



1 4. Code section 4011 states that the board shall administer and enforce this chapter  
2 and the Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of  
3 the Health and Safety Code).

4 5. Code section 4300.1 states:

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

9 **STATUTORY PROVISIONS**

10 6. Code section 4301 states, in pertinent part:

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

14 . . . .  
15 (j) The violation of any of the statutes of this state, or any other state, or of  
the United States regulating controlled substances and dangerous drugs . . .

16 . . . .  
17 (l) The conviction of a crime substantially related to the qualifications, functions,  
18 and duties of a licensee under this chapter. The record of conviction of a violation of  
Chapter 13 (commencing with Section 801) of Title 21 of the United States Code regulating  
19 controlled substances or of a violation of the statutes of this state regulating controlled  
substances or dangerous drugs shall be conclusive evidence of unprofessional conduct. In  
20 all other cases, the record of conviction shall be conclusive evidence only of the fact that the  
conviction occurred. The board may inquire into the circumstances surrounding the  
21 commission of the crime, in order to fix the degree of discipline or, in the case of a  
conviction not involving controlled substances or dangerous drugs, to determine if the  
22 conviction is of an offense substantially related to the qualifications, functions, and duties of  
a licensee under this chapter. A plea or verdict of guilty or a conviction following a plea of  
23 nolo contendere is deemed to be a conviction within the meaning of this provision. The  
board may take action when the time for appeal has elapsed, or the judgment of conviction  
24 has been affirmed on appeal or when an order granting probation is made suspending the  
imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal  
25 Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not  
26 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
indictment. . .

27  
28 //

1 **COST RECOVERY**

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

6 **DRUGS**

7 8. "Cocaine" is a Schedule II controlled substance as designated by Health and Safety  
8 Code section 11055, subdivision (b)(6).

9 9. "Marijuana" is a Schedule I controlled substance as designated by Health and Safety  
10 Code section 11054, subdivision (d)(13).

11 **BACKGROUND**

12 10. On or about June 1, 2014, Respondent sold approximately 1 gram of cocaine to an  
13 confidential informant of the Modesto Police Department. On or about June 4, 2014, Respondent  
14 was arrested by Modesto Police Department officers and a search warrant was executed on  
15 Respondent's vehicle that uncovered approximately one ounce of marijuana and a digital scale.  
16 Later that day, a search was executed by Modesto Police Department officers on Respondent's  
17 residence that uncovered approximately 38 grams of cocaine, one pound of marijuana, packaging  
18 materials, scales, and text messages on Respondent's cell phone consistent with drug sales.  
19 Respondent's residence was within 1,000 feet of an elementary school.

20 **FIRST CAUSE FOR DISCIPLINE**

21 **(Criminal Conviction)**

22 11. Respondent is subject to disciplinary action for unprofessional conduct under section  
23 4301, subdivision (i), based on a criminal conviction, in that on or about July 7, 2015, in the  
24 Stanislaus County Superior Court case entitled *People v. Jaspreet Singh Chohan*, Case Number  
25 1475560, Respondent pled nolo contendere to one count of violating Health and Safety Code  
26 section 11366.5(a), a felony. The circumstances of the crime are that on or about June 4, 2014,  
27 Respondent did making available for use a building, room, space, or enclosure for unlawful  
28 manufacture, storage, or distribution of controlled substance, to wit, cocaine.

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct - Violations of State Laws Regulating Controlled Substances)**

3 12. Respondent is subject to disciplinary action pursuant to Code section 4301,  
4 subdivision (j), for unprofessional conduct, in that on or about June 1 and 4, 2014, Respondent  
5 violated state laws regulating controlled substances, as alleged in paragraph 10 and 11.

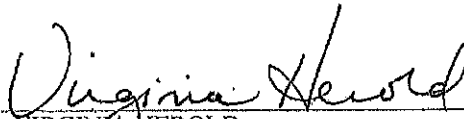
6 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
7 and that following the hearing, the Board of Pharmacy issue a decision:

8 1. Revoking or suspending Pharmacy Technician Registration Number TCH 123446,  
9 issued to Jaspreet S. Chohan,;

10 2. Ordering Jaspreet S. Chohan to pay the Board of Pharmacy the reasonable costs of the  
11 investigation and enforcement of this case, pursuant to Business and Professions Code section  
12 125.3;

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

14  
15 DATED: 8/10/15

  
16 VIRGINIA HEROLD  
17 Executive Officer  
18 Board of Pharmacy  
19 Department of Consumer Affairs  
20 State of California  
21 Complainant

22  
23  
24  
25  
26  
27  
28  
SA2014119551  
Chohan amended accusation

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 JEFFREY M. PHILLIPS  
Deputy Attorney General  
4 State Bar No. 154990  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-6292  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 5370

13 **JASPREET SINGH CHOHAN**  
845 Rolling Oak Court  
Modesto, CA 95351

**A C C U S A T I O N**

14 **Pharmacy Technician Registration**  
15 **No. TCH 123446**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about May 8, 2012, the Board of Pharmacy issued Pharmacy Technician  
23 Registration Number TCH 123446 to Jaspreet S. Chohan (Respondent). The Pharmacy  
24 Technician Registration was in full force and effect at all times relevant to the charges brought  
25 herein and will expire on August 31, 2015, unless renewed.

26 **JURISDICTION**

27 3. Business and Professions Code ("Code") section 4300(a) states, that every license  
28 issued may be suspended or revoked.

1 4. Code section 4011 states that the board shall administer and enforce this chapter  
2 and the Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of  
3 the Health and Safety Code).

4 5. Code section 4300.1 states:

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

11 STATUTORY PROVISIONS

12 6. Code section 4301 states, in pertinent part:

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

17 . . . .

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

20 . . . .

21 (l) The conviction of a crime substantially related to the qualifications, functions,  
22 and duties of a licensee under this chapter. The record of conviction of a violation of  
23 Chapter 13 (commencing with Section 801) of Title 21 of the United States Code regulating  
24 controlled substances or of a violation of the statutes of this state regulating controlled  
25 substances or dangerous drugs shall be conclusive evidence of unprofessional conduct. In  
26 all other cases, the record of conviction shall be conclusive evidence only of the fact that the  
27 conviction occurred. The board may inquire into the circumstances surrounding the  
28 conviction of the crime, in order to fix the degree of discipline or, in the case of a  
conviction not involving controlled substances or dangerous drugs, to determine if the  
conviction is of an offense substantially related to the qualifications, functions, and duties of  
a licensee under this chapter. A plea or verdict of guilty or a conviction following a plea of  
nolo contendere is deemed to be a conviction within the meaning of this provision. The  
board may take action when the time for appeal has elapsed, or the judgment of conviction  
has been affirmed on appeal or when an order granting probation is made suspending the  
imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal  
Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not  
guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
indictment...

//

1 **COST RECOVERY**

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

6 **DRUGS**

7 8. "Cocaine" is a Schedule II controlled substance as designated by Health and Safety  
8 Code section 11055, subdivision (b)(6).

9 9. "Marijuana" is a Schedule I controlled substance as designated by Health and Safety  
10 Code section 11054, subdivision (d)(13).

11 **BACKGROUND**

12 10. On or about June 1, 2014, Respondent sold approximately 1 gram of cocaine to an  
13 confidential informant of the Modesto Police Department. On or about June 4, 2014, Respondent  
14 was arrested by Modesto Police Department officers and a search warrant was executed on  
15 Respondent's vehicle that uncovered approximately one ounce of marijuana and a digital scale.  
16 Later that day, a search was executed by Modesto Police Department officers on Respondent's  
17 residence that uncovered approximately 38 grams of cocaine, one pound of marijuana, packaging  
18 materials, scales, and text messages on Respondent's cell phone consistent with drug sales.  
19 Respondent's residence was within 1,000 feet of an elementary school.

20 **FIRST CAUSE FOR DISCIPLINE**

21 **(Criminal Conviction)**

22 11. Respondent is subject to disciplinary action for unprofessional conduct under section  
23 4301, subdivision (i), based on a criminal conviction, in that on or about July 7, 2015, in the  
24 Stanislaus County Superior Court case entitled *People v. Jaspreet Singh Chohan*, Case Number  
25 1475560, Respondent pled nolo contendere to one count of violating Health and Safety Code  
26 section 11351 (Possession for sale of a controlled substance), a felony. The circumstances of the  
27 crime are that on or about June 4, 2014, Respondent did willfully, unlawfully, and feloniously  
28 have in his possession for purpose of sale a controlled substance, to wit, cocaine.

1 SECOND CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct - Violations of State Laws Regulating Controlled Substances)

3 12. Respondent is subject to disciplinary action pursuant to Code section 4301,  
4 subdivision (j), for unprofessional conduct, in that on or about June 1 and 4, 2014, Respondent  
5 violated state laws regulating controlled substances, as alleged in paragraph 10 and 11.

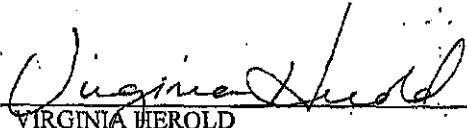
6  
7 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
8 and that following the hearing, the Board of Pharmacy issue a decision:

9 1. Revoking or suspending Pharmacy Technician Registration Number TCH 123446,  
10 issued to Jaspreet S. Chohan,;

11 2. Ordering Jaspreet S. Chohan to pay the Board of Pharmacy the reasonable costs of the  
12 investigation and enforcement of this case, pursuant to Business and Professions Code section  
13 125.3;

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

15  
16 DATED: 7/28/15

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

23  
24  
25  
26  
27  
28  
SA2014119551  
11946710