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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. 6075

11 **NEIL PARAS RAM**  
12 **13441 Park Centre St.**  
13 **Baldwin Park, CA 91700**

**ACCUSATION**

14 **Pharmacy Technician Registration No. TCH**  
15 **79003**

Respondent.

16  
17 Complainant alleges:

18 PARTIES

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

21 2. On or about October 25, 2007, the Board of Pharmacy issued Pharmacy Technician  
22 Registration Number TCH 79003 to Neil Paras Ram (Respondent). The Pharmacy Technician  
23 Registration expired on December 31, 2016, was not renewed, and has now been cancelled.

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 unless otherwise indicated.

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1 4. Section 4300 of the Code states:

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

3 . . .

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

9 5. Section 4300.1 of the Code states:

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

15 6. Section 4301 of the Code states, 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 issued by mistake. Unprofessional conduct shall include, but is  
18 not limited to, any of the following:

19 . . .

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

25 COST RECOVERY

26 7. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
27 administrative law judge to direct a licentiate found to have committed a violation or violations of

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

3 FIRST CAUSE FOR DISCIPLINE

4 (Unprofessional Conduct)

5 8. Respondent is subject to disciplinary action under section 4301 in that Respondent  
6 engaged in unprofessional conduct. The circumstances are as follows.

7 9. On or about October 14, 2016, while working as a pharmacy technician for the AIDS  
8 Healthcare Foundation's ("AHF") pharmacy location in Hollywood, Respondent returned from his  
9 lunch break approximately twenty (20) minutes late and began exhibiting signs that he was  
10 significantly impaired by the use drugs and/or alcohol. For example, Respondent had slurred  
11 speech, bloodshot and glassy eyes, had difficulty standing, and was generally unable to perform the  
12 functions of his job as a pharmacy technician. At some point during the shift, Respondent stated  
13 that he was ill and needed to leave early, which he did.

14 10. Following the incident, on or about October 17, 2016, Respondent met with the  
15 pharmacy's pharmacist-in-charge ("PIC") and AHF's director of human resources to discuss  
16 Respondent's behavior on October 14, 2016, as well as a prior incident that had occurred on or  
17 about August 20, 2016, in which Respondent had fallen asleep with his head on the pharmacy's  
18 work counter for approximately an hour and a half. During his interview with the PIC and AHF's  
19 director of human resources, Respondent broke down emotionally and admitted that he was  
20 battling addiction issues with drugs and alcohol. The director of human resources informed  
21 Respondent about AHF's "Employee Assistance Program" and advised Respondent to seek  
22 medical counseling and help through that program. Respondent was advised that he would be  
23 unable to return to work until he had been examined by a medical professional and was deemed fit  
24 to return. Respondent resigned from his employment with AHF on or about October 28, 2016.

25 11. On or about October 27, 2016, the pharmacy's PIC notified the Board about the  
26 October 14, 2016, incident involving Respondent. Pursuant to its investigation into the matter, on  
27 or about December 15, 2016, the Board mailed Respondent a letter instructing him to contact the  
28 inspector assigned to the case within seven days. Respondent failed to respond to that request.

1 SECOND CAUSE FOR DISCIPLINE

2 (Dangerous Use of Drugs/Alcohol)

3 12. Respondent is subject to disciplinary action under section 4301, subdivision (h), in that  
4 Respondent administered to himself controlled substances, dangerous drugs and/or alcoholic  
5 beverages to the extent or in a manner dangerous or injurious to himself or others and/or to an  
6 extent that impaired his ability to conduct with safety to the public the practice authorized by his  
7 license. Complainant refers to, and by this reference incorporates, the allegations set forth above  
8 in paragraphs 9 and 10, inclusive, as though set forth fully herein.

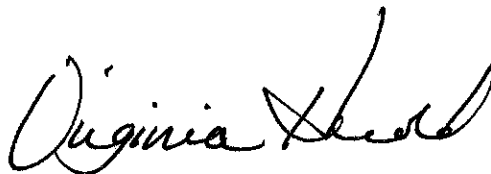
9 PRAYER

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

- 12 1. Revoking or suspending Pharmacy Technician Registration Number TCH 79003,  
13 issued to Neil Paras Ram;
- 14 2. Ordering Neil Paras Ram to pay the Board of Pharmacy the reasonable costs of the  
15 investigation and enforcement of this case, pursuant to Business and Professions Code section  
16 125.3; and
- 17 3. Taking such other and further action as deemed necessary and proper.

21 DATED: \_\_\_\_\_

7/16/17

20 

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

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