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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. 5208

11 **WARDUI ROSE PNDLYAN**
12 **711 E. Acacia # F**
13 **Glendale, CA 91205**

A C C U S A T I O N

14 **Pharmacy Technician License No. TCH 6073**

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

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

20 2. On or about March 23, 1993, the Board of Pharmacy issued Pharmacy Technician
21 License Number TCH 6073 to Vardui Rose Pndlyan (Respondent). The Pharmacy Technician
22 License was in full force and effect at all times relevant to the charges brought herein and will
23 expire on September 30, 2016, unless renewed.

24 **JURISDICTION**

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

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1 4. Section 4011 of the Code provides that the Board shall administer and enforce both
2 the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances
3 Act [Health & Safety Code, § 11000 et seq.].

4 5. Section 4300(a) of the Code provides that every license issued by the Board may be
5 suspended or revoked.

6 6. Section 4300.1 of the Code provides that the expiration, cancellation, forfeiture, or
7 suspension of a Board-issued license, the placement of a license on a retired status, or the
8 voluntary surrender of a license by a licensee, shall not deprive the Board of jurisdiction to
9 commence or proceed with any investigation of, or action or disciplinary proceeding against, the
10 licensee or to render a decision suspending or revoking the license.

11 STATUTORY AND REGULATORY PROVISIONS

12 7. Section 4301 of the Code provides, in pertinent part, that the Board shall take action
13 against any holder of a license who is guilty of “unprofessional conduct,” defined to include, but
14 not be limited to, any of the following:

15 (1) The conviction of a crime substantially related to the qualifications, functions, and duties
16 of a licensee under this chapter.

17 8. Section 490 of the Code provides, in pertinent part, that the Board may suspend or
18 revoke a license when it finds that the licensee has been convicted of a crime substantially related
19 to the qualifications, functions or duties of the license.

20 9. California Code of Regulations, title 16, section 1770, states:

21 “For the purpose of denial, suspension, or revocation of a personal or facility license
22 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a
23 crime or act shall be considered substantially related to the qualifications, functions or duties of a
24 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a
25 licensee or registrant to perform the functions authorized by her license or registration in a manner
26 consistent with the public health, safety, or welfare.”

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1 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
2 administrative law judge to direct a licentiate found to have committed a violation of the licensing
3 act to pay a sum not to exceed its reasonable costs of investigation and enforcement.
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7 FIRST CAUSE FOR DISCIPLINE

8 (Conviction of Substantially Related Crime(s))

9 11. Respondent is subject to discipline under section 4301(1) and/or section 490 of the
10 Code, by reference to California Code of Regulations, title 16, section 1770, for the conviction of
11 substantially related crime(s), in that on or about October 23, 2014, in the criminal case *People of*
12 *the State of New York v. Garegin Spartalyan, et al.*, Case No. 00202-2014 in the Supreme Court
13 of the State of New York, New York County, Respondent was convicted of violating New York
14 Penal Law section 470.05, subdivision (2) (Attempted Money Laundering in the Fourth Degree).
15 Respondent was given a conditional discharge for one (1) year, required to perform fifty (50)
16 hours of community service, and required to pay fines and fees.
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20 SECOND CAUSE FOR DISCIPLINE

21 (Unprofessional Conduct)

22 12. Respondent is subject to discipline under section 4301 of the Code in that, as
23 described in paragraph 11 above, Respondent engaged in unprofessional conduct.
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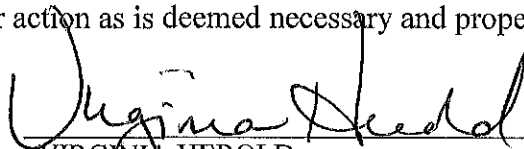
PRAYER

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 Pharmacy Technician License Number TCH 6073, issued to Vardui Rose Pndlyan (Respondent);
2. Ordering Respondent to pay the Board 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 is deemed necessary and proper.

DATED: _____

12/21/15



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

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