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

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

Case No. 6763

13 **IQRA AHMAD**

STATEMENT OF ISSUES

14 **Intern Pharmacist License Applicant**

15 Respondent.

16
17 **PARTIES**

18 1. Anne Sodergren (Complainant) brings this Statement of Issues solely in her official
19 capacity as the Interim Executive Officer of the Board of Pharmacy, Department of Consumer
20 Affairs (Board).

21 2. On or about September 13, 2018, the Board received an application for an Intern
22 Pharmacist License from Iqra Ahmad (Respondent). On or about August 31, 2018, Respondent
23 certified under penalty of perjury to the truthfulness of all statements, answers, and
24 representations in the application. The Board denied the application on June 7, 2019.

25 **JURISDICTION**

26 3. This Statement of Issues is brought before the Board under the authority of the
27 following laws. All section references are to the Business and Professions Code (Code) unless
28 otherwise indicated.

1 ...

2 (f) The commission of any act involving moral turpitude, dishonesty, fraud,
3 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.

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

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

9 ...

10 (k) The conviction of more than one misdemeanor or any felony involving the
11 use, consumption, or self-administration of any dangerous drug or alcoholic beverage,
or any combination of those substances.

12 (l) The conviction of a crime substantially related to the qualifications,
13 functions, and duties of a licensee under this chapter. The record of conviction of a
14 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United
15 States Code regulating controlled substances or of a violation of the statutes of this
16 state regulating controlled substances or dangerous drugs shall be conclusive
17 evidence of unprofessional conduct. In all other cases, the record of conviction shall
18 be conclusive evidence only of the fact that the conviction occurred. The board may
19 inquire into the circumstances surrounding the commission of the crime, in order to
20 fix the degree of discipline or, in the case of a conviction not involving controlled
21 substances or dangerous drugs, to determine if the conviction is of an offense
substantially related to the qualifications, functions, and duties of a licensee under this
chapter. A plea or verdict of guilty or a conviction following a plea of nolo
contendere is deemed to be a conviction within the meaning of this provision. The
board may take action when the time for appeal has elapsed, or the judgment of
conviction has been affirmed on appeal or when an order granting probation is made
suspending the imposition of sentence, irrespective of a subsequent order under
Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of
guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
dismissing the accusation, information, or indictment.

22 ...

23 **REGULATORY PROVISIONS**

24 9. California Code of Regulations, title 16, section 1770, states:

25 For the purpose of denial, suspension, or revocation of a personal or facility
26 license pursuant to Division 1.5 (commencing with Section 475) of the Business and
27 Professions Code, a crime or act shall be considered substantially related to the
28 qualifications, functions or duties of a licensee or registrant if to a substantial degree
it evidences present or potential unfitness of a licensee or registrant to perform the
functions authorized by his license or registration in a manner consistent with the
public health, safety, or welfare.

1 **FIRST CAUSE FOR DENIAL OF APPLICATION**

2 **(Substantially Related Criminal Convictions)**

3 10. Respondent's application is subject to denial under Code section 480, subdivision
4 (a)(1), in that she has been convicted of committing the following criminal acts, which are
5 substantially related to the practice of pharmacy

6 a. On or about September 15, 2017, in a case titled *People v. Iqra Ahmad*,
7 Sacramento County Superior Court case number 16MI017483, Respondent was convicted by a
8 jury of violating Vehicle Code section 23152, subdivisions (a) and (b), both misdemeanors, for
9 driving a vehicle while under the influence of an intoxicating substance (DUI) with a blood
10 alcohol content (BAC) of over 0.08% volume by weight. The circumstances are that on
11 August 24, 2016, at approximately 5:30 p.m., Respondent ran off the roadway and hit a power
12 pole, sustaining minor damage to the vehicle. A witness heard the crash and then observed
13 Respondent in the driver's seat. Respondent told the arresting California Highway Patrol (CHP)
14 officer that she had been driving but she believed her vehicle alignment was "off" causing her to
15 lose control. Respondent's BAC was determined to be .08%/.09%.

16 b. On or about October 17, 2018, in a case titled *People v. Iqra Ahmad*, Solano
17 County Superior Court case number VCR231789, Respondent was convicted on her plea of no
18 contest to violating Vehicle Code section 23153, subdivision (a), a felony, for DUI and causing
19 bodily injury to another person with the special allegation of a prior conviction for DUI. The
20 circumstances are that on March 14, 2018, at approximately 5:15 p.m., Vallejo Police Officers
21 responded to the scene of a traffic collision where witnesses and video surveillance footage
22 showed that Respondent had approached an intersection on a red light, driven around a vehicle
23 that had stopped for the light, and proceeded into the intersection where she struck another
24 vehicle. The driver of that vehicle had to be physically extricated from her vehicle and
25 transported to the hospital via ambulance. Respondent was observed by witnesses and on video
26 exiting the driver's seat of the vehicle, putting her hair up in a ponytail, and attempting to walk
27 away from the accident location. Respondent denied being the driver of her vehicle to witnesses

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1 and to the arresting officer, stating that “a guy” had been driving. Respondent’s driver’s license
2 was suspended at the time of this accident due to the previous DUI.

3 **SECOND CAUSE FOR DENIAL OF APPLICATION**

4 **(Acts Involving Dishonesty, Fraud, or Deceit)**

5 11. Respondent's application is subject to denial under Code section 480, subdivision
6 (a)(2), commission of an act involving dishonesty, fraud, or deceit with the intent to substantially
7 benefit herself. The circumstances are as follows:

8 a. On or about May 16, 2019, Respondent emailed a written statement about her
9 convictions to the Board. In this statement, Respondent denies being the driver of her vehicle
10 during the August 24, 2016, DUI. Respondent states that “a guy” was driving despite the
11 witness’ observations of her in the driver’s seat and her statement to the arresting CHP officer
12 that she was driving at the time of the crash, as described in paragraph 10(a), above.

13 b. On or about October 17, 2018, after Respondent caused a vehicular collision
14 that injured the driver of the vehicle with which she collided, Respondent attempted to leave the
15 scene of the accident and denied being the driver of the vehicle to witnesses and police officers,
16 as described in paragraph 10(b), above.

17 **THIRD CAUSE FOR DENIAL OF APPLICATION**

18 **(Acts Which if Done by Licensee Constitute Cause for Discipline)**

19 12. Respondent's application is subject to denial under Code section 480, subdivision
20 (a)(3)(A), in that she committed acts which if done by a licentiate would be grounds for
21 suspension or revocation of license, as follows:

22 a. Respondent committed unprofessional conduct as defined by Code section
23 4301, subdivision (f), in that she committed an act involving moral turpitude, dishonesty, fraud,
24 deceit, or corruption when she provided a written statement to the Board in which she falsely
25 stated she was not the driver during her first DUI. The circumstances are as set forth in
26 paragraph 11, above.

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