

CALIFORNIA STATE BOARD OF PHARMACY 📕 FALL 2013

Changes in Pharmacy Law for 2013 New changes in pharmacy law for 2014 will be provided in the next edition of *The Script*

The Senate and Assembly bills listed in this article were enacted in 2012 and unless otherwise specified took effect on January 1, 2013. The new and amended Business and Professions Code (B&PC),



Health and Safety Code (H&SC), and Civil Code laws are paraphrased or summarized below. For pertinent information that is not included in the summaries you are strongly urged to review the exact language at:

http://www.pharmacy.ca.gov/laws_regs/ new_laws.pdf.

SB 71 (Leno), Chapter Number 728, Statutes of 2012

B&PC section 4076.5 – **Amended** to remove the Board's requirement to report to the Legislature on the status of the Board's progress regarding implementation of the prescription drug labeling requirements found in section 4076.

SB 1009 (Committee on Budget and Fiscal Review) Chapter 34, Statutes of 2012

> **B&PC section 680 – Amended** to transfer certain functions of the State Department of Mental Health to the State Department of Public Health, including periodic inspections of licensed facilities.

SB 1039 (Steinberg), Chapter 147, Statutes of 2012

B&PC section 100 – Amended to eliminate the State and Consumer Services Agency and instead establish the Business, Consumer Services, and Housing Agency. The Department of Consumer Affairs is part of this agency.

SB 1095 (Rubio), Chapter 454, Statutes of 2012

Article 14 – Added to Chapter 9 of Division 2 entitled "Clinics."

B&PC section 4190 – Amended

to authorize a clinic, as specified, to apply for a license for the purpose of purchasing drugs at wholesale for administration or dispensing under the direction of a physician and surgeon, to patients registered for care at the clinic, as specified; and further specifies that no clinic shall be entitled to the benefits of the section until licensed by the Board.

B&PC section 4195 – Amended to specify that the Board is authorized to inspect any clinic that is licensed, pursuant to Article 14 of the Pharmacy Law, by the Board at any time.

H&SC section 1248.35 – Amended to include the Board of Pharmacy as one of the entities that shall receive notices from an accreditation agency when the accreditation agency issues an outpatient setting a list of deficiencies and a corrective action plan; and to notify the Board if an outpatient setting has been issued a reprimand if the outpatient's certification of accreditation has been suspended, revoked or is placed on probation.

SB 1195 (Price), Chapter Number 706, Statutes of 2012

New Chapter 9.5 beginning with section 4430 – Added to impose specified requirements on an audit of pharmacy services provided to beneficiaries of a health benefit plan. The requirements do not apply to an audit conducted by the Board of Pharmacy.

SB 1236 (Price), Chapter 332, Statutes of 2012

B&PC sections 4001 and 4003 – **Amended** to extend the authority of the Board of Pharmacy to 2017.

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President's Message By Stanley C. Weisser, R.Ph. President, Board of Pharmacy

The Board's newsletter is an important way we communicate with you, our licensees, and our goal has been to publish the newsletter on a biannual basis. Although we haven't always been able to meet that goal over the past couple of years because of budget cuts and staff reductions, we are more committed than ever to returning to a regular, biannual production schedule in 2014. With that said, I am happy to present the second issue of *The Script* for 2013.

Also coming to the Board -- and to you as licensees -- within the next year will be a new computer system that is being developed for all regulatory agencies in the Department of Consumer Affairs. The system we currently use is a legacy system developed in the 1980s, which limited our ability to modernize certain functions. For example, one key feature we will gain with the new system is the ability for online license renewal. We cannot wait to offer this service to you.

The first group of agencies to convert to the new system (called BreEZe) did so in mid-October. This Board is in the second phase, which should occur within the next year. Watch for updates.

The Board is continuing to develop better public protection programs. Specifically, I will highlight the focus of three board committees:

- 1. California's ePedigree requirements will take effect on a staggered basis starting in January 1, 2015, and culminating in full implementation in July 2017. Whereas California's law may be preempted by federal legislation, the Board must move forward to implement this law because there may not be federal legislation enacted. The Board has completed the first few regulations needed to implement the new law. Additional regulation requirements are under development. Activities in this area are being coordinated by the ePedigree Committee which currently meets each quarter. See the agenda and meeting materials by going to http://www.pharmacy. ca.gov/about/meetings.shtml . These meetings are webcast so you can watch the action.
- 2. The Board has reorganized its Enforcement Committee into the Enforcement and Compounding Committee. As the name indicates, this committee is grappling with enforcement issues and compounding issues.
- 3. The Communications and Public Education Committee is reviewing the elements required for patientcentered prescription container labels (adopted in 2010 as 16 California Code of Regulations section 1707.5). Taking effect in 2011, California's work in this area has become the basis for USP's prescription container labeling recommendations. Nevertheless, the Board has committed to reviewing these elements by December 2013, a process that has been initiated.

The Board is aggressively working to educate pharmacists and other licensees about their corresponding responsibility to ensure controlled substances are dispensed for legitimate medical needs. In this effort, the Board provided six-hour CE seminars with the DEA about prescription drug abuse throughout California between June and August 2013. A component of this program also promotes the use of California's CURES prescription drug monitoring program (known as a PDMP) for Schedule II-IV controlled substances. I encourage you to attend one of these presentations in the future when you are able. Pharmacists and prescribers are encouraged to sign up with CURES to receive the PDMP reports on patients for whom a report is requested. This is one way to identify patients who are drug scammers and not legitimate patients.

2013 has been very important for new pharmacy laws. We hope to publish a newsletter soon to describe these important changes to highlight the new laws. In the meantime, go to our website to see legislation that will take effect January 2014 <u>http://www. pharmacy.ca.gov/laws_regs/index.</u> <u>shtml</u>.

In closing, I invite you to attend a future board meeting. Information about meetings is available at <u>http://</u> <u>www.pharmacy.ca.gov/about/meetings.</u> <u>shtml</u>.

Changes in Pharmacy Law

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SB 1301 (Hernandez), Chapter Number 455, Statutes of 2012

B&PC section 4064.5 – Added

to permit a pharmacist to dispense not more than a 90-day supply of a dangerous drug, so long as specified requirements are met, and provided the prescriber did not indicate "no change to quantity", or words of similar meaning. The section does not apply to controlled substances or to psychotropic medication or drugs.

SB 1329 (Simitian), Chapter 709, Statutes of 2012

H&SC sections 150200, 150201, 150202, 150204 and 150205 – Amended and section 150202.5

Added to authorize counties to establish voluntary drug repositories and distribution programs for the purpose of distributing surplus medications to persons in need of financial assistance to ensure access to necessary pharmaceutical therapies. Certain exclusions and conditions apply.

SB 1481 (Negrete, McLeod), Chapter Number 874, Statutes of 2012

B&P Code sections 1206.6 and other related sections – Amended to allow a community pharmacy to perform only specified tests that are classified as waived under federal Clinical Laboratory Improvement Amendments of 1988 (CLIA) and that are approved by the FDA for over-the-counter sale to the public, provided the pharmacy obtains a valid CLIA certificate of waiver, obtains a registration from the CDPH, and provided that only a pharmacist performs the tests authorized, as specified.

SB 1575 (Committee on Business, Professions and Economic Development), Chapter Number 799, Statutes of 2012

B&PC section 4209 – Amended to specify requirements for intern

pharmacists to apply for the pharmacist licensure examination, to (1) allow intern hours earned in another state to be certified by the licensing agency of that state as proof of his or her experience; and (2) to specify that an applicant for the pharmacist exam who has been licensed as a pharmacist in another state for at least one year, may submit certification from that state to satisfy the 1,500 hours of intern experience, so long as the applicant has obtained a minimum of 900 hours of pharmacy practice experience in a pharmacy as a pharmacist.

B&PC section 4300.1 - Added to

specify that the Board has jurisdiction to commence or proceed with an investigation, action, or disciplinary proceeding against a licensee, or render a decision to suspend or revoke a license, even if the license was expired, cancelled, forfeited, suspended by operation of law, voluntarily surrendered or placed on retired status.

Assembly Bills

AB 377 (Solorio), Chapter Number 687, Statutes of 2012

B&P Code section 4029 – Amended and Article 7.6 Added (commencing with section 4128) to **Chapter 9 of Division 2** authorizing the Board to issue a specialty license to a hospital pharmacy as a "centralized hospital packaging pharmacy." Such a license will authorize a hospital chain under common ownership to prepare consolidated packaging operations to prepare single (unit-) dose medications that are bar coded. The unit-dose medications would be delivered for patient administration to any of multiple campuses of the general acute care hospitals under the same ownership. These bar coded medications will also aid hospitals in improving patient safety and in reducing medication errors. Reading a

medication's bar code at the patient's bedside prior to administration will help ensure that the right drug is being administered to the right patient at the right time.

AB 389 (Mitchell), Chapter 75, Statutes of 2012.

H&S Code Article 5 – Added (commencing with section 125286.10) to Chapter 2 of Part 5 of Division 106 to establish in the Health and Safety Code (commencing with section 12586.10) the "Standards of Service for Providers of Blood Clotting Products for Home Use Act" ("Act") and to require the Board of Pharmacy to administer and enforce the provisions of the Act.

AB 439 (Skinner), Chapter 437, Statutes of 2012

Civil Code section 56.36 – Amended the Confidentiality of Medical Information Act to specify that a court may not award nominal damages for negligent release of confidential information if the defendant establishes specified factors as an affirmative defense and that a defendant shall not be liable for more than one judgment arising out of the same event, transaction, or occurrence.

AB 1442 (Wieckowski), Chapter Number 689, Statutes of 2012

H&S Code – Amends the Medical Waste Management Act ("Act" – commencing with Health and Safety Code section 117637) to define, for purposes of the Act, "pharmaceutical waste" and "common carrier"; to provide for a pharmaceutical waste hauling exemption; to allow the use of common carriers to transport pharmaceutical waste for disposal; and to specify what information must be maintained regarding the disposal and transporting of pharmaceutical waste.

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Changes in Pharmacy Law

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AB 1470 (Budget Committee), Chapter 24, Statutes of 2012 (Urgency)

B&PC section 4115 – Amended to update references to the Department of Corrections and Rehabilitation and to the Department of State Hospitals. As an urgency measure, the changes were effective on June 27, 2012.

AB 1588 (Atkins), Chapter Number 742, Statutes of 2012

B&P Code section 114.3 – Added to require boards within the Department of Consumer Affairs to waive the examination for reinstatement, renewal fees and continuing education requirements for licensees called to active duty as a member of the California National Guard or the United States Armed Forces. Such licensees would be required to meet certain requirements.

Section 114.3 prohibits a licensee or registrant from engaging in any activities requiring a license while a waiver is in effect unless the licensee will provide services for which he or she is licensed while on active duty. The licensee must meet certain renewal requirements within a specified time period after being discharged from active duty service prior to engaging in any activity requiring a license. The licensee or registrant must notify the Board of his or her discharge from active duty within 60 days of receiving his or her notice of discharge. The Board is then required to convert the license to "military active" and no private practice of any type shall be permitted.

AB 1733 (Logue), Chapter Number 782, Statutes of 2012

B&P Code sections 2028.5 and 4999.90 – Amended and section 686 Added related to the provision of telehealth services by health care practitioners and health care plans and programs. These sections specify



that the mandated in-person contact prohibition would also apply to health care service plan contracts with the Department of Health Care Services provided by the Medi-Cal program, other publicly supported programs, as well as to organizations implementing the California Program of All-Inclusive Care for the Elderly (PACE). Adds conforming changes, including requiring healthcare practitioners providing telehealth services to practice according to applicable practice act and regulation requirements and comply with **Business and Professions Code** section 1190.5

AB 1896 (Chesbro), Chapter 119, Statutes of 2012

B&PC section 719 – Added to specify that a health care practitioner (including a pharmacist) licensed in any other state and that is employed by a tribal health program to perform services described in the tribal contract or compact is exempt from state licensing requirements.

AB 1904 (Block), Chapter 399, Statutes of 2012

B&PC section 115.5 – Added to require a board in the Department of Consumer Affairs to expedite the licensure process for an applicant who holds a license in the same profession or vocation in another jurisdiction and is married or in a domestic partnership, or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders. The section authorizes a board to adopt regulations to administer the provisions of the section.

AB 2570 (Hill), Chapter 561, Statutes of 2012.

B&P Code section – 143.5 Added to the Business and Professions **Code** which prohibits a licensee who is regulated by the Department of Consumer Affairs or various boards, as specified, from including or permitting to be included a provision in an agreement to settle a civil dispute that prohibits the other party in that dispute from contacting, filing a complaint with, or cooperating with the department, board, bureau, or program, or that requires the other party to withdraw a complaint from the department, board, bureau, or program. A licensee in violation of these provisions would be subject to disciplinary action by the Board.

Section 143.5 also prohibits a board, bureau, or program from requiring its licensees in a disciplinary action that is based on a complaint or report that has been settled in a civil action to pay additional moneys to the benefit of any plaintiff in the civil action.

GRP 2 (Governor's Reorganization Plan), Chapter 7/3/12

B&PC sections 100, 101, 130, 149, 205 and others – Amended to revise the agency structure in the executive branch of state government. The measure eliminates the existing State and Consumer Services Agency and instead establishes the Business, Consumer Services and Housing Agency, which includes the Department of Consumer Affairs.

Forum on Prescription Drug Abuse Provided Education, Resources and Solutions

The California State Board of Pharmacy and the Medical Board of California sponsored the *Joint Forum to Promote Appropriate Prescribing and Dispensing* on February 21 and 22, 2013, in San Francisco.

The forum brought together experts and professionals from across California to focus on ways to address the significant and growing problem of prescription drug abuse. The goal of the forum was to provide education and possible solutions to prescribers, dispensers, regulators and law enforcement personnel.

Keynote speakers included Michael Botticelli, Deputy Director of the White House Office of National Drug Control Policy, and Joseph Rannazzisi, Deputy Assistant Administrator of the Office of Diversion Control, U.S. Drug Enforcement Administration. Other speakers and panelists provided education and information and emphasized the importance of cooperation between prescribers, dispensers and others. Mike Small, program manager for the Controlled Substance Utilization Review and Evaluation System (CURES), California's prescription drug monitoring program, delivered a presentation about the status of the program and reinforced the importance of the program's role in the continuing battle against prescription drug abuse. The program is currently seeking funding to expand services. Program evaluations collected at the end of the forum were very positive, with 87% of responders agreeing or strongly agreeing that the speaker presentations were effective in providing education and enhancing participants' knowledge of the problem.

"Prescription drug abuse continues to be a growing problem in California and

"Prescription drug abuse continues to be a growing problem in California and across the country," said Virginia Herold, Executive Officer of the California State Board of Pharmacy. "We must all work together if we are to effectively address the issues and find solutions."

The forum was well attended, with 354 in attendance on the first day and 380 in attendance on the second day. The Board of Pharmacy and the Medical Board both offered four hours of CE credits for the first day and six hours of CE credits for the second day. across the country," said Virginia Herold, Executive Officer of the California State Board of Pharmacy. "We must all work together if we are to effectively address the issues and find solutions."

NABP Looking for Exam and Assessment Writers to Develop Test Questions for NAPLEX, MPJE, FPGEE, PCOA and PARE

The Board has been informed that the National Association of Boards of Pharmacy (NABP) is seeking pharmacists to serve as item writers for the North American Pharmacist Licensure Examination® (NAPLEX®), Multistate Pharmacy Jurisprudence Examination®, the Foreign Pharmacy Graduate Equivalency Examination® (FPGEE®), the Pharmacy Curriculum Outcomes Assessment® (PCOA®), and the Pharmacist Assessment for Remediation Evaluation SM (PARESM).



According to a program manager with NABP, applicants who are selected will receive detailed instructions and training

materials and will be invited to attend a workshop at NABP Headquarters with all expenses paid. Pharmacists in all areas of practice, as well as faculty from schools of pharmacy, are encouraged to apply. Interested individuals should send a letter of interest indicating their current practice/educational setting, specialties/certifications, and years of experience, along with a resume or curriculum vitae:

- via e-mail at <u>exec-office@nabp.net;</u>
- via fax at 847.391.4502;
- via U.S. mail to NABP Executive Director/Secretary Carmen A. Catizone, 1600 Feehanville Drive, Mount Prospect, IL 60056.

Applications will be accepted on a continuous basis and kept on file for five years. For questions or more information contact NABP at custserv@nabp.net.

Pharmacy Robbery

Know how to protect your pharmacy, your customers and your co-workers

As prescription drug abuse continues to escalate, so have pharmacy robberies. Addicts desperate for their next dose of narcotic are increasingly turning to illegal activities to obtain them, including pharmacy robbery and burglary, passing forged or fraudulent prescriptions, and violence.

The main concern for a pharmacist or pharmacy owner should first and foremost be the safety of customers and co-workers. To help achieve that goal, here are a few things to consider to help prevent a robbery or burglary and a few things you should do if you are a victim:

Prevention tips

- Install an alarm system and security cameras that cover all doors, windows and roof access.
- Install "duress" or "panic" buttons.
- Install adequate exterior lighting and leave lights on after closing.
- Have at least two employees on the premises during opening and closing.
- Be alert to suspicious activity and pay special attention to anyone who appears to be loitering, both inside and outside of your store.

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If a robbery does occur

- Don't resist, either verbally or physically. Remain calm and do exactly as you're told. Robbers are often armed and are focused on getting what they came for.
- Take notice of the appearance of the robber so you can provide a description. When you can, write down what you observed.
- Sound the alarm as soon as possible and call the police.
- Lock doors immediately to prevent re-entry.
- Protect the crime scene until police arrive.
- Never try to apprehend or restrain the robber yourself.
- If you do experience a theft of controlled substances, you must report the theft in writing to the Drug Enforcement Administration (DEA) immediately and to the California State Board of Pharmacy within 30 days.

www.pharmacy.ca.gov

Caution Urged For Use of Insulin Pens

The Institute for Safe Medication Practices has issued a warning about the dangers of sharing insulin pens. More than 700 patients at a hospital in New York State may have been exposed to human immunodeficiency virus (HIV), hepatitis B or hepatitis C because of accidental reuse of pens on multiple patients. Another New York hospital reported that it also notified patients of possible blood borne pathogens due to improper sharing of insulin pens. In that case, more than 1,900 insulin-dependent patients were exposed.

The Centers for Disease Control (CDC) reports that sterility cannot be maintained by simply affixing a sterile needle on a previously used pen. Insulin pens can be used for the same patient if the needle is changed, but should never be used for different patients because of possible contamination from retrograde blood flow after an injection.

The Center urges facilities to conduct ongoing staff education and safety monitoring. Proper insulin pen use should be a required topic for all annual education programs as well as during pharmacy staff orientations. Pharmacists should also counsel patients about the dangers of sharing pens.



Do you have a question that you would like to see addressed in the newsletter? If so, please send an e-mail to <u>ScriptEditor@dca.</u> <u>ca.gov</u>.

- Q. Is it possible to purchase pen needles over-the-counter in California?
- A. Pursuant to Business and Professions Code (B&PC) section 4145.5, a pharmacist or physician may furnish hypodermic needles and syringes for human use, without a prescription or permit, with the following restrictions:
 - The person is known to the furnisher and the furnisher has previously been provided with a prescription or other proof of a legitimate medical need requiring a hypodermic needle or syringe to administer a medicine or treatment.
 - A pharmacy that furnishes nonprescription syringes must provide written information or verbal counseling to consumers at the time of furnishing or sale of nonprescription hypodermic needles or syringes on how to do the following:
 - 1. Access drug treatment.
 - 2. Access testing and treatment for HIV and hepatitis C
 - 3. Safely dispose of sharps waste.

Also, to prevent infection of sexual partners, newborn children or others, a pharmacist or physician may furnish 30 or fewer hypodermic needles or syringes for human use to a person 18 years of age or older.

Q. Who is responsible for notifying the consumer of a recalled prescription drug?

A. The recall process for an FDA-approved drug is voluntary by the manufacturer, unless the FDA issues a mandatory recall to the manufacturer. Typically, the FDA informs consumers of a Class I recall through the media. The FDA does not mandate that the pharmacy contact the patient. However, if the drug has been compounded by a pharmacy in California, or if the drug has been compounded by an out-of-state pharmacy and is doing business in California, Title 16, California Code of Regulations section 1735.5(c) (2) requires the pharmacy to have policies and procedures in place for handling recalled compounded drugs.

Q. Can a pharmacy licensed in California also obtain a wholesale license?

A. B&PC section 4107 states that the Board may not issue more than one site license to a single premises, except under limited circumstances. Premises refers to a location with its own address and an independent means of ingress and egress.

> B&PC section 4059 further requires that in order for a wholesaler to legally furnish dangerous drugs to the pharmacy, the drugs must be furnished under sales and purchase records that correctly give the date, the names and addresses of the supplier and the buyer. Each licensee must have their own inventory as required by B&PC section 4081 as defined by Title 16 California Code of Regulations section 1718.

- Q. If a prescription has valid refills and the prescriber dies, is the prescription still valid?
- A. If a valid prescription was written when the prescriber was living, the prescription is considered valid until all refills are exhausted; no more than six months from the date written for controlled substances (HSC 11166) and one year for non-controlled substances (standard of practice). However, the pharmacist should encourage the patient to look for a new doctor as soon as possible and not to wait until the prescription is expired or the refills are exhausted. If another doctor takes over the deceased prescriber's practice, the pharmacist must ask for a new prescription for refills because it is now a new prescriber.
- Q. Is it legal for a retail pharmacy to sell prescription medications, both controlled and non-controlled, to an inpatient pharmacy in a local nearby hospital? Since it's a small hospital they don't keep a large supply of medications on hand and sometimes the patient is only being admitted for a day or two, so they don't want to buy full stock bottles.
- A. Title 22 for Acute Care Hospital Pharmaceutical Services, California Code of Regulations section 70263 (Pharmaceutical Service General Requirements) subdivision (e) states, "There shall be a system assuring the availability of prescribed medications 24 hours a day." This would seem to imply the hospital should have a supply of medications to meet the needs of the patients. If, for whatever reason, the hospital does not have a specific medication then under

Rx for Good Practice

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Business and Professions Code section 4126.5 subdivision (a)(4) a pharmacy may furnish dangerous drugs to another pharmacy (in this case the hospital pharmacy) to alleviate a temporary shortage of a dangerous drug that could result in the denial of health care. The pharmacy furnishing the dangerous drug may only furnish a quantity sufficient to alleviate the temporary shortage.

- Q. Can controlled substances be prescribed and dispensed to a minor? Does the minor have to be accompanied by an adult, of at least 18 years of age, and have a valid government-issued ID, such as a driver's license?
- A. Federal and state laws are silent on this issue. This means there is no regulatory or statutory law prohibiting the dispensing of a controlled substance prescription to a minor. The pharmacist should use his/her professional judgment when dispensing any controlled substance prescriptions and particularly in the described scenario. Business and Professions Code section 4075 states, in pertinent part, "No prescription for a controlled substance transmitted by means of an oral or electronically transmitted order shall be furnished to any person unknown and unable to properly establish his or her identity." Government-issued identification may be used to establish identity.

Biennial Pharmacy and Wholesaler Self-Assessments Were Due July 1, 2013

As provided in section 1715 of Title 16 of the California Code of Regulations, every pharmacy must have an updated self-assessment form completed by July 1 of every odd-numbered year, or within 30 days of the opening of a new pharmacy, the appointment of a new pharmacistin-charge (PIC), or there is a change in location of the pharmacy to a new address. This year's biennial self-assessment form was due for completion by July 1, 2013. Failure to have a completed form on file may result in both the PIC and the pharmacy being cited during a board inspection.

The self-assessment forms are designed to be a guide to help pharmacies and wholesalers meet Board regulations and prepare for future inspections. All pharmacy types, including hospital pharmacies, hospital outpatient pharmacies, community pharmacies, compounding pharmacies, and even drug wholesalers must complete a selfassessment form.

The pharmacy PIC is responsible for completion of the form and during a pharmacy inspection will be asked to Reminder: Updated Self-Assessment Forms must be completed by the pharmacist-in charge (PIC) and kept on file in the pharmacy.

provide the completed document to the Board inspector. The form will then be used to compare what was reported on the assessment form with observations made by the inspector. If there are variances between what was reported and what the inspector observes, the variances will be noted in the inspection report and a non-compliance notice may be issued. If the form is not on file at the pharmacy at the time of the inspection, it will be considered a violation of pharmacy law.

The designated representative in charge is require to complete the wholesaler self-assessment form.

The forms are available on the Board's website by clicking on the "Licensee" tab and scrolling to the bottom of the page. They may be completed online but should be kept on file in the pharmacy and NOT mailed back to the Board. A self-assessment form must be kept on file in the pharmacy or wholesaler for three years after it is performed.

Early in 2013, the board submitted to the Office of Administrative Law (OAL) revised self-assessment forms that incorporated statutory and regulatory updates to pharmacy law made since 2011. However in late July, this rulemaking was withdrawn from OAL, and a new formal rulemaking will be initiated at the November 14, 2013 Board meeting. However, the updated (2013) forms MAY be used by a pharmacist or designated representative in charge if desired.

Current regulations require that the version(s) last approved by OAL be completed; however, the board will accept completion of either the OAL-approved versions OR the versions that were revised in 2013 (which will be the subject of a future formal rulemaking).

The board expects that all biennial self-assessments will have been completed by September 15, 2013.

Board honors pharmacists registered for at least 50 years

In an ongoing feature of *The Script*, the Board of Pharmacy pays tribute to those who have been registered California pharmacists on active status for at least 50 years. The Board recognizes these individuals and gratefully acknowledges their years of contribution to the pharmacy profession. These pharmacists may take great pride in being part of such an ancient and honorable profession for so long.

Pharmacists who recently received a certificate commemorating 50 years of service and were invited to attend future Board meetings to be publicly honored are:

Alexander, Ralph E. Bitter: Robert G. Blank. Stuart Bonorris, Chris J. Boring, Larry D. Bradford, Eola W. Brooks, Donald R. Brotman, Barry S. Caras. James L. Catalano, Joseph P. Chow, Raymond Chrisney, Timothy N. Coon, Russell F. Dangelo, Joseph L. De Ranieri. Dino R. De Zordo, Donald C. Duncan, Charles M. Jr. Eddow, Janice M. Faxon. Charles K. Flaharty. James V. Flood, Albert J. Fowler. Thomas D. Franchetti, Michael A. Freeman. Paul C. Freeman. Ira N. Fuller. Winston C. Funatsu, Raymond S. Furuta, George H. Gaffney, James B. Jr. Geisinger, Paul W. Gold. Ira S. Goldberg, David Goldstein. Kenneth Goldstein, Norman A. Goodrich, Joel Gustafson, Edward Harding, Joanne P. Hayes, Dennis J. Heeres, William A. Helfgott, Marvin H. Hill, Theodore J. Himber, Perry G. Hinman, Gary L. Hoogendyk, John J.

Seattle, WA Madera, CA Berkeley, CA La Habra. CA Los Angeles, CA Los Angeles, CA West Sacramento, CA Redondo Beach, CA Bakersfield. CA Upland, CA Pico Rivera. CA Arcadia, CA Queen Creek, AZ Covina. CA Millbrae. CA Lafayette, CA Redding, CA Mission Viejo, CA Monterey, CA Lompoc, CA Kentfield, CA Fresno. CA Santa Rosa, CA Midway City, CA Studio City, CA Fresno. CA Rosemead. CA San Marino, CA Guerneville, CA Reno. NV San Jose. CA Palm Desert. CA Diamond Bar. CA Marina Del Rey, CA Coronado, CA San Jose. CA Corvallis. OR Thousand Oaks, CA Riverside, CA Palm Desert, CA Pasadena. CA Granada Hills. CA Altaville, CA Salinas. CA

Horne. Mark A. Icaza, Luis A. Isenberg, Bruce J. Jager, Eldon J. Jajeh, Kanaan F. Jannard, Alfred H. Jr. Kaiser, Arnold B. Kawaoka, Robert T. King, Donald D. Kirk. Robert W. Kitahara, Junki Knutsen. Ronald J. Koe, Max B. Kramer. Norman D. Krishel. Martin La Fond. Keith R. Leoni, Paul A. Levin. Irvin I. Lew, Gilbert Lowenthal, Philip Luedecker. Murlin D. Marcus, Robert J. Mc Carthy, Philip J. Mc Cormack, John A. Meads. Keith E. Michael. Neil Mochidome, Terumichi T. Mora. Richard M. Muramoto, Edwin E. Murray, William Nelson, Thomas V. Nichols. Vernon V. Jr. Ogawa, Raymond T. Ong, Patrick K. Peterson, Gordon E. Powell-Bouligny, Beverly A. Pressman, Barry B. Prince, George F. Jr. Prince, John H. Provance, Claude F. Quan, Peter S. Raynesford, David K. Redar. Gerald E. Reynolds, Robert C. Richter, Theodore H. Rogers, William J. Roina, Robert M. Rozenberg, Harold A. Saba, Donald G. Sakamaki, Stephen M. Saldamando, Daniel E. Salisbury, Lynn O. Samoiloff, Jerome S. Schouten, Joseph M.

Tiburon. CA Aptos, CA Culver City, CA Marina. CA South San Francisco, CA Laguna Niguel, CA San Diego, CA Los Angeles, CA Rialto. CA West Covina. CA Salinas. CA Santa Rosa. CA Sacramento, CA Fountain Valley, CA Laguna Hills, CA San Marino. CA Santa Monica. CA Sherman Oaks. CA Torrance, CA Santa Clara. CA Long View. WA Woodland Hills, CA Cavucos, CA Campbell, CA Mission Viejo, CA Tarzana. CA Palos Verdes Estates. CA Cameron Park, CA Cupertino, CA Fair Oaks, CA Oueen Creek. AZ Windsor, CA Diamond Bar, CA San Francisco. CA Villa Park, CA Los Angeles, CA San Fernando, CA Anaheim Hills. CA Chula Vista. CA Riverside, CA Danville, CA Cathedral City, CA Redlands. CA West Sacramento, CA Arcadia. CA Sacramento, CA Citrus Heights, CA Los Angeles, CA Studio City, CA San Jose, CA Tucson. AZ San Jose, CA Oceanside. CA Paso Robles. CA

Honored 50-year pharmacists

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Sherman, Edward S. Silicato, Martin J. Silkey, Werner G. Sliede, Valda I. Smith. Thomas M. Snyder, Paul G. Soares. William A. St Pierre, Gerard J. Tanaka. Norman M. Tarchione. James R. Tawney, Judith S. Terrio, Brian S. Tomiyoshi, Ruby S. Tos, Thomas E. Trutanich, Joanne . Vickery, Thomas R. Viola, Frank C. Walde. Gerald Weisser, Stanley C. Weissman, Fred G. Wong, Harry Y. Yoshida, Warren S. Yoshimura, Kenji

Stockton, CA Cambria. CA El Dorado Hills, CA Chicago, IL Burbank, CA Trabuco Canyon, CA Madera, CA Vallejo, CA San Jose, CA Los Alamitos. CA Novato. CA Crescent City, CA Torrance. CA Walnut Creek, CA Long Beach, CA Chico. CA Santa Rosa, CA Wrightwood, CA Sacramento, CA Beverly Hills, CA Torrance. CA Hayward, CA Lodi, CA

Stanley Weisser – Stanley Weisser,

president of the California State Board

of Pharmacy, was honored with a CA

Senate Resolution signed by Senator

his 50 years of service as a licensed

pharmacist. Mr. Weisser has served as a

professional member on the Board since

Bill Emmerson to commemorate

The following pharmacists were honored for being licensed for 50 years at the April and July 2013 Board meetings:



Stanley Weisser

2007 and was recently elected to his fourth term as president. Mr. Weisser was a 1963 graduate of the University of Connecticut School of Pharmacy and earned his California pharmacist license that same year. He opened his first pharmacy in 1969 and his company, Network Pharmaceuticals, Inc. (NPI), grew to a chain of 30 pharmacies located in Southern California and Las Vegas, Nevada. Mr. Weisser retired as CEO and President of NPI in 2000. Mr. Weisser is active in many philanthropic, civic, cultural, and educational programs in San Bernardino County and has been on the executive committee of the Redlands Community Hospital Board for more than 25 years.

Martin Krishel was honored for his 50 years of service as a licensed pharmacist at the April 2013 Board meeting held in San Diego, CA. Mr. Krishel graduated from the Illinois College of Pharmacy in 1954 and became a licensed California pharmacist in 1963. He owned and operated three independent pharmacies



pharmacist in 1963. He owned and *Martin Krishel* operated three independent pharmacies during his career and worked in several retail pharmacies. Mr.

Krishel also earned a law degree and spent three years working for a medical malpractice firm before returning to the practice of pharmacy.



Donald Brooks – Donald Brooks graduated from UCSF in June 1963. In 1967 he became a partner-owner of an independent prescription pharmacy in Sacramento, where he stayed until 2003. Mr. Brooks was accompanied to the 50-Year-Pharmacist ceremony by several out-of-town guests.

Donald Brooks

Charles Duncan – Charles Duncan graduated from the College of the Pacific in 1963. He first worked for Payless in Redding, then owned and operated a pharmacy in Cottonwood for 11 years before moving on to work for Thrifty Drugs. He then worked for Longs Drugs, where he retired in 1999.



Charles Duncan

An avid skier, Mr. Duncan has been a member of a freestyle ski team for 15 years.



Robert Bitter – Robert Bitter graduated from UCSF in 1963. He worked at Stillman Drug in Fresno for two years before opening McCall Pharmacy in Selma, which he owned and operated for 14 years. Mr. Bitter then worked for Payless Drugs for four years before becoming a clinical pharmacist at

Robert Bitter

Madera Community Hospital, where he has been for 33 years. Mr. Bitter keeps busy as a member of Rotary International.

Norman Tanaka – Norman Tanaka graduated from UCSF in 1963 and spent most of his early career working in retail pharmacy. Mr. Tanaka owned and operated an independent pharmacy in San Jose for 15 years and then worked for the Santa Clara County Health Department, where he retired in 2002.



Norman Tanaka

He keeps his skills current by working about ten hours a week for an independent pharmacy.



William Rogers

William Rogers – William Rogers graduated from UCSF in 1963. He was an independent community pharmacist for 25 years before moving to Sacramento. Mr. Rogers spent 17 years at Raley's and was a pharmacy manager there for 15 years before he retired.

Pharmacists urged to comply with medical records requests from the U.S. Department of Health and Human Services



The U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), is preparing to launch FY 2013 Payment Error Rate Measurement (PERM) program to identify erroneous Medicaid and Children's Health Insurance Program (CHIP) payments to pharmacists and other health care providers.

The Payment Error Rate Measurement (PERM) program was established in response to the Improper Payment Information Act (IPIA) of 2002 and Improper Payments Elimination and Recovery Act (IPERA), which call for an annual review to identify erroneous payments and report the payment estimates to Congress.

Each state is reviewed once every three years on a rotating basis. California completed the first review in federal Fiscal Year 2007 and the second in federal Fiscal Year 2010. The state is now preparing for the 2013 review.

Approximately 167 Medi-Cal claims were selected for each quarter between October 1, 2012, and September 30, 2013, according to the California Department of Health Care Services. Pharmacists whose records have been selected for review began receiving requests for documents beginning in June 2013 and ending in July 2014.

Records that have been requested can be submitted via secured fax or U.S. mail. Pharmacists must also send a duplicate copy of the requested records to the Department of Health Care Services (DHCS). DHCS will review the records to identify claims that require additional information and then notify the providers by phone or in person.

DHCS is urging all pharmacists to promptly comply with the medical records requests. Failure to do so will result in errors being counted against California and DHCS will be required to recover the claim payments from providers. In addition, prompt and accurate compliance will ensure that California retains its Medi-Cal federal match monies.

For further information about the FY 2013 PERM, visit the CMS PERM website at <u>https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/PERM/Providers.html</u> or the DHCS PERM website at <u>http://www. dhcs.ca.gov/individuals/Pages/AI_MRB_PERM.aspx</u>. Questions about PERM can be directed to the DHCS email address at <u>PERM@dhcs.ca.gov</u>.

Honored 50-year pharmacists

William

Murray –

William Murray

graduated from

the USC School

of Pharmacy

in 1963. He

Continued from Page 10



William Murray

practiced at a community hospital pharmacy for several years before enrolling in the University of Connecticut Graduate School, where he received a Masters in Pharmacology in 1973. Mr. Murray then went to work for the CA Department of Health Care Services, where he was a pharmaceutical consultant for the MediCal program before moving on to Patton State Hospital.

Vernon Nichols – Vernon Nichols graduated from North Dakota State University in 1959. He came to California in 1962 after a



Vernon Nichols

term in the Army and worked at Beale Air Force Base. He also worked for an independent emergency call service and has been retired about five years.

CE hours are awarded for attending one day of a Pharmacy Board or Board Committee meeting

Continuing education (CE) hours are awarded to encourage pharmacists and pharmacy technicians to learn more about the issues and operation of the Board. These hours can be earned by:

- Attending one full day of a Board meeting per year (maximum of six hours of CE per year); or
- Attending a one-day committee meeting (two hours of CE for each of two different committee meetings—maximum of four hours per year).

Note: It is the pharmacy technician's responsibility to determine from the Pharmacy Technician Certification Board how many, if any, of the above hours are acceptable for recertification with that board. Recertification is NOT a requirement of the California State Board of Pharmacy for pharmacy technician license renewal.

Board of Pharmacy meetings are held at least four times per year: typically January, April, July and October. There are five committees that usually hold public meetings prior to each Board meeting:

- Enforcement and Compounding Committee—Makes recommendations to the Board regarding oversight of all regulatory and enforcement activities to strengthen consumer protection.
- Licensing Committee—Makes recommendations to the Board regarding the development of standards for the professional qualifications of licensees.
- Legislation and Regulation Committee—Advocates legislation and recommends regulations that advance the vision and mission of the Board to improve the health and safety of Californians.
- Communication and Public Education Committee—Prepares information to improve consumer awareness and licensee knowledge.
- ePedigree Committee—Works on implementation issues for California's ePedigree requirements.

Attendance at these meetings provides an opportunity to participate in the development of policies that will guide the Board in its decision-making. Frequently, both statutory and regulatory texts are formulated at such meetings, modifications to current programs are developed, and evidence-based decisions are made.

Board or committee meetings are held in various locations throughout California to give the public and licensees the opportunity to attend. No reservations are needed; you simply arrive at the meeting location at the start of the meeting. For Board meetings, only one day is designated as eligible for CE. This is specified on the agenda. To obtain CE credit for attending committee meetings, attendees must arrive at the designated start of the meeting and register on the CE sign-in sheet, and sign out when they leave.

Future Board meeting dates are:

- November, 14, 2013 Sacramento
- January 29-30, 2014 San Francisco
- April 23-24, 2014 To Be Determined
- July 30-31, 2014 To Be Determined
- October 22-23, 2014 To Be Determined

Additional information regarding the dates, locations, and agendas for Board and committee meetings will be posted on the Board's Web site, *www.pharmacy.ca.gov/about/meetings.htm*, at least 10 days prior to each meeting. Also, about five days before each meeting, you may download meeting information packets that contain background information and action items that will be discussed during the meeting.



Explanation of Disciplinary Terms

Accusation Filed—an accusation is the document containing the charges and allegations of violations of the law filed when an agency is seeking to discipline a license.

Effective Date of Action—the date the disciplinary action goes into operation.

Revocation or Revoked—the license is revoked as a result of disciplinary action by the Board, and the licensee's right to practice or operate a Board-licensed entity is ended.

Revoked, Stayed—the license is revoked, but the revocation is postponed until the Board determines whether the licensee has failed to comply with specific probationary conditions, which may include suspension of the licensee's right to practice.

Stipulated Settlement—the Board and a licensee mutually agree to settle a disciplinary case brought by the Board by way of a settlement agreement.

Stayed—the revocation or suspension action is postponed, and operation or practice may continue so long as the licensee fully complies with any specified terms and conditions.

Probation—the licensee may continue to practice or operate a Board-licensed entity under specific terms and conditions for a specific period of time.

Voluntary Surrender—the licensee has agreed to surrender his or her license, and the right to practice or operate Board-licensed entity is ended. The Board may agree to accept the surrender of a license through a "stipulation" or agreement.

Suspension—the licensee is prohibited from practicing or operating a Board-licensed entity for a specific period of time.

Suspension/Probation—the licensee is prohibited from practicing or operating a Board-licensed entity for a specific period of time, and the right to practice or operate is contingent upon meeting specific terms and conditions during the probationary period.

PC 23 Order Issued—the licensee is restricted from practicing or operating a Board-licensed entity by a court order that is issued under the provisions of Penal Code section 23.

Public Reprimand—resulting from a disciplinary action, the licensee is issued a letter of public reprimand.

Reinstatement of License—a previously revoked or suspended license is reinstated with or without specified terms and conditions.

Statement of Issues—a legal document that details the factual or legal basis for refusing to grant or issue a license.

Disciplinary Actions

The following licenses were disciplined and applicants were denied licensure through actions taken by the Board. These items cover the time period from July 5, 2012 – March 31, 2013. To view details of the enforcement actions. click on the link below each licensee. Enforcement actions are also available on the Board's Web site under the "Quick Hits" menu. Information on a specific licensee can be obtained by selecting "Verify a License" from the "Quick Hits" menu. After entering the licensee's name or license number and the licensee's information appears, click on the blue underlined licensee name to search for any disciplinary actions against the license.

Pharmacists

Barakat, Sameh, Pharmacist Applicant, Statement of Issues Case SI 4042 Carmichael, CA The application for pharmacist licensure and examination is denied. Decision effective 1/4/2013. View the decision

Budman, Lynda, RPH 52444, Administrative Case AC 4463 Costa Mesa, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 3/3/2013. <u>View the decision</u>

Cox, Joshua, RPH 51774, Administrative Case AC 4142 Placerville, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/4/2013. <u>View the decision</u>

Dallal, Edward, RPH 25391, Administrative Case AC 3108

Los Angeles, CA

Through a disciplinary action of the Board, via stipulated settlement, the license is revoked, stayed, place on five years' probation with terms and conditions including suspension until successful passage of the CPJE and NAPLEX exams. Decision effective 9/14/2012. <u>View the decision</u>

Continued from Page 13

Fathy, Aly, RPH 39394, Administrative Case AC 4126

Laguna Beach, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 3/4/2013. <u>View the decision</u>

Fong, Marvin Yuk-Kwan, RPH 46421, Administrative Case AC 3479 Alhambra, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include suspension from practicing pharmacy for 120 days, no supervision of interns, perform preceptor duties, or be Pharmacist-In-Charge (PIC), no ownership of any Board-licensed entity, must successfully complete an approved ethics course, must successfully complete ten hours of remedial education, and complete 100 hours of community service per year while on probation. Decision effective 10/15/2012.

View the decision

Grabel, Larry, RPH 28046, Administrative Case AC 4120 Alamo, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for 5 years. The terms and conditions of probation include a 270day suspension from practicing pharmacy, cannot supervise any intern pharmacist, perform preceptor duties or be PIC, practice must be supervised, no ownership of any Board-licensed entity, must successfully complete an approved ethics course, and community service of 50 hours per year for each year of probation. Decision effective 1/11/2013. View the decision

Grewal, Kuldeep, RPH 40706, Administrative Case AC 3488

San Diego, CA Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for 30 months. The terms and conditions of probation include must take and pass the California Pharmacist Jurisprudence Exam within one year of the Board's decision. No ownership of any Board-licensed entity, must successfully complete an approved ethics course, and community service of 100 hours per year for the first two years of probation. Decision effective 1/4/2013. View the decision

Hartson, Karen, RPH 45399, Administrative Case AC 4201

Bakersfield, CA Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 9/14/2012. <u>View the decision</u>

Jacobs, Norman, RPH 22604, Administrative Case AC 3251 Encino, CA

Through a disciplinary action of the Board, the license is subject to a letter of public reproval. Decision effective 9/20/2012.

View the decision

Khabazian, Ashkan, RPH 55204, Administrative Case AC 3456 San Diego, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The term and condition of probation include cannot supervise any intern pharmacist, perform preceptor duties, or be PIC or designated representative-in-charge, no ownership of any Board-licensed entity, medical evaluation, random drug screening, complete Board-approved ethics course, successful completion of Pharmacists Recovery Program, and practice must be supervised. Decision effective 2/15/2013. View the decision

Kalemkiarian, David, RPH 41864, Administrative Case AC 4022 Los Angeles, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include cannot supervise any intern pharmacist, perform preceptor duties or be PIC, practice must be supervised, no ownership of any Board-licensed entity, must successfully complete an approved ethics course and complete 75 hours of community service for the first two years of probation. Decision effective 9/14/2012.

View the decision

Kim, Jason, RPH 55902, Administrative Case AC 4088 Fort Polk, LA

Through settlement of a disciplinary action of the Board, the license is retired. Decision effective 2/7/2013. View the decision

Kline, Craig, RPH 28099,

Administrative Case AC 3901

Las Vegas, NV Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/4/2013. View the decision

Koike, Cynthia, RPH 33336, Administrative Case AC 3914

Los Angeles, CA Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for four years. The terms and conditions of probation include no supervision of interns, perform preceptor duties or be PIC or designated representative-in-charge, practice must be supervised, no ownership of any Boardlicensed entity, must successfully complete an approved ethics course, successful completion of the Pharmacists Recovery Program, random drug screening, abstain from drugs or alcohol use, and complete 60 hours of community service per year while on probation. Decision effective 10/15/2012.

View the decision

Continued from Page 14

Lee, Shaun, RPH 42786,

Administrative Case AC 3481 Lakewood, CA Through a disciplinary action of the Board, the license is revoked. Decision effective 9/26/2012. View the decision

Mizrahie-Jonah, Helen, RPH 26276, Administrative Case AC 3481

Los Angeles, CA Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for two years. The terms and conditions of probation include no supervision of interns, perform preceptor duties or be PIC or designated representative-in-charge, no ownership of any Board-licensed entity, must successfully complete an approved ethics course and seven hours of remedial education in record-keeping and pharmacy law. Decision effective 9/17/2012. <u>View the decision</u>

Peckerman, Charles, Statement of Issues Case SI 3967 Medford, OR

The application for licensure as a pharmacist is denied. Decision effective 8/9/2012. View the decision

Propst, Ronald, RPH 47468, Administrative Case AC 3972 Eureka, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include cannot supervise any intern pharmacist, perform preceptor duties or be PIC or designated representative-in-charge, practice must be supervised, no ownership of any Board-licensed entity, successful completion of Pharmacists Recovery Program and must successfully complete an approved ethics course. Decision effective 8/27/2012. View the decision

Pulver, Howard, Pharmacist Applicant, Statement of Issues Case SI 4212 Glendale, AZ The application for pharmacist licensure is denied. Decision effective 2/7/2013. View the decision

Rana, Shefali Harit, RPH 43308, Administrative Case AC 4202 Fremont, CA

Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 8/27/2012. View the decision

Sempre, John, RPH 25420, Administrative Case AC 3480

Lake Forest, CA Through settlement of a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 3/3/2013. <u>View the decision</u>

Sevilla, Deborah, RPH 58263, Administrative Case AC 3971

Clearlake, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. <u>View the decision</u>

Shibley, Norman, RPH 39528, Administrative Case AC 4094 Lancaster, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/1/2012. View the decision

Trotta-Gundersen, Caryn, Pharmacist Applicant, Statement of Issues Case SI 4096 Surprise, AZ

The application for pharmacist is denied. Decision effective 9/14/2012. <u>View the decision</u>

Tsai, Jimmy, RPH 54445, Administrative Case AC 3894 Torrance, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include being suspended from practicing pharmacy for 60 days, no supervision of interns, perform preceptor duties or be PIC or designated representativein-charge, no ownership of any Boardlicensed entity, practice must be supervised, must successfully complete an approved ethics course, successful completion of Pharmacists Recovery Program, and complete 80 hours of community service for the first two years of probation. Decision effective 10/19/2012.

<u>View the decision</u>

Vo-Nguyen, Thuy, RPH 60854, Administrative Case AC 4185 Westminster, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include cannot supervise any intern pharmacist, perform preceptor duties or be PIC or designated representative-in-charge, practice must be supervised, no ownership of any Board-licensed entity, complete 80 hours of community service per year while on probation, successful completion of Pharmacists Recovery Program and an approved ethics course. Decision effective 10/15/2012.

View the decision

Wedworth, Shawn, RPH 47280, Administrative Case AC 3989 El Dorado Hills, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation are being suspended from practicing pharmacy for seven days, no supervision of interns, perform preceptor duties or be PIC or designated representative-incharge, practice must be supervised, no ownership of any Board-licensed entity, must successfully complete ten hours of remedial education within the first two years of probation, must successfully

Continued from Page 15

complete an approved ethics course, successful completion of Pharmacists Recovery Program (PRP) and complete 300 hours of community service. Decision effective 9/14/2012. <u>View the decision</u>

Wong, Albert, RPH 48183, Administrative Case AC 4193

Diamond Bar, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include payment of civil penalties, communityservice testimonial, no supervision of interns, perform preceptor duties or be PIC or designated representative-incharge. Decision effective 10/26/2012. View the decision

Pharmacy Technicians

Agajanyan, Vigen, TCH 16224, Administrative Case AC 4271 Glendale, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 3/3/2013. <u>View the decision</u>

Aldana-Chacon, Vianet, TCH 74867, Administrative Case AC 4280

San Diego, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/22/2012. <u>View the decision</u>

Alexander, Brandon, TCH 15045, Administrative Case AC 3765 Lodi, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/26/2012. <u>View the decision</u>

Artz, Amiee, TCH 36226, Administrative Case AC 3619 Simi Valley, CA Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for four years. The terms and conditions of probation include PTCB certification prior to resuming work, no ownership of any Boardlicensed entity, random drug screening, abstain from drugs or alcohol, and needs a work site monitor. Decision effective 10/31/2012. View the decision

Azizyan, Karen, TCH 56494, Administrative Case AC 3640 La Puente, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for three years. The terms and conditions of probation include PTCB certification prior to resuming work, no ownership of any Board-licensed entity, and needs a worksite monitor. Decision effective 9/14/2012. <u>View the decision</u>

Cam, Jimmy, TCH 91722, Administrative Case AC 3757

San Francisco, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 3/3/2013. <u>View the decision</u>

Cantrell, Catherine, TCH 116875, Administrative Case AC 4234 Azusa, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/4/2013. <u>View the decision</u>

Casillas, Gustavo, TCH 87998, Administrative Case AC 3963 Fresno, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for four years. The terms and conditions of probation include passing the PTCB prior to resuming work, random drug screening, abstain from drugs or alcohol, and no ownership of any Board-licensed entity. Decision effective 10/15/2012. <u>View the decision</u>

Castaneda, Vicente, TCH 72999, Administrative Case AC 4036

Los Angeles, CA Through a disciplinary action of the Board, the license is revoked and canceled and the right to practice or operate has ended. Decision effective 10/22/2012. View the decision

De La Fuente, Geovanna, TCH 78752, Administrative Case AC 3959

Baldwin Park, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 8/15/2012. <u>View the decision</u>

Didion, Amy, TCH 69468, Administrative Case AC 3493

Rancho Cucamonga, CA Through a disciplinary action of the Board, the license is voluntarily surrendered. Decision effective 9/14/2012. View the decision

Espinoza, Pablo, TCH 71053, Administrative Case AC 3696 Los Angeles, CA

Through a disciplinary action of the Board, the license is revoked and canceled and the right to practice or operate has ended. Decision effective 9/14/2012. View the decision

Eung, Va, TCH 117194, Statement of Issues Case SI 4290

San Francisco, CA Through a disciplinary action of the Board, the license is issued and immediately revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include passing PTCB certification prior to resuming work, no ownership of any Board-licensed entity, random drug screening, abstain

Continued from Page 16

from drugs and alcohol, and needs a work site monitor. Decision effective 2/7/2013. <u>View the decision</u>

Fausto, Jorge, TCH 30829,

Administrative Case AC 3893 South Gate, CA Through a settlement of disciplinary action of the Board, the license is surrendered. Decision effective 8/27/2012. View the decision

Gibbons, Tiffany Jeanne, **Technician Applicant**, **Statement of Issues Case SI 4049** Windsor, CA

The application for pharmacy technician is granted, the license is issued, revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include: PTCB certification prior to resuming work, random drug screening, abstain from drugs and alcohol, and attend substance abuse recovery relapse support groups. Decision effective 9/26/2012. <u>View the decision</u>

Gonzalez, Donovan, TCH 109943, Administrative Case AC 4282

Buena Park, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/15/2012. View the decision

Gonzales, Jennifer, TCH 84096, Administrative Case AC 3979

Redlands, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/28/2013. View the decision

Gonzales, Stephanie, Technician Applicant, Statement of Issues Case SI 4203 Pico Rivera, CA

The application for registration as a pharmacy technician is denied. Decision effective 2/7/2013. View the decision

Gutierrez, Brigette, TCH 96774, Administrative Case AC 4077

Fontana, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 2/7/2013. <u>View the decision</u>

Harris, Elizabeth, TCH 97382, Administrative Case AC 4326

Mountain View, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 2/15/2013. View the decision

Hartman, Carmen, TCH 27285, Administrative Case AC 3763

Escondido, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. View the decision

Hayrapetian, David, TCH 60049, Administrative Case AC 3818

Lancaster, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/4/2013. <u>View the decision</u>

Her, Kathy, TCH 58320, Administrative Case AC 4120 Sacramento, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed, and the license is placed on probation for three years. The terms and conditions of probation include PTCB certification prior to resuming work. Decision effective 3/11/2013. <u>View the decision</u>

Hernandez, Melissa aka Tirado, Melissa, TCH 110643,

Statement of Issues Case SI 4204 Los Angeles, CA

The license is issued, revoked, the revocation is stayed and the license is placed on probation for two years. The

terms and conditions of probation include PTCB certification prior to resuming work. Decision effective 2/7/2013. <u>View the decision</u>

Heroian, Nazeli, TCH 68388, Administrative Case AC 4184 Burbank, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. View the decision

Herron, Amanda, TCH 58247, Administrative Case AC 4211 Antioch, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. <u>View the decision</u>

Hodges, Kimberly, TCH 67493, Administrative Case AC 3863

Clovis, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/26/2012. View the decision

Irby, Windy Sue, TCH 21312, Administrative Case AC 4033 Oakdale, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 7/30/2012. View the decision

Johnson, Zaida, TCH 27183, Administrative Case AC 4037

Palmdale, CA Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 3/3/2013. View the decision

Continued from Page 17

Jones, Cedric, TCH 70464, Administrative Case AC 4247

Vallejo, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/15/2012. View the decision

Juarez-Walker, Danielle, TCH 109094, Administrative Case AC 4329

Sacramento, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/22/2012. View the decision

Lew, Charlotte, TCH 9655,

Administrative Case AC 3783 Diamond Bar, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 7/30/2012. View the decision

Lopez, Armando, TCH 104485, Administrative Case AC 4128

Culver City, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. <u>View the decision</u>

Loukas, Rachel, Technician Applicant, Statement of Issues Case SI 4160 Yakima, WA

The application for registration as a Pharmacy Technician is denied. Decision effective 1/28/2013. View the decision

Macias, Cesar, Technician Applicant, Statement of Issues Case SI 4122

Los Angeles, CA Through a disciplinary action of the Board, the application for registration as a pharmacy technician is denied. Decision effective 10/22/2012. <u>View the decision</u>

Markham, Monique, TCH 75513, Administrative Case AC 4330 Whittier, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/11/2013. <u>View the decision</u>

Martin, Carrie Lynn, TCH 18700, Administrative Case AC 3516

Bakersfield, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 7/30/2012. <u>View the decision</u>

McEdward, Laura, TCH 61602, Administrative Case AC 4140 Burlington, KY

Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 9/14/2012. <u>View the decision</u>

McKinzey, Kurtis, TCH 102783, Statement of Issues Case SI 3996 San Francisco, CA

The license is issued and immediately revoked, the revocation is stayed and the license is placed on probation for three years. The terms and conditions of probation include PTCB certification prior to resuming work, random drug screening, abstain from drugs and alcohol, and no ownership of any Board-licensed entity. Decision effective 5/4/2012. <u>View the decision</u>

Mendoza, Elizabeth, TCH 766, Administrative Case AC 3707 Clovis, CA

Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 10/15/2012. <u>View the decision</u>

Mole, Jemma, Technician Applicant, Statement of Issues Case SI 4045

Winchester, CA Through a disciplinary action of the Board, the application for pharmacy technician is denied. Decision effective 10/15/2012. View the decision

Montalvo, Victor, TCH 35659, Administrative Case AC 4199

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/15/2012. View the decision

Moroles, Sabrina, TCH 27620, Administrative Case AC 4281 Indio, CA

Through a disciplinary action of the Board, the license is revoked. Decision effective 9/26/2012. <u>View the decision</u>

Navarro, Rosa, TCH 108122, Administrative Case AC 4222 Tulare, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/15/2012. View the decision

Nunez, Silvia, Technician Applicant, Statement of Issues Case SI 4097

Victorville, CA Through a disciplinary action of the Board, the application for pharmacy technician is denied. Decision effective 10/15/2012. View the decision

Padilla, Amandalina, TCH 87325, Administrative Case AC 4220 Indio, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. View the decision Continued from Page 18

Padilla, Jeannette, TCH 103465, Administrative Case AC 4209

Nipomo, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 3/3/2013. View the decision

Phan, Hao Van, TCH 86000, Administrative Case AC 4162

Temple City, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. <u>View the decision</u>

Phan, Khoa Le, TCH 100624, Administrative Case AC 4076

Clovis, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. <u>View the decision</u>

Prasad, Maureen, TCH 87120, Administrative Case AC 4266

Sacramento, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/15/2012. <u>View the decision</u>

Reynosa, Juan, TCH 55486, Administrative Case AC 4025

Los Angeles, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/28/2013. View the decision

Rivera, Eric, TCH 79772, Administrative Case AC 4017

Carson, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 7/5/2012. <u>View the decision</u>

Robels, Monica, TCH 100652, Administrative Case AC 4071

Placentia, CA Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 9/14/2012. View the decision

Rodriguez, Samantha, TCH 70934, Administrative Case AC 3776 Los Angeles, CA

Through a disciplinary action of the Board, the license is revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include PTCB certification prior to resuming work, random drug screening, abstain from drugs or alcohol, and no ownership of any Board-licensed entity. Decision effective 10/22/2012. <u>View the decision</u>

Samson, Mark, Technician Applicant, Statement of issues Case SI 3949

Long Beach, CA The application for registration as a pharmacy technician is denied. Decision effective 2/7/2013. View the decision

Serrano, Karina, TCH 107961, Statement of Issues Case SI 4157 Shaffer, CA

Through a disciplinary action of the Board, the license is issued and immediately revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions of probation include passing the PTCB certification prior to resuming work, random drug screening, abstain from drugs or alcohol, and no ownership of any Board-licensed entity. Decision effective 2/7/2013. View the decision

Shafihie, Arash, TCH 114951, Administrative Case AC 4350 San Diego, CA

Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 1/11/2013. View the decision

Shirazi, Hossein, TCH 55499, Administrative Case AC 3659

West Hills, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/11/2013. View the decision

Solarez, Martha, TCH 77320, Administrative Case AC 4085

Oxnard, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 2/15/2013. <u>View the decision</u>

Stanisci, Renee, TCH 35777,

Administrative Case AC 3816 Norwalk, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 7/30/2012. View the decision

Steele, Jennifer Schaloy, Technician Applicant, Statement of Issues Case SI 4092 Redding, CA

Through a disciplinary action of the Board, the application for pharmacy technician license is granted. The license is issued, revoked, the revocation is stayed and the license is placed on probation for three years. The terms and conditions include PTCB certification prior to resuming work, no ownership of any Board-licensed entity, random drug screening, abstain from drugs and alcohol, and needs a work site monitor. Decision effective 7/30/2012. View the decision

Talley, Lauren, Technician Applicant, Statement of Issues Case SI4046

Los Angeles, CA Through action of the Board, the application for registration as a pharmacy technician is denied. Decision effective 10/31/2012. View the decision

Continued from Page 19

Teresi, Manuel, TCH 5512, Administrative Case AC 4189

Santa Clara, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/22/2012. <u>View the decision</u>

Torosian, Vahan, TCH 98261, Administrative Case AC 4112

Glendale, CA Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 9/14/2012. <u>View the decision</u>

Vasquez, Alma, TCH 75523, Administrative Case AC 3980 Fontana, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 1/11/2013. View the decision

Velasquez, Francisco, TCH 77063, Administrative Case AC 4136

Los Angeles, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 8/15/2012. <u>View the decision</u>

Welker, Jesse, TCH 34359, Administrative Case AC 4114

Fullerton, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 8/15/2012. <u>View the decision</u>

Warner, Darryl, TCH 55243, Administrative Case AC 4086

Antioch, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 10/22/2012. <u>View the decision</u>

Whittaker, Colleen, TCH 78790, Administrative Case AC 3956

Paso Robles, CA Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 10/15/2012. <u>View the decision</u>

Xiong, Yee, Technician Applicant, Statement of Issues Case SI 4167 Marysville, CA

The application for pharmacy technician is granted, however the license is issued, revoked, the revocation is stayed and the license is placed on probation for three years. The terms and conditions include completing 80 hours of community service for the first two years of probation. Decision effective 9/14/2012. <u>View the decision</u>

Yoeuth, Yoeun, TCH 54814, Administrative Case AC 4173

Stockton, CA Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 9/14/2012. <u>View the decision</u>

Pharmacies

Drug Emporium No. 807, PHY 45373, Administrative Case AC 3108 Garden Grove, CA

Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/14/2012. <u>View the decision</u>

East Side Pharmacy, PHY 39439, Administrative Case AC 3481

Culver City, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/17/2012. <u>View the decision</u>

Entirelypets Pharmacy, Applicant, Statement of Issues Case SI 4294 Palo Alto, CA

The application for community pharmacy license is granted. The license is issued,

revoked, the revocation is stayed and the license is placed on probation for five years. The terms and conditions include compliance with Business and Professions Code 4111, payment of civil penalty, posting a notice of probation and retain an independent consultant. Decision effective 10/22/2012. View the decision

RSF Pharmaceuticals, PHY 49086, Administrative Case AC 4088 Fort Polk, LA

Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 2/7/2013. View the decision

TotalRX Pharmacy, Inc., PHY 50788, Statement of Issues Case SI 4292 Anaheim, CA

The application for a community pharmacy permit is granted and the permit issued and immediately revoked. The revocation is stayed and the license is placed on probation for four years. The terms and conditions include bond requirement, posted notice of probation, separate file of records, quarterly reports of controlled substance acquisition and disposition, and complete 30 hours of community service per year for the first two years of probation. Decision effective 9/17/2012.

View the decision

Wholesale Representatives

ESP Services, WLS 2329, Administrative Case AC 3481

Culver City, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/17/2012. <u>View the decision</u>

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Disciplinary Actions

Continued from Page 20

Southwood Pharmaceutical, Inc., WLS 4078,

Administrative Case AC 3480 Lake Forest, CA Through settlement of a disciplinary action of the Board, the license is surrendered. Decision effective 3/3/2013. View the decision

Designated Representatives

Karney, Robert, EXC 10845, Administrative Case AC 3481

Los Angeles, CA Through a disciplinary action of the Board, the license is revoked and the right to practice or operate has ended. Decision effective 9/17/2012. View the decision

Long, David Patrick, EXC 21157, Statement of Issues Case SI 4153 Williamsburg, VA

Application is granted, however, the license is issued, revoked, the revocation is stayed and the license is placed on probation for two years. Terms and conditions of probation include: prohibited from being designated representative-in-charge and other standard terms of probation. Decision effective 2/14/2013. View the decision

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