

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

In the Matter of the Accusation Against:

**ORLANDO'S FAIRMONT PHARMACY
INC. DBA FAIRMONT PHARMACY,
ORLANDO HERNANDEZ
50 Bellefontaine Street, Suite 103
Pasadena, CA 91105
Original Permit No. PHY 32744,**

**ORLANDO HERNANDEZ
173 Berkley Avenue
Pasadena, CA 91107
Pharmacist License No. RPH 37523,**

and

**CINDY P. CHENG
Fairmont Pharmacy
50 Bellefontaine Street, Suite 103
Pasadena, CA 91105
Pharmacist License No. RPH 50473**

Respondents.

Case No. 5743

**AS TO RESPONDENT CINDY P. CHENG
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 June 22, 2017.

It is so ORDERED on May 23, 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 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 NANCY A. KAISER
Deputy Attorney General
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Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 5743

12 **ORLANDO'S FAIRMONT PHARMACY**
13 **INC. DBA FAIRMONT PHARMACY,**
ORLANDO HERNANDEZ
50 Bellefontaine Street, Suite 103
14 Pasadena, CA 91105
Pharmacy Permit No. PHY 32744,

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL

[Bus. & Prof. Code § 495]

15 **ORLANDO HERNANDEZ**
16 173 S. Berkley Avenue
Pasadena, CA 91107
17 Pharmacist License No. RPH 37523,

18 and

19 **CINDY P. CHENG**
Fairmont Pharmacy
20 50 Bellefontaine Street, Suite 103
Pasadena, CA 91105
21 Pharmacist License No. RPH 50473

22 Respondents.

23
24 In the interest of a prompt and speedy settlement of this matter, consistent with the public
25 interest and the responsibilities of the Board of Pharmacy of the Department of Consumer Affairs
26 the parties hereby agree to the following Stipulated Settlement and Disciplinary Order for Public
27 Reapproval which will be submitted to the Board for approval and adoption as the final disposition
28

1 of the Accusation solely with respect to Cindy P. Cheng. It does not apply to Fairmont Pharmacy
2 and Orlando Hernandez.

3 PARTIES

4 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy
5 (Board). She brought this action solely in her official capacity and is represented in this matter by
6 Xavier Becerra, Attorney General of the State of California, by Nancy A. Kaiser, Deputy
7 Attorney General.

8 2. Respondent Cindy P. Cheng (Respondent) is represented in this proceeding by
9 attorney Ivan Petrzelka, whose address is: Ivan Petrzelka, Pharm D., J.D., 28 , California
10 Pharmacy Lawyers - Law Office of Tony J. Park, Inc., 2855 Michelle Drive, Suite 180, Irvine,
11 CA 92606-1027.

12 JURISDICTION

13 3. On or about August 31, 1998, the Board of Pharmacy issued pharmacist license RPH
14 50473 to Cindy P. Cheng (Respondent). The pharmacist license was in full force and effect at all
15 times relevant to the charges brought in Accusation No. 5743 and will expire on November 30,
16 2017, unless renewed.

17 4. Accusation No. 5743 was filed before the Board of Pharmacy (Board), Department of
18 Consumer Affairs and is currently pending against Respondent. The Accusation and all other
19 statutorily required documents were properly served on Respondent on November 2, 2016.
20 Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation
21 No. 5743 is attached as exhibit A and incorporated herein by reference.

22 ADVISEMENT AND WAIVERS

23 5. Respondent has carefully read, fully discussed with counsel, and understands the
24 charges and allegations in Accusation No. 5743. Respondent has also carefully read, fully
25 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
26 Order for Public Reapproval.

27 6. Respondent is fully aware of her legal rights in this matter, including the right to a
28 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at

1 its own expense; the right to confront and cross-examine the witnesses against her; the right to
2 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
3 compel the attendance of witnesses and the production of documents; the right to reconsideration
4 and court review of an adverse decision; and all other rights accorded by the California
5 Administrative Procedure Act and other applicable laws.

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

8 CULPABILITY

9 8. Respondent understands and agrees that the charges and allegations in Accusation
10 No. 5743, if proven at a hearing, constitute cause for imposing discipline upon her pharmacist
11 license.

12 9. For the purpose of resolving the Accusation without the expense and uncertainty of
13 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
14 basis for the charges in the Accusation, and that Respondent hereby gives up her right to contest
15 those charges. Respondent understands and agrees that should she come before the Board or any
16 other board or bureau of the Department of Consumer Affairs in any further or future
17 proceedings, all of the charges and allegations set forth in the Accusation shall be deemed proven
18 without the necessity of further proof.

19 10. Respondent agrees that her pharmacist license is subject to discipline and she agrees
20 to be bound by the Disciplinary Order below.

21 CONTINGENCY

22 11. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
23 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
24 communicate directly with the Board regarding this stipulation and settlement, without notice to
25 or participation by Respondent or her counsel. By signing the stipulation, Respondent
26 understands and agrees that they may not withdraw her agreement or seek to rescind the
27 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
28 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public

1 Reproval shall be of no force or effect, except for this paragraph, it shall be inadmissible in any
2 legal action between the parties, and the Board shall not be disqualified from further action by
3 having considered this matter.

4 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
5 copies of this Stipulated Settlement and Disciplinary Order for Public Reproval, including
6 Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and
7 effect as the originals.

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

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

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DISCIPLINARY ORDER

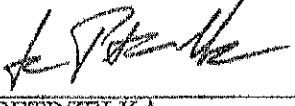
IT IS HEREBY ORDERED that Pharmacist License RPH 50473 issued to Respondent Cindy P. Cheng (Respondent) shall be publicly reprovved by the Board of Pharmacy under Business and Professions Code section 495 in resolution of Accusation No. 5743, attached as exhibit A.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reproval and have fully discussed it with my attorney, Ivan Petrzelka. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order for Public Reproval voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 2/12/17 
CINDY P. CHENG
Respondent

I have read and fully discussed with Respondent Cindy P. Cheng the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reproval. I approve its form and content.

DATED: March 4, 2017 
IVAN PETRZELKA
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Repeval is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: *April 4, 2017*

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General



NANCY A. KAISER
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 5743

1 KAMALA D. HARRIS
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 NANCY A. KAISER
Deputy Attorney General
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Attorneys for Complainant
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8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 5743

12 **Orlando's Fairmont Pharmacy, Inc.**
dba Fairmont Pharmacy
13 **PIC Orlando Hernandez, Owner/Pres.**
Maria A. Hernandez, Owner/Vice Pres.
14 50 Belle Fontaine Street
Pasadena, CA 91105
15 **Original Permit Number PHY 32744**

A C C U S A T I O N

16 and

17 **Orlando Hernandez**
173 South Berkeley Avenue
18 Pasadena, California 91107
19 **Pharmacist License Number RPH 37523**

20 and

21 **Cindy P. Cheng**
50 Belle Fontaine Street
22 Pasadena, CA 91105
23 **Pharmacist License Number RPH 50473**

24 Respondents.

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1 Complainant alleges:

2 PARTIES

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

5 2. On or about May 6, 1986, the Board of Pharmacy issued Pharmacy Permit No. PHY
6 32744 to Orlando's Fairmont Pharmacy, Inc. dba Fairmont Pharmacy (Respondent Pharmacy),
7 located at 50 Belle Fontaine Street, Pasadena, California. Orlando Hernandez, RPH 37523 has
8 been the President and a 50% owner of Respondent Pharmacy since May 6, 1986. Maria
9 Hernandez has been a 50% owner and Vice President of Respondent Pharmacy since May 6,
10 1986. The Pharmacy Permit was in full force and effect at all times relevant to the charges
11 brought herein and will expire on May 1, 2017, unless renewed.

12 3. On or about July 1, 2003, the Board of Pharmacy issued Sterile Compounding Permit
13 Number LSC 99057 to Orlando's Fairmont Pharmacy, Inc. dba Fairmont Pharmacy, located at 50
14 Belle Fontaine Street, Pasadena, California. The Sterile Compounding Permit was in full force
15 and effect at all times relevant to the charges brought herein and will expire on May 1, 2017,
16 unless renewed.

17 4. On or about January 10, 1983, the Board of Pharmacy issued pharmacist license RPH
18 37523 to Orlando Hernandez (Respondent Hernandez). The pharmacist license was in full force
19 and effect at all times relevant to the charges brought herein and will expire on February 28, 2018,
20 unless renewed. Respondent Hernandez has been the designated Pharmacist-in-Charge of
21 Respondent Pharmacy since May 6, 1986.

22 5. In a prior disciplinary action entitled *In the Matter of the Accusation Against*
23 *Orlando's Fairmont Pharmacy dba Fairmont Pharmacy and Orlando Hernandez*, Case Number
24 5238, the Board issued a decision, effective December 4, 2015, in which Sterile Compounding
25 Permit Number LSC 99057 issued to Respondent Pharmacy and Pharmacist License Number
26 RPH 37523 issued to Respondent Hernandez were revoked, the revocations were stayed, and the
27 sterile compounding permit and the pharmacist license were placed on probation for five years.
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1 6. On or about August 31, 1998, the Board of Pharmacy issued pharmacist license RPH
2 50473 to Cindy P. Cheng (Respondent Cheng). The pharmacist license was in full force and
3 effect at all times relevant to the charges brought herein and will expire on November 30, 2017,
4 unless renewed.

5 **JURISDICTION**

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

9 8. Section 4300 of the Code provides, in part, that every license issued by the Board
10 is subject to discipline, including suspension or revocation.

11 9. Section 4302 of the Code states:

12 "The board may deny, suspend, or revoke any license of a corporation where conditions
13 exist in relation to any person holding 10 percent or more of the corporate stock of the
14 corporation, or where conditions exist in relation to any officer or director of the corporation that
15 would constitute grounds for disciplinary action against a licensee."

16 10. Section 4113 of the Code states, in part:

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

19 11. Section 4300.1 states:

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

25 12. Section 4307, subdivision (a), of the Code states, in pertinent part:

26 "Any person who has been denied a license or whose license has been revoked or is
27 under suspension, or who has failed to renew his or her license while it was under suspension, or
28 who has been a manager, administrator, owner, member, officer, director, associate, or partner of

1 any partnership, corporation, firm, or association whose application for a license has been denied
2 or revoked, is under suspension or has been placed on probation, and while acting as the manager,
3 administrator, owner, member, officer, director, associate, or partner had knowledge of or
4 knowingly participated in any conduct for which the license was denied, revoked, suspended, or
5 placed on probation, shall be prohibited from serving as a manager, administrator, owner,
6 member, officer, director, associate, or partner of a licensee as follows:

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

9 (2) Where the license is denied or revoked, the prohibition shall continue until the
10 license is issued or reinstated."

11 STATUTORY PROVISIONS

12 13. Section 4301 states:

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

16 ...

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

21 14. Section 4342 states:

22 "(a) The board may institute any action or actions as may be provided by law and that, in its
23 discretion, are necessary, to prevent the sale of pharmaceutical preparations and drugs that do not
24 conform to the standard and tests as to quality and strength, provided in the latest edition of the
25 United States Pharmacopoeia or the National Formulary, or that violate any provision of the
26 Sherman Food, Drug and Cosmetic Law (Part 5 (commencing with Section 109875) of Division
27 104 of the Health and Safety Code)."

1 “(b) Any knowing or willful violation of any regulation adopted pursuant to Section 4006
2 shall be subject to punishment in the same manner as is provided in Sections 4336 and 4321.”

3 15. Section 4169 states, in part:

4 “(a) A person or entity shall not do any of the following:

5 ...

6 (3) Purchase, trade, sell, or transfer dangerous drugs that the person knew or reasonably
7 should have known were misbranded, as defined in Section 111335 of the Health and Safety
8 Code.”

9 16. Health and Safety Code section 111375, subdivision (c) states, in part:

10 “Any drug or device is misbranded unless its labeling bears all of the following information:

11 ...

12 “(c) Adequate warning against unsafe dosage or methods or duration of administration or
13 application.

14 “Warnings shall be in a manner and form as are necessary for the protection of users.”

15 17. Health and Safety Code section 111400 states: “Any drug or device is misbranded if it
16 is dangerous to health when used in the dosage, or with the frequency or duration prescribed,
17 recommended, or suggested in its labeling.”

18 **COST RECOVERY**

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

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19. DRUG CLASSIFICATION

Brand Name(s)	Generic Name	Dangerous Drug Per Bus. & Prof. Code § 4022	Scheduled Drug per Health & Safety Code (HSC)	Indications For Use
Motilium	Domperidone	Not FDA Approved	No	Domperidone is available via an Investigational New Drug Application (IND) with the FDA for severe gastrointestinal disorders

20. The United States Food and Drug Administration (FDA) does not approve the drug domperidone for human use because of the potential of serious health risks associated with its use, which include cardiac arrhythmias, cardiac arrest, and sudden death. The higher the blood levels of domperidone, the higher the risk. The FDA does not permit the compounding of domperidone in the United States, with the exception of an investigational new drug (IND) application filing with the FDA. Currently, only Dougherty's Pharmacy located in Dallas, Texas, is approved by the FDA to compound domperidone.

21. On April 14, 2015, the Board issued a subscriber alert that stated that "Domperidone is not FDA-approved for any use in humans in the United States". It provided that the FDA permits patients with certain gastrointestinal conditions to be treated with domperidone through an Expanded Access Program, and physicians must file an IND application to the FDA to obtain expanded access for domperidone. The alert also noted that "[c]urrently, no pharmacies are authorized to compound domperidone under the Expanded Access program."

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1 CAUSE FOR DISCIPLINE

2 (Unlawful manufacturing and sales of misbranded drugs)

3 22. Respondents are subject to disciplinary action under sections 4300 and 4301,
4 subdivision (o), in that they violated section 4169, subdivision (a)(3) and Health and Safety Code
5 section 111375, subdivision (e). The circumstances are that between on or about May 27, 2015,
6 and on or about July 21, 2015, while working as a pharmacist at Respondent Pharmacy's facility,
7 located at 50 Belle Fontaine Street, Pasadena, California, Respondent Cheng compounded
8 domperidone 10mg capsules and dispensed to patient D.F. four (4) domperidone prescriptions
9 (800 capsules in total), which were compounded from the unapproved drug, domperidone.
10 Respondents failed to warn patient D.F. of the unapproved and possible unsafe dosage status with
11 the FDA. Respondents continued to dispense domperidone even after the Board's warning on
12 April 14, 2015.

13 DISCIPLINE CONSIDERATIONS

14 23. To determine the degree of discipline, Complainant alleges that:

15 a. In a prior disciplinary action entitled *In the Matter of the Accusation Against*
16 *Orlando's Fairmont Pharmacy dba Fairmont Pharmacy and Orlando Hernandez*, Case Number
17 5238, the Board issued a decision, effective December 4, 2015, in which Sterile Compounding
18 Permit Number LSC 99057 issued to Respondent Pharmacy and Pharmacist License Number
19 RPH 37523 issued to Respondent Hernandez were revoked, the revocations were stayed, and the
20 sterile compounding permit and the pharmacist license were placed on probation for five years.
21 The discipline was imposed for violating California Code of Regulations, title 16, section 1751.7
22 (Violation of Compounding Requirements), Section 4342 (Production of Nonconforming
23 Compound Drugs), and California Code of Regulations, title 16, section 1735.3, subdivision
24 (a)(1) (Violation of Compounding Recordkeeping Requirements). That decision is now final and
25 is incorporated by reference as if fully set forth.

26 b. On or about January 21, 2010, a representative of the Board inspected Respondent
27 Pharmacy's facility and issued to Respondent Pharmacy LSC 99057 administrative Citation No.
28 CI 2008 38908 with \$1,000 fine for violating California Code of Regulations, title 16, sections

1 1716.2, subdivision (a)(3) (Compounding for Future Use) and 1751.7, subdivision (c) (Failure to
2 Comply with Sterile Injectable Compounding Quality Assurance and Process Validation). The
3 Citation is final.

4 c. On or about January 21, 2010, a representative of the Board inspected Respondent
5 Pharmacy's facility and issued to Respondent Pharmacy PHY 32744 administrative Citation No.
6 CI 2009 42712 with \$1000 fine for violating Section 4342 and California Code of Regulations,
7 title 16, section 1716 (Variation from Prescriptions). The Citation is final.

8 d. On or about January 21, 2010, a representative of the Board inspected Respondent
9 Pharmacy's facility and issued to Respondent Hernandez, Pharmacist License Number RPH
10 37523 administrative Citation No. CI 2009 42713 with \$2000 fine for violating Business and
11 Professions Code section 4342 and California Code of Regulations, title 16, sections 1716.2,
12 subdivision (a)(3) (Compounding for Future Use) and 1751.7, subdivision (c) (Failure to Comply
13 with Sterile Injectable Compounding Quality Assurance and Process Validation Requirements).
14 The Citation is final.

15 **OTHER MATTERS**

16 24. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit
17 Number PHY 32744 issued to Orlando's Fairmont Pharmacy, Inc. dba Fairmont Pharmacy
18 (Respondent Pharmacy), Respondent Pharmacy shall be prohibited from serving as a manager,
19 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
20 Pharmacy Permit Number PHY 32744 is placed on probation or until Pharmacy Permit Number
21 PHY 32744 is reinstated if it is revoked.

22 25. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit
23 Number PHY 32744 issued to Respondent Pharmacy while Orlando Hernandez has been an
24 officer and owner and had knowledge of or knowingly participated in any conduct for which the
25 licensee was disciplined, Orlando Hernandez shall be prohibited from serving as a manager,
26 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
27 Pharmacy Permit Number PHY 32744 is placed on probation or until Pharmacy Permit Number
28 PHY 32744 is reinstated if it is revoked.

1 26. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit
2 Number PHY 32744 issued to Respondent Pharmacy while Maria Hernandez has been an officer
3 and owner and had knowledge of or knowingly participated in any conduct for which the licensee
4 was disciplined, Maria Hernandez shall be prohibited from serving as a manager, administrator,
5 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
6 Permit Number PHY 32744 is placed on probation or until Pharmacy Permit Number PHY 32744
7 is reinstated if it is revoked.

8 PRAYER

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

11 1. Revoking or suspending Pharmacy Permit Number PHY 32744, issued to Orlando's
12 Fairmont Pharmacy, Inc. dba Fairmont Pharmacy;

13 2. Revoking or suspending Pharmacist License RPH 37523 issued to Orlando
14 Hernandez;

15 3. Revoking or suspending Pharmacist License RPH 50473 issued to Cindy P. Cheng;

16 4. Prohibiting Orlando's Fairmont Pharmacy, Inc. from serving as a manager,
17 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
18 Pharmacy Permit Number PHY 32744 is placed on probation or until Pharmacy Permit Number
19 PHY 32744 is reinstated, as applicable, if Pharmacy Permit Number PHY 32744 issued to
20 Orlando's Fairmont Pharmacy, Inc. dba Fairmont Pharmacy is revoked;

21 5. Prohibiting Orlando Hernandez from serving as a manager, administrator, owner,
22 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
23 Number PHY 32744 is placed on probation or until Pharmacy Permit Number PHY 32744 is
24 reinstated, as applicable, if Pharmacy Permit Number PHY 32744 issued to Orlando's Fairmont
25 Pharmacy, Inc. dba Fairmont Pharmacy is revoked;

26 6. Prohibiting Maria A. Hernandez from serving as a manager, administrator, owner,
27 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
28 Number PHY 32744 is placed on probation or until Pharmacy Permit Number PHY 32744 is

1 reinstated, as applicable, if Pharmacy Permit Number PHY 32744 issued to Orlando's Fairmont
2 Pharmacy, Inc. dba Fairmont Pharmacy is revoked;

3 7. Ordering Respondents, jointly and severally, to pay the Board of Pharmacy the
4 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
5 Professions Code section 125.3;

6 8. Taking such other and further action as deemed necessary and proper.
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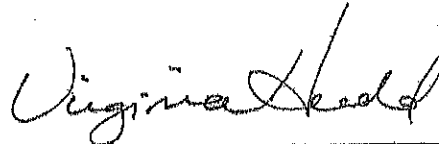
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DATED: 10/10/16

10/10/16



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

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