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

10 In the Matter of the Accusation Against:

Case No. 4942

11 **GEORGE M. ARRAGG**  
12 **P.O. Box 27**  
13 **Montebello, CA 90640**

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

14 **Pharmacist License No. RPH 19827**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about January 28, 1957, the Board of Pharmacy issued Pharmacist License  
22 Number RPH 19827 to George M. Arragg (Respondent). The Pharmacist License was in full  
23 force and effect at all times relevant to the charges brought herein and will expire on November  
24 30, 2015, unless renewed.

25 **JURISDICTION**

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

1 STATUTORY PROVISIONS

2 4. Section 118, subdivision (b), provides that the suspension, expiration, surrender,  
3 cancellation of a license shall not deprive the Board to proceed with a disciplinary action during  
4 the period within which the license may be renewed, restored, reissued or reinstated.

5 5. Section 4060 provides, in pertinent part:

6 "No person shall possess any controlled substance, except that furnished to a person upon  
7 the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor  
8 pursuant to Section 3640.7, or furnished pursuant to a drug order issued by a certified nurse-  
9 midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a  
10 physician assistant pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5,  
11 or a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of  
12 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052."

13 6. Section 4300 provides, in pertinent part, that every license issued by the Board is  
14 subject to discipline, including suspension or revocation.

15 7. Section 4301 provides, in pertinent part:

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

19 . . . .

20 "(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or  
21 corruption, whether the act is committed in the course of relations as a licensee or otherwise, and  
22 whether the act is a felony or misdemeanor or not.

23 . . . .

24 "(h) The administering to oneself, of any controlled substance, or the use of any dangerous  
25 drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to  
26 oneself, to a person holding a license under this chapter, or to any other person or to the public, or  
27 to the extent that the use impairs the ability of the person to conduct with safety to the public the  
28 practice authorized by the license.



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**FIRST CAUSE FOR DISCIPLINE**

**(Unlawful Possession of Controlled Substances)**

12. Respondent is subject to disciplinary action under sections 4300, and 4301, subdivisions (j) and (o) in conjunction with section 4060, in that Respondent unlawfully possessed a controlled substance while working as a pharmacist at Rite Aid Pharmacy in Lynwood, CA. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraph 11, as though set forth fully.

**SECOND CAUSE FOR DISCIPLINE**

**(Unlawful Self-Administration of Controlled Substances)**

13. Respondent is subject to disciplinary action under section 4301, subdivision (h) and Health and Safety Code section 11170 in that he furnished and administered controlled substances to himself while working as pharmacist at Rite Aid Pharmacy. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraph 11, as though set forth fully.

**THIRD CAUSE FOR DISCIPLINE**

**(Theft of Controlled Substances)**

14. Respondent is subject to disciplinary action under sections 4300 and 4301, subdivision (f), in that Respondent committed acts of moral turpitude and/or dishonesty when he stole narcotic substances from his employer, Rite Aid Pharmacy. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraph 11 as though set forth fully.

**FOURTH CAUSE FOR DISCIPLINE**

**(Furnishing Dangerous Drugs Without a Prescription)**

15. Respondent is subject to disciplinary action under sections 4300, and 4301, subdivision (j), in conjunction with section 4059, subdivision (a) in that Respondent furnished drugs to herself without a prescription while employed as a pharmacist at Rite Aid Pharmacy. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraph 11 as though set forth fully.

**PRAYER**

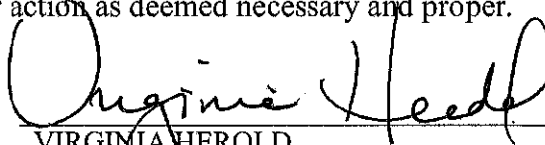
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Pharmacy issue a decision:

1. Revoking or suspending Pharmacist License Number RPH 19827, issued to George M. Arragg;

2. Ordering George M. Arragg to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: 7/1/14



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

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