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BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against**:** **CEUTICARE LLC, DBA REGAL SPECIALTY PHARMACY, SHIRLEY Q. PHAM AND SAN Q. PHAM, MANAGING MEMBERS AND PATRICIA PHAM, MANAGER** **1875 California Avenue, Ste. 101** **Corona, CA 92881** **Pharmacy License No. PHY 57876,** **and** **SHIRLEY QUYEN PHAM** **17022 Bolero Lane** **Huntington Beach, CA 92649** **Pharmacist License No. RPH 84928** Respondent.	Case No. 7482 **ACCUSATION**

PARTIES

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

2. On or about August 14, 2020, the Board of Pharmacy issued Pharmacy Permit Number PHY 57876 to Ceuticare, LLC, dba Regal Specialty Pharmacy. While San Q. Pham and Shirley Quyen Pham (the daughter of San Q. and Patricia Pham) were identified as the Managing Members of Ceuticare, LLC, Patricia Pham was also a Managing Member (Respondent Regal Specialty Pharmacy). The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on August 1, 2025, unless renewed.

3. On or about August 19, 2021, the Board of Pharmacy issued Pharmacist License Number RPH 84928 to Shirley Quyen Pham (Respondent Shirley Pham). The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2024, unless renewed.

JURISDICTION

4. This Accusation is brought before the Board of Pharmacy (Board), under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

5. Code section 4011 provides that the Board shall administer and enforce both the Pharmacy Law (Bus. & Prof. Code, § 4000 *et seq*.) and the Uniform Controlled Substances Act (Health & Safety Code, § 11000 *et seq*.).

6. Code section 4300, subdivision (a) provides that every license issued by the Board may be suspended or revoked.

7. Code section 4300.1 states:

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

8. Code section 4307, subdivision (a) states:

> Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a manager, administrator, owner member, officer, director, associate, or partner of any partnership, corporation, firm, or association whose application for a license has been denied or revoked, is under suspension or

has been placed on probation, and while acting as the manger, administrator, owner, member, officer, director, associate, or partner had knowledge or knowingly participated in any conduct for which the license was denied, revoked, suspended, or placed on probation, shall be prohibited from serving as a manger, administrator, owner, member, officer, director, associate, or partner of a licensee as follows:

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

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

INTRODUCTION

9. Respondents are suspected of billing insurance companies for the costs of expensive drugs which were never dispensed to patients. Indicia of Respondent's suspected fraudulent activities, include the existence of overages in their drug inventories, prescriptions never recorded as delivered to patients and prescriptions filled in connection with prescriptions never written by the prescribers. This case is about Respondent's concealment of their suspected insurance billing fraud, through their alteration of pharmacy records, creation of false drug acquisition invoices, lack of security for drugs and records and purchases of drugs from unlicensed sources.

STATUTORY PROVISIONS

10. Code section 4022 states:

"Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in humans or animals, and includes the following:

(a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without prescription," "Rx only," or words of similar import.

(b) Any device that bears the statement: "Caution: federal law restricts this device to sale by or on the order of a ____," "Rx only," or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

11. Code section 4043 states:

'Wholesaler' means and includes a person who acts as a wholesale merchant, broker, jobber customs broker, reverse distributor, agent, or a nonresident wholesaler, who sells for resale, or negotiates for distribution, or takes possession of, any drug or device included in Section 4022. Unless otherwise authorized by law, a wholesaler may not store, warehouse, or authorize the storage or warehousing of drugs with any person or at any location not licensed by the board.

12. Code section 4059, subdivision (a) states:

A person may not furnish any dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7. A person may not furnish any dangerous device, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7.

13. Section 4081, subdivisions (a) and (b) of the Code states in pertinent part:

(a) All records of manufacture and of sale, acquisition, or disposition of dangerous drugs or dangerous devices shall be at all times during business hours open to inspection by authorized officers of the law, and shall be preserved for at least three years from the date of making. A current inventory shall be kept by every manufacturer, wholesaler, pharmacy, veterinary food-animal drug retailer, physician, dentist, podiatrist, veterinarian, laboratory, clinic, hospital, institution, or establishment holding a currently valid and unrevoked certificate, license, permit, registration, or exemption under Division 2 (commencing with Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section 16000) of Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous drugs or dangerous devices.

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

. . .

14. Code section 4160, subdivision (a) states:

A person shall not act as a wholesaler or third-party logistics provider of any dangerous drug or dangerous device unless he or she has obtained a license from the board.

15. Code section 4169, subdivisions (a)(1), (a)(2) and (a)(5) state:

(a) A person or entity shall not do any of the following:

(1) Purchase, trade, sell, warehouse, distribute, or transfer dangerous drugs or dangerous devices at wholesale with a person or entity that is not licensed with the board as a wholesaler, third-party logistics provider, or pharmacy.

(2) Purchase, trade, sell, or transfer dangerous drugs that the person knew or reasonably should have known were adulterated, as set forth in Article 2 (commencing with Section 111250) of Chapter 6 of Part 5 of Division 104 of the Health and Safety Code.

…

(5) Fail to maintain records of the acquisition and disposition of dangerous drugs or dangerous devices for at least three years.

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16. Code section 4301 states in pertinent part:

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

…

(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.

…

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

…

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

…

(q) Engaging in any conduct that subverts or attempts to subvert an investigation of the board.

17. Health and Safety Code section 111250 states:

Any drug or device is adulterated if it consists, in whole or in part, of any filthy, putrid, or decomposed substance.

18. Health and Safety Code section 111255 states:

Any drug or device is adulterated if it has been produced, prepared, packed, or held under conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health.

19. Health and Safety Code section 111295 states:

It is unlawful for any person to manufacture, sell, deliver, hold or offer for sale any drug or device that is adulterated.

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REGULATORY PROVISIONS

20. Section 1712 of title 16, California Code of Regulations states:

(a) Any requirement in this division for a pharmacist to sign or initial a prescription record or prescription label can be satisfied by recording the identity of the reviewing pharmacist in a computer system by a secure means. The computer used to record the reviewing pharmacist's identity shall not permit such a record to be altered after it is made.

(b) The record of the reviewing pharmacist's identity made in a computer system pursuant to subdivision (a) of this section shall be immediately retrievable in the pharmacy.

21. Section 1714, subdivision (d) of title 16, California Code of Regulations states:

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

22. Section 1717, subdivisions (b)(1) and (3) of title 16, California Code of Regulations states:

(b) In addition to the requirements of Business and Professions Code section 4040, the following information shall be maintained for each prescription on file and shall be readily retrievable:

(1) The date dispensed, and the name or initials of the dispensing pharmacist. All prescriptions filled or refilled by an intern pharmacist must also be initialed by the supervising pharmacist before they are dispensed.

(3) If a prescription for a drug or device is refilled, a record of each refill, quantity dispensed, if different, and the initials or name of the dispensing pharmacist.

23. Section 1718 of title 16, California Code of Regulations states:

"Current Inventory" as used in Section 4081 and 4332 of the Business and Professions Code shall be considered to include complete accountability for all dangerous drugs handled by every licensee enumerated in Section 4081 and 4332.

The controlled substances inventories required by Title 21, CFR, Section 1304 shall be available for inspection upon request for at least three years.

COST RECOVERY

24. Section 125.3 of the Code provides, 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.

DRUGS

25. Enbrel is an expensive drug used to treat adults with moderate to severe arthritis and other diseases and a dangerous drug as defined by Business and Professions Code section 4022.

26. Evenity is an expensive drug used to treat women with osteoporosis and a dangerous drug as defined by Business and Professions Code section 4022.

27. Humira is an expensive drug used to treat adults with moderate to severe arthritis and other diseases and a dangerous drug as defined by Business and Professions Code section 4022.

28. Orencia is an expensive drug used to treat adults with moderate to severe arthritis and a dangerous drug as defined by Business and Professions Code section 4022.

29. Prolia is an expensive drug used to treat postmenopausal women with osteoporosis at high risk for fractures and a dangerous drug as defined by Business and Professions Code section 4022.

30. Rasuvo is an expensive drug used to treat adults with moderate to severe arthritis and other diseases and a dangerous drug as defined by Business and Professions Code section 4022.

31. Rinvoq is an expensive drug used to treat adults with moderate to severe arthritis and a dangerous drug as defined by Business and Professions Code section 4022.

32. Xeljanz is an expensive drug used to treat arthritis and a dangerous drug as defined by Business and Professions Code section 4022.

FACTUAL ALLEGATIONS

33. Respondent Regal Specialty Pharmacy is a closed door pharmacy which dispenses dangerous drugs to patients who reside in long-term care facilities and specialty drugs to patients.

34. During the application process to obtain a pharmacy permit, Respondents represented to the Board that Respondent Regal Specialty Pharmacy would possess all applicable permits and licenses and contracts to purchase drugs from licensed wholesalers, by August 14, 2020.

35. However, that representation was false as Respondent Regal Specialty Pharmacy did not possess all applicable licenses, registrations and permits and contracts with licensed wholesalers as of August 14, 2020.

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36. From August 17, 2020 through October 15, 2020, Respondents purchased 543 medication packages from unlicensed entities or individuals, including but not limited to, Prudent Healthcare, Inc., warehoused those medication packages and dispensed them to patients. The invoices reflecting these alleged drug purchases identified fake National Drug Codes or had no National Drug Codes.[1]

37. Respondents utilized electronic pharmacy management software to record the acquisition and disposition of dangerous drugs and devices, including the dispensing of drugs and the billing of the costs for those drugs to insurance companies.

38. From August 14, 2020 through June 29, 2021, Respondents allowed individuals, using computers or other devices with twenty unknown public and private IP addresses to access the pharmacy's electronic drug records while Respondent Regal Specialty Pharmacy was closed.

39. From August 14, 2020 through June 17, 2022, Respondents did not maintain all records reflecting its acquisition and disposition of dangerous drugs and current inventories.

40. From August 14, 2020 through April 25, 2022, Respondents dispensed and billed insurance carriers for a larger amount of Humira (CF) 40mg/0.4 ml pens, Humira 40 mg/0.8ml syringes, Orencia ClickJect autoinjectors 125 mg/ml, Rinvoq ER 15mg tablets, and Xeljanz XR 11 mg tablets than it purchased from licensed wholesalers. The estimated average of the total dollar amount Respondent Regal Specialty Pharmacy was reimbursed by insurance carriers for the variances was $5,283,527.55.

41. From August 14, 2020 through June 29, 2021, Respondents dispensed and billed insurance carriers for a larger amount of Orencia 125 mg/ml syringes, Evenity 210mg subcutaneous injections, Enbrel Sureclick 50mg/ml injectors, and Enbrel Mini Cartridges 50mg/ml than it purchased from licensed wholesalers.

[1] A National Drug Code is a unique 10-digit, 3 segment number. It is a universal product identifier for drugs and is present on all dangerous drugs. National Drug Codes are used to facilitate the recalls of drugs and for other patient safety purposes.

42. From August 14, 2020 through June 17, 2022, Respondents possessed shortages in its drug inventories (*i.e.*, their records reflected the purchase of more drugs than dispensed). Namely, they had shortages of 1280 tubes of Diclofenac 1% gel, 570 tubes of Diclofenac 3% gel, 150 tubes of Econazole 1% cream, and 298 tubes of Desonide 0.05% cream in their drug inventories.

43. From April 24, 2021, through May 1, 2021, Respondent's records reflected that the Pharmacist-in-Charge approved or verified the dispensing of sixty-three prescriptions when he did not in fact, approve or verify them.

44. From May 3, 2021, through April 8, 2022, Respondents dispensed nine prescriptions (Rx Nos. 6211520, 6211520, 6210021, 6210021, 6207591, 6210021, 6207591, 6207591 and 6205574) for the drugs, Xeljanz, Humira and Prolia which were not authorized or otherwise prescribed by physicians.

45. From March 26, 2021 through April 16, 2021, Respondents dispensed four prescriptions (Rx Nos. 6207657, 6206993, 6207659 and 6207472) for the drugs Orencia and Humira which were not authorized or otherwise prescribed by physicians.

46. During the Board's investigation of complaints to determine if the Pharmacist-in-Charge had approved or verified the dispensing of drugs and if all filled prescriptions were delivered to patients, Respondents altered their dispensing records to delete the Pharmacist-in-Charge's initials reflecting the verifications of drugs dispensed and to add delivery or pick up dates for filled prescriptions and refills.

47. During the Board's audit of Respondents' drug inventories, Respondents altered Invoice No. 977139418 dated August 24, 2020, from a major wholesaler's subsidiary to falsely reflect that Respondents had purchased and received large quantities of two drugs, Humira and Xeljanz from the major wholesaler's subsidiary.

FIRST CAUSE FOR DISCIPLINE

(Held or Offered for Sale Adulterated Drugs)

48. Respondents are subject to disciplinary action under Code section 4301, subdivisions (j) and (o), for violating Health and Safety Code sections 111250 and 111295 and Code section

4169, subdivision (a)(2), in that they held or offered for sale dangerous drugs that were adulterated within the meaning of Health and Safety Code section 111255, which are incorporated herein by reference in paragraphs 25 through 47.

SECOND CAUSE FOR DISCIPLINE

(Sold or Delivered Adulterated Drugs)

49. Respondents are subject to disciplinary action under Code section 4301, subdivisions (j) and (o), for violating Health and Safety Code section 111295 and Code section 4169, subdivisions (a)(2), in that they sold or delivered dangerous drugs that were adulterated within the meaning of Health and Safety Code sections 11250 and/or 111255, which are incorporated herein by reference in paragraphs 25 through 47.

THIRD CAUSE FOR DISCIPLINE

(Commission of Acts Involving Dishonesty, Fraud or Deceit)

50. Respondents are subject to disciplinary action under Code section 4301, subdivision (f), for committing acts involving dishonesty, fraud or deceit, as set forth in paragraphs 25 through 47, which are incorporated herein by reference.

FOURTH CAUSE FOR DISCIPLINE

(Knowingly Making or Signing Document that Falsely Represents Existence or Nonexistence of Facts)

51. Respondents are subject to disciplinary action under Code section 4301, subdivision (g), for knowingly making or signing any certificate or other document that falsely represents the existence or nonexistence of a state of facts, as set forth in paragraphs 25 through 47, which are incorporated herein by reference.

FIFTH CAUSE FOR DISCIPLINE

(Subversion of Investigation)

52. Respondents are subject to disciplinary action under Code section 4301, subdivision (q), for engaging in conduct that subverted or attempted to subvert an investigation of the Board, as set forth in paragraphs 25 through 47, which are incorporated herein by reference.

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SIXTH CAUSE FOR DISCIPLINE

(Failure to Maintain Records of Acquisition and Disposition of Dangerous Drugs)

53. Respondents are subject to disciplinary action under Code sections 4301, subdivision (j) and (o), for violating Code sections 4081, subdivision (a) and 4169, subdivision (a)(5) and the owners are liable under Code section 4081, subdivision (b), in that they did not maintain acquisition and disposition records of dangerous drugs open for inspection by authorized officers of the law and preserve them for at least three years from the date of making, as set forth in paragraphs 25 through 47 above, which are incorporated herein by reference.

SEVENTH CAUSE FOR DISCIPLINE

(Failure to Maintain Current Inventory of Dangerous Drugs)

54. Respondents are subject to disciplinary action under Code sections 4301, subdivisions (j) and (o), for violating Code sections 4081, subdivision (a) and 4169, subdivision (a)(5) and title 16, California Code of Regulations, section 1718 and the owners are liable under Code section 4081, subdivision (b), in that they did not maintain a current inventory of drugs, as set forth in paragraphs 25 through 47 above, which are incorporated herein by reference.

EIGHTH CAUSE FOR DISCIPLINE

(Furnishing of Dangerous Drugs Missing Prescriptions)

55. Respondents are subject to disciplinary action under Code sections 4301, subdivisions (j) and (o), for violating Code section 4059, subdivision (a), in that they furnished dangerous drugs without prescriptions written by prescribers, as set forth in paragraphs 25 through 47 above, which are incorporated herein by reference.

NINTH CAUSE FOR DISCIPLINE

(Purchased and/or Warehoused Dangerous Drugs

From Unlicensed Wholesalers)

56. Respondents are subject to disciplinary action under Code section 4301, subdivisions (j) and (o), for violating Business and Professions Code section 4169, subdivision (a)(1), because they purchased, sold and/or warehoused drugs from unlicensed individuals or organizations, as described above in paragraphs 25 through 47, which are incorporated herein by reference.

TENTH CAUSE FOR DISCIPLINE

(Failure to Maintain Security of Pharmacy Records)

57. Respondents are subject to disciplinary action under Code sections 4301, subdivisions (j) and (o), for violating title 16, California Code of Regulations, section 1714, subdivision (d), in that they did not maintain the security of pharmacy records for drugs and devices and drugs and devices, as set forth in paragraphs 25 through 47 above, which are incorporated herein by reference.

ELEVENTH CAUSE FOR DISCIPLINE

(Failure to Record Initials of Dispensing Pharmacist(s) in Pharmacy Records)

58. Respondents are subject to disciplinary action under Code sections 4301, subdivisions (j) and (o), for violating title 16, California Code of Regulations, sections 1712 and 1717, subdivisions (b)(1) and (3), in that they did not record the initials of the pharmacist(s), if any, who dispensed dangerous drugs, as set forth in paragraphs 25 through 47 above, which are incorporated herein by reference.

TWELFTH CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

59. Respondents are subject to disciplinary action under Code section 4301 for unprofessional conduct because they engaged in the activities described above in paragraphs 25 through 47, which are incorporated herein by reference.

OTHER MATTERS

60. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY 57876 issued to Respondent Ceuticare, LLC, dba Regal Specialty Pharmacy, it shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 57876 is placed on probation or until the Pharmacy Permit is reinstated if it is revoked.

61. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY 57876 issued to Respondent Ceuticare, LLC, dba Regal Specialty Pharmacy while Respondent Shirley Quyen Pham has been a manager, administrator, owner, member, officer or director and

had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, she shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacy Permit is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked.

62. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY 57876 issued to Respondent Ceuticare, LLC, dba Regal Specialty Pharmacy while Respondent San Q. Pham has been a manager, administrator, owner, member, officer or director and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, he shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacy Permit is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked.

63. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY 57876 issued to Respondent Ceuticare, LLC, dba Regal Specialty Pharmacy while Respondent Patricia Pham has been a manager, administrator, owner, member, officer or director and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, she shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacy Permit is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked.

64. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No. RPH 84928 issued to Respondent Shirley Quyen Pham, she shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacist License is placed on probation or until the Pharmacist License is reinstated, if it is revoked.

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 License Number PHY 57876, issued to Ceuticare, LLC, dba Regal Specialty Pharmacy;

2. Revoking or suspending Pharmacist License Number RPH 84928, issued to Shirley Quyen Pham;

3. Prohibiting Respondent Ceuticare, LLC, dba Regal Specialty Pharmacy from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 57876 is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked;

4. Prohibiting Respondent Shirley Q. Pham from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 57876 is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked;

5. Prohibiting Respondent San Pham from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 57876 is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked;

6. Prohibiting Respondent Patricia Pham from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 57876 is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked;

7. Prohibiting Respondent Shirley Quyen Pham from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist License Number RPH 84928 is placed on probation or until the Pharmacist License is reinstated, if it is revoked;

8. Ordering Ceuticare, LLC, dba Regal Specialty Pharmacy and Shirley Quyen Pham 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; and, if placed on probation, the costs of probation monitoring; and,

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

DATED: 9/23/2024

Sodergren, Anne@DCA
Digitally signed by Sodergren, Anne@DCA
Date: 2024.09.23 13:35:52 -07'00'

ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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