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

11 In the Matter of the Accusation Against:

Case No. 5702

12 **JEANNIE KIM**
20841 Vercelli Way
13 Northridge, CA 91326

A C C U S A T I O N

14 **Pharmacist License No. RPH 50690**

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 March 23, 1999, the Board of Pharmacy issued Pharmacist License
22 Number RPH 50690 to Jeannie Kim (Respondent). The Pharmacist License was in full force and
23 effect at all times relevant to the charges brought herein and will expire on April 30, 2018, unless
24 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 4. Section 4300 of the Code states:

2 "(a) Every license issued may be suspended or revoked.

3 "(b) The board shall discipline the holder of any license issued by the board, whose default
4 has been entered or whose case has been heard by the board and found guilty, by any of the
5 following methods:

6 "(1) Suspending judgment.

7 "(2) Placing him or her upon probation.

8 "(3) Suspending his or her right to practice for a period not exceeding one year.

9 "(4) Revoking his or her license.

10 "(5) Taking any other action in relation to disciplining him or her as the board in its
11 discretion may deem proper.

12 "...

13 "(e) The proceedings under this article shall be conducted in accordance with Chapter 5
14 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board
15 shall have all the powers granted therein. The action shall be final, except that the propriety of
16 the action is subject to review by the superior court pursuant to Section 1094.5 of the Code of
17 Civil Procedure."

18 5. Section 4300.1 of the Code states:

19 "The expiration, cancellation, forfeiture, or suspension of a board-issued license by
20 operation of law or by order or decision of the board or a court of law, the placement of a license
21 on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board
22 of jurisdiction to commence or proceed with any investigation of, or action or disciplinary
23 proceeding against, the licensee or to render a decision suspending or revoking the license."

24 **STATUTORY PROVISIONS**

25 6. Section 4301 of the Code states:

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

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

...

"(g) Knowingly making or signing any certificate or other document that falsely represents the existence or nonexistence of a state of facts.

...

COST RECOVERY

7. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)

8. Respondent has subjected her pharmacist license to discipline pursuant to Code section 4301 subdivision (f) where she engaged in unprofessional conduct by committing an act of moral turpitude, dishonesty, fraud, deceit, or corruption in connection with the application of a California Driver's License. The circumstances are as follows:

9. On or about July 16, 2012, Respondent provided false personal information to the California Department of Motor Vehicles, branch office located in Arleta, California (Office #587) in connection with an application for a lost/replacement California Driver's License and certified such information under penalty of perjury.

10. Specifically, Respondent falsely assuming the identity of SJL, another individual and provided the date of birth, social security number and home address belonging to SJL as if it was her own. Said California Driver's License was issued containing the name of SJL as provided by Respondent, however it also incorrectly contained Respondent's likeness.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 Knowingly Signing Documents Falsely Representing State of Facts)

4 11. Respondent has subjected her pharmacist license to discipline under Code section
5 4301 subdivision (g) where she engaged in unprofessional conduct by knowingly signing
6 documents, under penalty of perjury, wherein she falsely represented facts. The circumstances
7 are described in paragraphs 9 and 10, above.

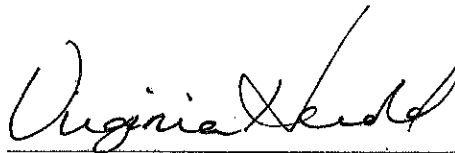
8 PRAYER

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

- 11 1. Revoking or suspending Pharmacist License Number RPH 50690, issued to Jeannie
- 12 Kim;
- 13 2. Ordering Jeannie Kim to pay the Board of Pharmacy the reasonable costs of the
- 14 investigation and enforcement of this case, pursuant to Business and Professions Code section
- 15 125.3; and,
- 16 3. Taking such other and further action as deemed necessary and proper.

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20 DATED: _____

11/30/16



21 VIRGINIA HEROLD
22 Executive Officer
23 Board of Pharmacy
24 Department of Consumer Affairs
25 State of California
26 *Complainant*

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