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

10 In the Matter of the Statement of Issues
11 Against:

Case No. 4284

12 **SHERMAN OAKS PHARMACY, INC.,**
13 **ASHER KASHANCHI**

STATEMENT OF ISSUES

14 **Applicant for Pharmacy Permit**

15 Respondent.

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20 Complainant alleges:

21 PARTIES

22 1. Virginia Herold (Complainant) brings this Statement of Issues solely in her official
23 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

24 2. On or about November 9, 2011, the Board of Pharmacy, Department of Consumer
25 Affairs received an application for an Applicant for Pharmacy Permit from Sherman Oaks
26 Pharmacy, Inc., Asher Kashanchi (Respondent). On or about October 23, 2011, Asher Kashanchi
27 certified under penalty of perjury to the truthfulness of all statements, answers, and
28 representations in the application. The Board denied the application on December 12, 2011.

1 Pharmacy, Pharmacy Permit No. PHY 49290, and Asher Kashanchi, Pharmacist License No.
2 RPH 46942, President and Pharmacist-in-Charge of Westlake Care Pharmacy. A true and correct
3 copy of the Second Amended Accusation No. 4231 is attached hereto as Exhibit "A", and
4 incorporated herein by reference.

5 c. Second Amended Accusation No. 4231 alleges the following causes of discipline
6 against Westlake Care Pharmacy and Asher Kashanchi: (1) subverting the investigation and
7 failure to produce the requested documents to the Board Inspector [violation of Bus. & Prof. Code
8 § 4301(q)]; (2) failure to have pharmacy records available and open for inspection [violation of
9 Cal. Code Regs., tit 16, §1718]; (3) name tag missing on the pharmacy technician [violation of
10 Cal. Code Regs., tit 16, §1793.7]; (4) controlled substance inventory¹ missing [violation of Cal.
11 Code Regs., tit 16, §1718]; (5) technician policies and job duties statements unavailable during
12 the inspection [violation of Cal. Code Regs., tit 16, §1793.7(d)]; (6) self assessment form
13 unavailable during the inspection [violation of Cal. Code Regs., tit 16, §1715(d)]; (7) quality
14 assurance policy and procedure unavailable during the inspection [violation of Cal. Code Regs.,
15 tit 16, §1711(c)(1)]; (8) inadequate recordkeeping [violation of Bus. & Prof. Code §§ 4059 (a)
16 and (b)]; (9) misbranded drugs² [violation of Health & Safety Code §111430]; (10) unlawfully
17 holding, delivering or offering for sale misbranded drugs [violation of Health & Safety Code
18 §111440]; (11) unlawfully receiving misbranded drugs [violation of Health & Safety Code
19 §111450]; (12) misbranded drugs [violation of Health & Safety Code §111490]; (13)
20 unprofessional conduct-billing fraud [violation of Bus. & Prof. Code §§ 4342 and 4169]

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. Denying the application of Sherman Oaks Pharmacy, Inc., Asher Kashanchi for a
25 Applicant for Pharmacy Permit;

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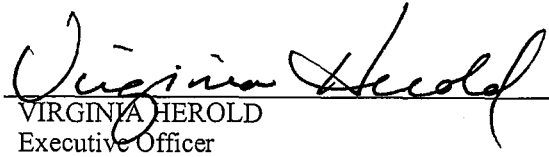
27 ¹ The biennial DEA inventories

28 ² Drugs that are not intended for use in the United States

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

DATED: 6/10/13



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

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