

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

In the Matter of the Amended Petition for  
Ex Parte Interim Suspension Order of:

STEVEN A. IANNONE  
Original Pharmacist License Number  
RPH 68846

Respondent.

Case No. 5349

OAH No. 2014120016

**ORDER RE: EX PARTE PETITION  
FOR INTERIM SUSPENSION  
ORDER**

**(Business and Professions Code  
section 494)**

Administrative Law Judge Marcie Larson, State of California, Office of  
Administrative Hearings, heard this matter in Sacramento, California on December 8, 2014.

Phillip Arthur, Deputy Attorney General, represented petitioner Virginia K. Herold,  
Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs.

Respondent Steven A. Iannone was present and represented himself.

The ex parte Amended Petition for Interim Suspension Order (Petition) was filed with  
the Office of Administrative Hearings via fax on December 1, 2014.<sup>1</sup> Petitioner is seeking an  
interim order suspending, Original Pharmacist License Number RPH 68846, pursuant to  
Business and Professions Code section 494. Notice of the ex parte hearing was provided to  
respondent at least 24 hours prior to the scheduled hearing. Copies of the Petition and all  
documents in support thereof were provided to respondent on November 26, 2014, and  
December 2, 2014.

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<sup>1</sup> The original Petition was also filed with the Office of Administrative Hearings on  
December 1, 2014.

Oral argument and evidence in the form of affidavits submitted by petitioner in support of the Petition were received, and the matter was submitted. Respondent's oral argument and documents submitted by respondent were also considered.

Having read and considered the Petition and accompanying affidavits and supporting documents, and Memorandum of Points and Authorities in support thereof, and considering the oral arguments of the parties, it is determined that:

1. Respondent, issued Original Pharmacist License Number RPH 68846, a pharmacist licensed by the Board, has engaged in acts or omissions constituting a violation of the Pharmacy Law, and is unable to practice as a pharmacist due to the use of a controlled substance; and
2. Permitting respondent to continue to practice as a pharmacist, without restrictions, will endanger the public health, safety, or welfare; and
3. It is appropriate, pursuant to Business and Professions Code section 494, to issue this interim order without the notice and hearing, in that it appears from the facts shown by affidavit that serious injury would result to the public before the matter can be heard on notice.

At hearing respondent was informed of his right to notice, a hearing and a decision on the Petition pursuant to Business and Professions Code section 494, subdivision (e). Respondent knowingly and voluntarily waived his right to a notice, a hearing and a decision on the Petition, as set forth in Business and Professions Code section 494, subdivisions (c) through and (e).

Good cause having been established, **THE FOLLOWING ORDER IS HEREBY MADE:**

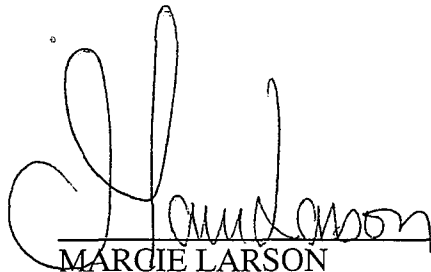
Original Pharmacist License Number RPH 68846 issued by the Board to respondent Steven A. Iannone is suspended effective immediately. This interim suspension shall remain in effect pending the issuance of a decision on the Accusation after hearing, as set forth in Business and Professions Code section 494, subdivision (f).

**IT IS FURTHER ORDERED** that respondent Steven Iannone shall, within 15 days of service of this Order provide the Board with proof of service of a true copy of this Order on the Pharmacist In Charge at every location where respondent is employed as a pharmacist and on the Chief Executive Officer at every insurance carrier where malpractice insurance coverage is extended to respondent, if any.

Respondent waived his right to a noticed hearing. Therefore, pursuant to Business and Professions Code section 494, subdivision (f), the Board shall file and serve the Accusation within 15 days of the issuance of this Order. If respondent files a Notice of

Defense, the hearing shall be held within 30 days of the Board's receipt of the Notice of Defense, unless the parties agree to waive this time in writing.

Dated: December 8, 2014



MARCIE LARSON  
Administrative Law Judge  
Office of Administrative Hearings