



California State Board of Pharmacy

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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
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NEWS RELEASE
FOR IMMEDIATE RELEASE
January 29, 2014

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State Board of Pharmacy

Pharmacy closed and pharmacists' licenses revoked by Board of Pharmacy for controlled substance violations that resulted in patient deaths

Board of Pharmacy cites excessive dispensing of controlled substances without prescriber authorization; failure to review drug therapies or patient medication records and other violations.

SACRAMENTO, Calif. -- The California State Board of Pharmacy announces that a Southern California pharmacy has been closed and its three pharmacists have lost their licenses after controlled substance violations that resulted in patient deaths and worsening of drug addictions.

The licenses of pharmacy Jay Scott Drugs, located at 2200 N. Glenoaks Blvd., in Burbank, and pharmacists Albert Daher, Ahmad Nabhan and Jun Yamasaki were revoked on Jan. 27 after the Board of Pharmacy found pharmacy law and regulation violations involving the filling and dispensing of controlled substances that the pharmacists and pharmacy should have known were for illegitimate purposes. The pharmacists and pharmacy were also charged \$57,595 for the cost of the investigation.

In 2008, six pharmacy patients in their early 20s and 30s died after having multiple narcotic prescriptions filled at the pharmacy. The prescriptions were written by two medical doctors Bernard Bass and Masoud Bamdad for controlled substances Norco, Xanax, Valium, Vicodin, Soma, Ambien, Oxycontin and others.

These drugs are a popular combination sought by drug addicts. In many cases, the patients paid for the drugs almost exclusively with cash and traveled significant distances from their homes to obtain the medications.

Jay Scott Drugs was paid approximately \$1.7 million dollars for prescriptions they filled that were written by Bass.

The Board of Pharmacy stated in the decision that the pharmacists and pharmacy “appeared to choose profits over patient safety by continuously filling suspect prescriptions without question.”

In its decision dated Dec. 27, 2013, the board cited the nature and severity of the acts in its decision to revoke the licenses. The board stated that Jay Scott Drugs and the three pharmacists “chose not to exercise clinical judgment, to communicate and listen, to assess the patients’ drug therapies or the effect the drug was having on the patients, to interact with the prescribers, to understand the true nature of the prescriptions or to intervene when there were ‘red flags.’”

(More)

The board has described red flags that should give a pharmacy and pharmacist the inkling of a potential problem with prescriptions, and invoke in them a duty of inquiry. Those red flags include:

- Irregularities on the face of the prescription itself
- Nervous patient demeanor
- Age or presentation of patient (e.g., youthful patients seeking chronic pain medications)
- Multiple patients at the same address(es)
- Cash payments
- Requests for early refills of prescriptions
- Prescriptions written for an unusually large quantity of drugs
- Prescriptions written for potentially duplicative drugs
- The same combinations of drugs prescribed for multiple patients
- Initial prescriptions written for stronger opiates (e.g., OxyContin 80mg)
- Long distances traveled from the patient's home to the prescriber's office or pharmacy
- Irregularities in the prescriber's qualifications in relation to the medication(s) prescribed
- Prescriptions that are written outside of the prescriber's medical specialty
- Prescriptions for medications with no logical connection to diagnosis or treatment

In 2009 in legal actions unrelated to the Board of Pharmacy decision, Bass plead guilty to a felony of violating the Penal Code regarding the fraudulent prescription of controlled substances. He suffered criminal prosecution and license discipline because of his prescription activity.

In 2010, Bamdad was prosecuted in federal court and is currently serving prison time following a not guilty plea. He was convicted of distribution and dispensing of a controlled substance and distribution and dispensing of a controlled substance to persons under 21 years of age. He was sentenced to 300 months in prison and ordered to pay \$1 million. His medical license was also revoked.

The Board of Pharmacy began proceedings against Jay Scott Drugs and the pharmacists in 2010. After an administrative hearing on the matter in 2013, an administrative law judge made a recommendation for probation that the board chose not to adopt. The Board instead reviewed the record of the proceedings and all arguments and issued an order revoking the licenses.

The CA State Board of Pharmacy protects and promotes the health and safety of California consumers by pursuing the highest quality of pharmacist care and the appropriate use of pharmaceuticals through education, communication, licensing, legislation, regulation and enforcement.

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