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7

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

10 In the Matter of the Accusation Against:

Case No. 6042

11 **CROWN VALLEY PHARMACY; JENISA**  
12 **NUSRAT CHOWDHURY and WILLON**  
13 **ALLEN HENDERSON, OWNERS**  
14 **3720 W. Sierra Hwy., Unit G**  
**Acton, CA 93510-1272**

**ACCUSATION**

15 **Pharmacy Permit No. PHY 51552,**

16 **JENISA NUSRAT CHOWDHURY**  
17 **28419 N. Horeshoe Circle**  
**Santa Clarita, CA 91390-5708**

18 **Pharmacist Intern Registration No. INT**  
**35196,**

19 **WILLON ALLEN HENDERSON, JR.**  
20 **24969 Walnut St., #203**  
**Newhall, CA 91321**

21 **Pharmacist License No. RPH 29129,**

22 **and**

23 **CHARLES M. ZANDBERG**  
24 **11840 Babbitt**  
**Granada Hills, CA 91344**

25 **Pharmacist License No. RPH 22274,**

26 Respondents.

27  
28 ///

1 Complainant alleges:

2 **PARTIES**

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

5 2. On or about September 25, 2013, the Board of Pharmacy issued Pharmacy Permit  
6 Number PHY 51552 to Crown Valley Pharmacy; Jenisa Nusrat Chowdhury and Willon Allen  
7 Henderson, owners. The Pharmacy Permit was in full force and effect at all times relevant to the  
8 charges brought herein and will expire on March 24, 2018, unless renewed.

9 3. On or about December 17, 2014, the Board of Pharmacy issued Pharmacist Intern  
10 Registration Number INT 35196 to Jenisa Nusrat Chowdhury. The Pharmacist Intern  
11 Registration was in full force and effect at all times relevant to the charges brought herein and  
12 will expire on June 30, 2018, unless renewed.

13 4. On or about July 17, 1974, the Board of Pharmacy issued Pharmacist License  
14 Number RPH 29129 to Willon Allen Henderson, Jr. The Pharmacist License was in full force and  
15 effect at all times relevant to the charges brought herein and will expire on July 31, 2018, unless  
16 renewed.

17 5. On or about August 10, 1961, the Board of Pharmacy issued Pharmacist License  
18 Number RPH 22274 to Charles M. Zandberg. The Pharmacist License was in full force and  
19 effect at all times relevant to the charges brought herein and will expire on November 30, 2018,  
20 unless renewed.

21 **JURISDICTION**

22 6. This Accusation is brought before the Board, under the authority of the following  
23 laws. All section references are to the Business and Professions Code unless otherwise indicated.

24 7. Section 4300, subdivision (a) of the Code provides that "[e]very license issued may  
25 be suspended or revoked."

26 8. Section 4011 of the Code states that in addition to administering and enforcing the  
27 Pharmacy Law (Cal. Bus. & Prof. §§ 4000, et seq.), the board shall administer and enforce "the

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1 Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health  
2 and Safety Code)."

3 9. Section 4300.1 of the Code states:

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

### 9 STATUTES AND REGULATIONS

#### 10 Pertinent State Law

11 10. Section 4301 of the Code states, in pertinent part:

12 " The board shall take action against any holder of a license who is guilty of unprofessional  
13 conduct or whose license has been issued by mistake. Unprofessional conduct shall include, but  
14 is not limited to, any of the following:

15 ...

16 "(j) The violation of any of the statutes of this state, or any other state, or of the United  
17 States regulating controlled substances and dangerous drugs.

18 ...

19 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
20 violation of or conspiring to violate any provision or term of this chapter or of the applicable  
21 federal and state laws and regulations governing pharmacy, including regulations established by  
22 the board or by any other state or federal regulatory agency."

23 11. Section 4081 of the Code states:

24 "(a) All records of manufacture and of sale, acquisition, or disposition of dangerous drugs  
25 or dangerous devices shall be at all times during business hours open to inspection by authorized  
26 officers of the law, and shall be preserved for at least three years from the date of making. A  
27 current inventory shall be kept by every manufacturer, wholesaler, pharmacy, veterinary  
28 food-animal drug retailer, physician, dentist, podiatrist, veterinarian, laboratory, clinic, hospital,

1 institution, or establishment holding a currently valid and unrevoked certificate, license, permit,  
2 registration, or exemption under Division 2 (commencing with Section 1200) of the Health and  
3 Safety Code or under Part 4 (commencing with Section 16000) of Division 9 of the Welfare and  
4 Institutions Code who maintains a stock of dangerous drugs or dangerous devices.

5 "(b) The owner, officer, and partner of any pharmacy, wholesaler, or veterinary food-animal  
6 drug retailer shall be jointly responsible, with the pharmacist-in-charge or representative-in-  
7 charge, for maintaining the records and inventory described in this section.

8 12. Section 4333 of the Code states, in pertinent part, that all prescriptions filled by a  
9 pharmacy and all other records required by Section 4081 shall be maintained on the premises and  
10 available for inspection by authorized officers of the law for a period of at least three years.

11 13. Section 4105 of the Code states, in pertinent part:

12 "(a) All records or other documentation of the acquisition and disposition of dangerous  
13 drugs and dangerous devices by any entity licensed by the board shall be retained on the licensed  
14 premises in a readily retrievable form.

15 ...

16 "(c) The records required by this section shall be retained on the licensed premises for a  
17 period of three years from the date of making.

18 ....

19 14. Section 4302 of the Code states:

20 "The board may deny, suspend, or revoke any license where conditions exist in relation to  
21 any person holding 10 percent or more of the ownership interest or where conditions exist in  
22 relation to any officer, director, or other person with management or control of the license that  
23 would constitute grounds for disciplinary action against a licensee."

24 15. Section 4307 of the Code states:

25 "(a) Any person who has been denied a license or whose license has been revoked or is  
26 under suspension, or who has failed to renew his or her license while it was under suspension, or  
27 who has been a manager, administrator, owner, member, officer, director, associate, partner, or  
28 any other person with management or control of any partnership, corporation, trust, firm, or

1 association whose application for a license has been denied or revoked, is under suspension or has  
2 been placed on probation, and while acting as the manager, administrator, owner, member,  
3 officer, director, associate, partner, or any other person with management or control had  
4 knowledge of or knowingly participated in any conduct for which the license was denied,  
5 revoked, suspended, or placed on probation, shall be prohibited from serving as a manager,  
6 administrator, owner, member, officer, director, associate, partner, or in any other position with  
7 management or control of a licensee as follows:

8 (1) Where a probationary license is issued or where an existing license is placed on  
9 probation, this prohibition shall remain in effect for a period not to exceed five years.

10 (2) Where the license is denied or revoked, the prohibition shall continue until the license is  
11 issued or reinstated.

12 (b) "Manager, administrator, owner, member, officer, director, associate, partner, or any  
13 other person with management or control of a license" as used in this section and Section 4308,  
14 may refer to a pharmacist or to any other person who serves in such capacity in or for a licensee.

15 (c) The provisions of subdivision (a) may be alleged in any pleading filed pursuant to  
16 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code.  
17 However, no order may be issued in that case except as to a person who is named in the caption,  
18 as to whom the pleading alleges the applicability of this section, and where the person has been  
19 given notice of the proceeding as required by Chapter 5 (commencing with Section 11500) of Part  
20 1 of Division 3 of the Government Code. The authority to proceed as provided by this subdivision  
21 shall be in addition to the board's authority to proceed under Section 4339 or any other provision  
22 of law.

23 16. Section 4113, subdivision (c) of the Code states, in pertinent part:

24 ...

25 "(c) The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all  
26 state and federal laws and regulations pertaining to the practice of pharmacy."

27 ....

28 ///

1 17. Health and Safety Code section 11164 states, in pertinent part:

2 "Except as provided in Section 11167, no person shall prescribe a controlled substance, nor  
3 shall any person fill, compound, or dispense a prescription for a controlled substance, unless it  
4 complies with the requirements of this section.

5 "(a) Each prescription for a controlled substance classified in Schedule II, III, IV, or V,  
6 except as authorized by subdivision (b), shall be made on a controlled substance prescription form  
7 as specified in Section 11162.1 and shall meet the following requirements:

8 "(1) The prescription shall be signed and dated by the prescriber in ink and shall contain the  
9 prescriber's address and telephone number; the name of the ultimate user or research subject, or  
10 contact information as determined by the Secretary of the United States Department of Health and  
11 Human Services; refill information, such as the number of refills ordered and whether the  
12 prescription is a first-time request or a refill; and the name, quantity, strength, and directions for  
13 use of the controlled substance prescribed."

14 18. Health and Safety Code section 11165, subdivision (d), provides:

15 "For each prescription for a Schedule II, Schedule III, or Schedule IV controlled substance,  
16 as defined in the controlled substances schedules in federal law and regulations, specifically  
17 Sections 1308.12, 1308.13, and 1308.14, respectively, of Title 21 of the Code of Federal  
18 Regulations, the dispensing pharmacy, clinic, or other dispenser shall report the following  
19 information to the Department of Justice as soon as reasonably possible, but not more than seven  
20 days after the date a controlled substance is dispensed, in a format specified by the Department of  
21 Justice:

22 (1) Full name, address, and, if available, telephone number of the ultimate user or  
23 research subject, or contact information as determined by the Secretary of the United  
24 States Department of Health and Human Services, and the gender, and date of birth of  
25 the ultimate user.

26 (2) The prescriber's category of licensure, license number, national provider identifier  
27 (NPI) number, if applicable, the federal controlled substance registration number, and

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1 the state medical license number of any prescriber using the federal controlled  
2 substance registration number of a government-exempt facility.

3 (3) Pharmacy prescription number, license number, NPI number, and federal  
4 controlled substance registration number.

5 (4) National Drug Code (NDC) number of the controlled substance dispensed.

6 (5) Quantity of the controlled substance dispensed.

7 (6) International Statistical Classification of Diseases, 9th revision (ICD-9) or 10th  
8 revision (ICD-10) Code, if available.

9 (7) Number of refills ordered.

10 (8) Whether the drug was dispensed as a refill of a prescription or as a first-time  
11 request.

12 (9) Date of origin of the prescription.

13 (10) Date of dispensing of the prescription.”

14 19. Health and Safety Code section 11179 provides:

15 “A person who fills a prescription shall keep it on file for at least three years from the date  
16 of filling it.”

17 20. Health and Safety Code section 11205 provides:

18 “The owner of a pharmacy or any person who purchases a controlled substance upon  
19 federal order forms as required pursuant to the provisions of the Federal “Comprehensive Drug  
20 Abuse Prevention and Control Act of 1970,” (P.L. 91-513, 84 Stat. 1236),<sup>1</sup> relating to the  
21 importation, exportation, manufacture, production, compounding, distribution, dispensing, and  
22 control of controlled substances, and who sells controlled substances obtained upon such federal  
23 order forms in response to prescriptions shall maintain and file such prescriptions in a separate  
24 file apart from noncontrolled substances prescriptions. Such files shall be preserved for a period  
25 of three years.”

26 21. Health and Safety Code section 11208 provides:

27 “In a prosecution under this division, proof that a defendant received or has had in his  
28 possession at any time a greater amount of controlled substances than is accounted for by any

1 record required by law or that the amount of controlled substances possessed by the defendant is a  
2 lesser amount than is accounted for by any record required by law is prima facie evidence of  
3 guilt.”

4 22. Health and Safety Code section 11209, subdivision (a), provides in pertinent part:

5 “No person shall deliver Schedule II, III, or IV controlled substances to a pharmacy or  
6 pharmacy receiving area, nor shall any person receive controlled substances on behalf of a  
7 pharmacy unless, at the time of delivery, a pharmacist or authorized receiving personnel signs a  
8 receipt showing the type and quantity of the controlled substances received.”

9 23. California Code of Regulations, title 16, section 1714, states in pertinent part:

10 “(b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and  
11 equipment so that drugs are safely and properly prepared, maintained, secured and distributed.  
12 The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice  
13 of pharmacy.

14 ...

15 (d) Each pharmacist while on duty shall be responsible for the security of the prescription  
16 department, including provisions for effective control against theft or diversion of dangerous  
17 drugs and devices, and records for such drugs and devices. Possession of a key to the pharmacy  
18 where dangerous drugs and controlled substances are stored shall be restricted to a pharmacist.

19 ...

20 **Pertinent Federal Law**

21 24. United States Code, title 21, section 829, subdivision (a), provides:

22 “Except when dispensed directly by a practitioner, other than a pharmacist, to an ultimate  
23 user, no controlled substance in schedule II, which is a prescription drug as determined under the  
24 Federal Food, Drug, and Cosmetic Act [21 U.S.C.A. § 301 et seq.], may be dispensed without the  
25 written prescription of a practitioner . . . .”

26 25. Federal Code of Regulations, title 21, section 1304.04, subdivision (h), provides in  
27 pertinent part:

28 ///



1 "Each registered pharmacy shall maintain the inventories and records of controlled  
2 substances as follows:

3 (1) Inventories and records of all controlled substances listed in Schedule I and II  
4 shall be maintained separately from all other records of the pharmacy.

5 ...

6 26. Federal Code of Regulations, title 21, section 1304.11, provides:

7 "(a) General requirements. Each inventory shall contain a complete and accurate record of  
8 all controlled substances on hand on the date the inventory is taken, and shall be maintained in  
9 written, typewritten, or printed form at the registered location. An inventory taken by use of an  
10 oral recording device must be promptly transcribed. Controlled substances shall be deemed to be  
11 "on hand" if they are in the possession of or under the control of the registrant, including  
12 substances returned by a customer, ordered by a customer but not yet invoiced, stored in a  
13 warehouse on behalf of the registrant, and substances in the possession of employees of the  
14 registrant and intended for distribution as complimentary samples. A separate inventory shall be  
15 made for each registered location and each independent activity registered, except as provided in  
16 paragraph (e)(4) of this section. In the event controlled substances in the possession or under the  
17 control of the registrant are stored at a location for which he/she is not registered, the substances  
18 shall be included in the inventory of the registered location to which they are subject to control or  
19 to which the person possessing the substance is responsible. The inventory may be taken either as  
20 of opening of business or as of the close of business on the inventory date and it shall be indicated  
21 on the inventory.

22 "(b) Initial inventory date. Every person required to keep records shall take an inventory of  
23 all stocks of controlled substances on hand on the date he/she first engages in the manufacture,  
24 distribution, or dispensing of controlled substances, in accordance with paragraph (e) of this  
25 section as applicable. In the event a person commences business with no controlled substances on  
26 hand, he/she shall record this fact as the initial inventory.

27 "(c) Biennial inventory date. After the initial inventory is taken, the registrant shall take a  
28 new inventory of all stocks of controlled substances on hand at least every two years. The

1 biennial inventory may be taken on any date which is within two years of the previous biennial  
2 inventory date.”

3 **COST RECOVERY**

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

8 **FACTUAL BACKGROUND**

9 28. Respondent Crown Valley Pharmacy has been in operation since September 2013. At  
10 all times relevant to the allegations set forth herein, Crown Valley Pharmacy was owned by  
11 Respondent Chowdhury (49% owner) and Respondent Henderson (51% owner). At all times  
12 relevant to the allegations set forth herein, Respondent Zandberg was designated as Crown Valley  
13 Pharmacy’s pharmacist-in-charge.<sup>1</sup>

14 29. On or about April 14, 2015, the Board received an anonymous online complaint  
15 involving Respondent Crown Valley Pharmacy’s acquisition and dispensing of certain controlled  
16 substances. Among other things, the complaint alleged that Crown Valley was selling oxycodone  
17 pills and a codeine-laced cough syrup (i.e., promethazine with codeine) to people without a  
18 prescription. Oxycodone and promethazine with codeine are commonly abused controlled  
19 substances with significant “street values.”

20 30. Oxycodone is a Schedule II controlled substance pursuant to Health and Safety Code  
21 section 11055, subdivision (b)(1)(M) and is a dangerous drug pursuant to Code section 4022.

22 ///

23 ///

24  
25  
26 <sup>1</sup> At all times relevant to the allegations set forth herein, Respondent Chowdhury’s father,  
27 Moazzem Chowdhury, served as Crown Valley Pharmacy’s manager. Moazzem Chowdhury is a  
28 registered pharmacist whose license is currently on probation pursuant to the decision and order  
in the disciplinary action entitled *In the Matter of the Accusation Against Moazzem H.  
Chowdhury, dba Desert Drugs, et al*, Case No. 3917 (OAH No. 2014010146).

1 31. Promethazine with codeine is a Schedule V controlled substance pursuant to Health  
2 and Safety Code section 11058, subdivision (c) and is a dangerous drug pursuant to Code section  
3 4022.

4 32. On or about August 13, 2015, a Board inspector performed an inspection of Crown  
5 Valley Pharmacy. Federal law requires pharmacies to complete and maintain an "initial  
6 inventory" of any and all controlled substances in its stock as of the first day on which the  
7 pharmacy begins dispensing controlled substances and also requires that subsequent "biennial  
8 inventories" be performed at least every two (2) years thereafter. (See 21 CFR § 1304.) Among  
9 other things, the inspector asked to review Crown Valley's initial controlled substance inventory.  
10 Although Crown Valley had been in operation and dispensed controlled substances prior to  
11 January 30, 2014, the initial controlled substance inventory was not performed and/or completed  
12 until January 30, 2014. In addition, the inventory for Schedule II controlled substances was not  
13 maintained separately from all other records of the pharmacy as required by federal law.

14 The inspector advised Crown Pharmacy's pharmacist-in-charge, Respondent Zandberg, that a  
15 complete and compliant inventory should be performed and provided to the Board. The Board  
16 received a copy of the newly completed controlled substance inventory the following day.

17 33. The inspector also obtained a variety of records related to Crown Valley Pharmacy's  
18 acquisition and dispensing of: (1) oxycodone; (2) oxycodone with acetaminophen (hereinafter,  
19 "oxycodone/apap"); and (3) promethazine with codeine between September 2013 and August  
20 2015. Those documents included acquisition records from pharmaceutical wholesalers used by  
21 Crown Valley Pharmacy, the pharmacy's own dispensing records, records related to the  
22 pharmacy's transactions with a reverse distributor, original prescriptions, and reports from the  
23 Controlled Substance Utilization Review and Evaluation System ("CURES.")<sup>2</sup>

24 ///

25 <sup>22</sup> CURES is a system for monitoring patient controlled substance history information.  
26 California Health and Safety Code section 11165 requires pharmacies to report within 7 days to  
27 the California Department of Justice every schedule II, III and IV drug prescription that is written  
28 or dispensed, and the information provided establishes the CURES database, which includes  
information about the drug dispensed, drug quantity and strength, patient name, address,  
prescriber name, and prescriber authorization number including DEA number and prescription  
number.



1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Violation of Pharmacy Law: Acquisition & Disposition Records)**

3 37. Respondents Crown Valley Pharmacy, Chowdhury, Henderson, and Zandberg are  
4 subject to disciplinary action under section 4301, subdivision (o), in conjunction with section  
5 4081 and section 4105 in that Respondents failed to maintain acquisition, sale and/or disposition  
6 records related to thousands of oxycodone and oxycodone/apap pills as well as dozens of bottles  
7 of promethazine with codeine. Complainant refers to, and by this reference incorporates, the  
8 allegations set forth above in paragraphs 28 through 35, inclusive, as though set forth fully herein.

9 **THIRD CAUSE FOR DISCIPLINE**

10 **(Violation of Pharmacy Law: Operational Standards)**

11 38. Respondents Crown Valley Pharmacy, Chowdhury, Henderson, and Zandberg are  
12 subject to disciplinary action under section 4301, subdivision (o), in conjunction with section  
13 California Code of Regulations, title 16, section 1714, in that Respondents failed maintain Crown  
14 Valley Pharmacy's facilities, space, fixtures, and equipment such that drugs were safely and  
15 properly maintained, secured and distributed as evidenced by the vast discrepancies between its  
16 in-stock inventory and the inventory denoted by its acquisition and dispensing records.  
17 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
18 paragraphs 28 through 35, inclusive, as though set forth fully herein.

19 **FOURTH CAUSE FOR DISCIPLINE**

20 **(Violation of Pharmacy Law: Original Prescriptions)**

21 39. Respondents Crown Valley Pharmacy, Chowdhury, Henderson, and Zandberg are  
22 subject to disciplinary action under section 4301, subdivision (o), in conjunction with section  
23 4333 in that Respondents failed to maintain the original prescriptions for seven (7) purported  
24 prescriptions of oxycodone and oxycodone/apap and seventeen (17) purported prescriptions of  
25 promethazine with codeine that it filled. Complainant refers to, and by this reference  
26 incorporates, the allegations set forth above in paragraphs 28 through 35, inclusive, as though set  
27 forth fully herein.

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1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Misconduct by Owner and/or Persons with Management or Control)**

3 40. Respondent Crown Valley Pharmacy is subject to disciplinary action under section  
4 4302 in that grounds for disciplinary action exist with respect to a person holding 10 percent or  
5 more of the ownership interest in the pharmacy and/or a person with management or control of  
6 the pharmacy. Complainant refers to, and by this reference incorporates, the allegations set forth  
7 above in paragraphs 28 through 35, inclusive, as though set forth fully herein.

8 **SIXTH CAUSE FOR DISCIPLINE**

9 **(Violation Drug Law: Controlled Substance Prescriptions)**

10 41. Respondents Crown Valley Pharmacy, Chowdhury, Henderson, and Zandberg are  
11 subject to disciplinary action under section 4301, subdivision (j), in conjunction with Health and  
12 Safety Code section 11205 and section 11179 in that Respondents failed to maintain the original  
13 prescriptions for seven (7) purported prescriptions of oxycodone and oxycodone/apap and  
14 seventeen (17) purported prescriptions of promethazine with codeine that it filled. Complainant  
15 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 28  
16 through 35, inclusive, as though set forth fully herein.

17 **SEVENTH CAUSE FOR DISCIPLINE**

18 **(Violation of Drug Law: Dispensing Controlled Substances Without a Prescription)**

19 42. Respondents Crown Valley Pharmacy, Chowdhury, Henderson, and Zandberg are  
20 subject to disciplinary action under section 4301, subdivision (j), in conjunction with California  
21 Health and Safety Code section 11164 and U.S. Code, title 21, section 829, in that Respondents  
22 dispensed oxycodone, oxycodone/apap and promethazine with codeine to patients without a  
23 prescription. Complainant refers to, and by this reference incorporates, the allegations set forth  
24 above in paragraphs 28 through 35, inclusive, as though set forth fully herein.

25 **EIGHTH CAUSE FOR DISCIPLINE**

26 **(Violation of Drug Law: Failure to Report to CURES)**

27 43. Respondents Crown Valley Pharmacy, Chowdhury, Henderson, and Zandberg are  
28 subject to disciplinary action under section 4301, subdivision (j), in conjunction with California

1 Health and Safety Code section 11165, in that Respondents failed to report information to the  
2 Department of Justice regarding Crown Valley Pharmacy's dispensing of Schedule II controlled  
3 substances as required by state and federal law. Complainant refers to, and by this reference  
4 incorporates, the allegations set forth above in paragraphs 28 through 35, inclusive, as though set  
5 forth fully herein.

6 **NINTH CAUSE FOR DISCIPLINE**

7 **(Violation of Drug Law: Controlled Substance Inventories)**

8 44. Respondents Crown Valley Pharmacy, Chowdhury, Henderson, and Zandberg are  
9 subject to disciplinary action under section 4301, subdivision (j), in conjunction with Code of  
10 Federal Regulations, title 21, section 1304.11, in that Respondents failed to maintain separate  
11 inventory records for its Schedule II controlled substances as required under federal law.  
12 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
13 paragraphs 28 through 35, inclusive, as though set forth fully herein.

14 **DISCIPLINARY CONSIDERATIONS**

15 45. To determine the degree of discipline, if any, to be imposed on Respondent  
16 Henderson, Complainant alleges:

17 46. In the disciplinary action entitled *In the Matter of the Accusation Against Willon*  
18 *Allen Henderson*, Case No. 2646 (OAH No. 2004050317), effective March 6, 2005, Respondent  
19 Henderson's pharmacist license was placed on probation for a period of three (3) years for  
20 various violations of the California Pharmacy Law.

21 **PRAYER**

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

- 24 1. Revoking or suspending Pharmacy Permit Number PHY 51552 issued to Crown  
25 Valley Pharmacy; Jenisa Nusrat Chowdhury and Willon Allen Henderson, owners.
- 26 2. Revoking or suspending Pharmacist Intern Registration Number INT 35196, issued to  
27 Jenisa Nusrat Chowdhury;

28 ///

1           3.    Revoking or suspending Pharmacist License Number RPH 29129 issued to Willon  
2 Allen Henderson, Jr.;

3           4.    Revoking or suspending Pharmacist License Number RPH 22274 issued to Charles  
4 M. Zandberg;

5           5.    Prohibiting Crown Valley Pharmacy; Jenisa Nusrat Chowdhury and Willon Allen  
6 Henderson, owners, from serving as a manager, administrator, owner, member, officer, director,  
7 associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 51552, issued  
8 to Crown Valley Pharmacy; Jenisa Nusrat Chowdhury and Willon Allen Henderson, owners, is  
9 placed on probation or until Pharmacy Permit Number PHY 51552 is reinstated if Pharmacy  
10 Permit Number PHY 51552 is revoked;

11          6.    Prohibiting Jenisa Chowdhury from serving as a manager, administrator, owner,  
12 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit  
13 Number PHY 51552, issued to Crown Valley Pharmacy; Jenisa Nusrat Chowdhury and Willon  
14 Allen Henderson, owners, is placed on probation or until Pharmacy Permit Number PHY 51552  
15 is reinstated if Pharmacy Permit Number PHY 51552 is revoked;

16          7.    Prohibiting Willon Allen Henderson, Jr., Inc. from serving as a manager,  
17 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if  
18 Pharmacy Permit Number PHY 51552, issued to Crown Valley Pharmacy; Jenisa Nusrat  
19 Chowdhury and Willon Allen Henderson, owners, is placed on probation or until Pharmacy  
20 Permit Number PHY 51552 is reinstated if Pharmacy Permit Number PHY 51552 is revoked;

21          8.    Prohibiting Charles M. Zandberg from serving as a manager, administrator, owner,  
22 member, officer, director, associate, or partner of a licensee for five years if Pharmacy  
23 Permit Number PHY 51552, issued to Crown Valley Pharmacy; Jenisa Nusrat Chowdhury and  
24 Willon Allen Henderson, owners, is placed on probation or until Pharmacy Permit Number PHY  
25 51552 is reinstated if Pharmacy Permit Number PHY 51552 is revoked;

26          9.    Ordering that Crown Valley Pharmacy, Jenisa Nusrat Chowdhury, Willon Allen  
27 Henderson, Jr., and Charles M. Zandberg are jointly and severally obligated to pay reasonable

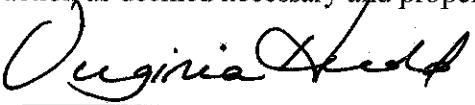
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1 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
2 Code section 125.3; and

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

4 DATED: 11/11/17



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

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