

1 ROB BONTA  
Attorney General of California  
2 KAREN R. DENVER  
Supervising Deputy Attorney General  
3 KATELYN E. DOCHERTY  
Deputy Attorney General  
4 State Bar No. 322028  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-6277  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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

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

14 **IQRA AHMAD**

15 **Intern Pharmacist License Applicant**

16 Respondent.

Case No. 7495

**STATEMENT OF ISSUES**

17  
18  
19  
20 **PARTIES**

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

24 2. On or about September 20, 2022, the Board received an application for an Intern  
25 Pharmacist License from Iqra Ahmad (Respondent). On or about August 18, 2022, Iqra Ahmad  
26 certified under penalty of perjury to the truthfulness of all statements, answers, and  
27 representations in the application. The Board denied the application on January 19, 2023.

28 ///

1 **JURISDICTION**

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

5 4. Section 4300, subdivision (c), of the Code provides, in pertinent part, that the Board  
6 may refuse a license to any applicant guilty of unprofessional conduct. The Board may, in its sole  
7 discretion, issue a probationary license to any applicant for a license who is guilty of  
8 unprofessional conduct and who has met all other requirements for licensure.

9 **STATUTORY PROVISIONS**

10 5. Section 480 of the Code states, in pertinent part:

11 (a) Notwithstanding any other provision of this code, a board may deny a  
12 license regulated by this code on the grounds that the applicant has been convicted of  
13 a crime or has been subject to formal discipline only if either of the following  
14 conditions are met:

15 (1) The applicant has been convicted of a crime within the preceding seven  
16 years from the date of application that is substantially related to the qualifications,  
17 functions, or duties of the business or profession for which the application is made,  
18 regardless of whether the applicant was incarcerated for that crime, or the applicant  
19 has been convicted of a crime that is substantially related to the qualifications,  
20 functions, or duties of the business or profession for which the application is made  
21 and for which the applicant is presently incarcerated or for which the applicant was  
22 released from incarceration within the preceding seven years from the date of  
23 application. . . .

24 6. Section 493 of the Code states:

25 (a) Notwithstanding any other law, in a proceeding conducted by a board within the  
26 department pursuant to law to deny an application for a license or to suspend or revoke a  
27 license or otherwise take disciplinary action against a person who holds a license, upon the  
28 ground that the applicant or the licensee has been convicted of a crime substantially related  
to the qualifications, functions, and duties of the licensee in question, the record of  
conviction of the crime shall be conclusive evidence of the fact that the conviction  
occurred, but only of that fact.

(b)

(1) Criteria for determining whether a crime is substantially related to the  
qualifications, functions, or duties of the business or profession the board regulates shall  
include all of the following:

(A) The nature and gravity of the offense.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

(B) The number of years elapsed since the date of the offense.

(C) The nature and duties of the profession.

(2) A board shall not categorically bar an applicant based solely on the type of conviction without considering evidence of rehabilitation.

(c) As used in this section, “license” includes “certificate,” “permit,” “authority,” and “registration.” . . .

7. Section 4301 of the Code 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 issued by mistake. Unprofessional conduct includes, 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.

(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be 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.

. . .

(l) The conviction of a crime substantially related to the qualifications, functions, and duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13 (commencing with Section 801) of Title 21 of the United States Code regulating controlled substances or of a violation of the statutes of this state regulating controlled substances or dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime, in order to fix the degree of discipline or, in the case of a conviction not involving controlled 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

1 dismissing the accusation, information, or indictment. . . .

2 **REGULATORY PROVISIONS**

3 8. California Code of Regulations (CCR), title 16, section 1769, provides, in  
4 pertinent part:

5 ...

6 (b) Denial of a license.

7 (1) When considering the denial of a facility or personal license under Section  
8 480 of the Business and Professions Code on the grounds that the applicant has been  
9 convicted of a crime, the board will consider whether the applicant made a showing  
10 of rehabilitation if the applicant completed the criminal sentence at issue without a  
11 violation of parole or probation. In making this determination, the board will consider  
12 the following criteria:

13 (A) The nature and gravity of the crime(s).

14 (B) The length(s) of the applicable parole or probation period(s).

15 (C) The extent to which the applicable parole or probation period was shortened  
16 or lengthened, and the reason(s) the period was modified.

17 (D) The terms or conditions of parole or probation and the extent to which they  
18 bear on the applicant's rehabilitation.

19 (E) The extent to which the terms or conditions of parole or probation were  
20 modified, and the reason(s) for modification.

21 (2) If the applicant has not completed the criminal sentence at issue without a  
22 violation of parole or probation, or the board determines that the applicant did not  
23 make the showing of rehabilitation based on the criteria in paragraph (1) or the denial  
24 is based on professional misconduct, the board will apply the following criteria in  
25 evaluating an applicant's rehabilitation:

26 (A) The nature and gravity of the act(s), professional misconduct, or crime(s)  
27 under consideration as grounds for denial.

28 (B) Evidence of any act(s), professional misconduct, or crime(s) committed  
subsequent to the act(s), professional misconduct, or crime(s) under consideration as  
grounds for denial under Section 480 of the Business and Professions Code.

(C) The time that has elapsed since commission of the act(s), professional  
misconduct, or crime(s) referred to in subparagraph (A) or (B).

1 (D) Whether the applicant has complied with any terms of parole, probation,  
2 restitution or any other sanctions lawfully imposed against the applicant.

3 (E) The criteria in paragraphs (1)(A) through (E), as applicable.

4 (F) Evidence, if any, of rehabilitation submitted by the applicant, including as  
5 provided in the board's Disciplinary Guidelines, identified in section 1760.

6 ...

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

8 (a) For the purpose of denial, suspension, or revocation of a personal or facility  
9 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the  
10 Business and Professions Code, a crime, professional misconduct, or act shall be  
11 considered substantially related to the qualifications, functions or duties of the  
12 practice, profession, or occupation that may be performed under the license type  
13 sought or held if to a substantial degree it evidences present or potential unfitness of  
14 an applicant or licensee to perform the functions authorized by the license in a  
15 manner consistent with the public health, safety, or welfare.

16 (b) In making the substantial relationship determination required under  
17 subdivision (a) for a crime, the board will consider the following criteria:

18 (1) The nature and gravity of the offense;

19 (2) The number of years elapsed since the date of the offense; and

20 (3) The nature and duties of the practice, profession, or occupation that may be  
21 performed under the license type sought or held.

22 (c) For purposes of subdivision (a), substantially related crimes, professional  
23 misconduct, or acts shall include, but are not limited to, those which:

24 (1) Violate or attempt to violate, directly or indirectly, or to aid, abet or  
25 conspire to violate, any provision of law of this state, or any other jurisdiction,  
26 governing the practice of pharmacy.

27 (2) Violate or attempt to violate, directly or indirectly, or to aid, abet or  
28 conspire to violate, any provision of Chapter 13 (commencing with Section 801) of  
Title 21 of the United States Code regulating controlled substances or any law of this  
state, or any other jurisdiction, relating to controlled substances or dangerous drugs.

(3) Violate or attempt to violate, directly or indirectly, or to aid, abet or  
conspire to violate, any provision of law of this state, or any other jurisdiction,  
relating to government provided or government supported healthcare.

(4) Involve dishonesty, fraud, deceit, or corruption related to money, items,  
documents, or personal information.

(5) Involve a conviction for driving under the influence of drugs or alcohol.

///

**FACTUAL ALLEGATIONS**

1  
2           10. On or about September 15, 2017, in a case titled *People v. Iqra Ahmad*, Sacramento  
3 County Superior Court case number 16MI017483, Respondent was convicted by a jury of  
4 violating Vehicle Code section 23152, subdivisions (a) and (b), both misdemeanors, for driving a  
5 vehicle while under the influence of an intoxicating substance (DUI) with a blood alcohol content  
6 (BAC) of 0.08% or higher. The circumstances are that on August 24, 2016, at approximately  
7 5:30 p.m., Respondent ran off the roadway and hit a power pole, sustaining minor damage to the  
8 vehicle. A witness heard the crash and then observed Respondent in the driver’s seat.  
9 Respondent told the arresting California Highway Patrol (CHP) officer that she had been driving  
10 but she believed her vehicle alignment was “off” causing her to lose control. Respondent’s BAC  
11 was determined to be .08%/.09%.

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

26           12. On or about August 31, 2018, Respondent applied for an Intern Pharmacist License.  
27 On or about June 7, 2019, Respondent’s application was denied. As part of this application on or  
28 about May 16, 2019, Respondent emailed a written statement about her convictions to the Board.

1 In this statement, Respondent denied being the driver of her vehicle during the August 24, 2016,  
2 DUI. Respondent stated that “a guy” was driving despite the witness’ observations of her in the  
3 driver’s seat and despite her statement to the arresting CHP officer that she was driving at the  
4 time of the crash, as described in paragraph 11, above.

5 **FIRST CAUSE FOR DENIAL OF APPLICATION**

6 **(Criminal Convictions)**

7 13. Respondent's application is subject to denial under Code sections 480, subdivision  
8 (a)(1), 4300, subdivision (c), and 4301, subdivision (I), in conjunction with California Code of  
9 Regulations, title 16, section 1770, in that Respondent has been convicted of crimes which are  
10 substantially related to the qualifications, functions and duties of a pharmacist. The circumstances  
11 are as set forth in paragraphs 10-11, above.

12 **SECOND CAUSE FOR DENIAL OF APPLICATION**

13 **(Dangerous Use of Alcohol)**

14 14. Respondent's application is subject to denial under Code sections 4300, subdivision  
15 (c), and 4301, subdivision (h), in that, as set forth in paragraphs 10 and 11 above, on or about  
16 August 24, 2016, and March 14, 2018, Respondent used alcoholic beverages to an extent, or in a  
17 manner, as to be dangerous or injurious to herself, others, or the public.

18 **THIRD CAUSE FOR DENIAL OF APPLICATION**

19 **(Signed a Document with False Facts)**

20 15. Respondent's application is subject to denial under Code sections 4300, subdivision  
21 (c), and 4301, subdivision (g) in that, as set forth in paragraph 12, above, on or about May 16,  
22 2019, Respondent knowingly made or submitted or signed a certificate or other document that  
23 falsely represents the existence or nonexistence of a state of facts when she provided a written  
24 statement to the Board in which she falsely stated she was not the driver for her first DUI.

25 ///

26 ///

27 ///

28 ///

1 **FOURTH CAUSE FOR DENIAL OF APPLICATION**

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

3 16. Respondent's application is subject to denial under Code sections 4300, subdivision  
4 (c), and 4301, subdivision (f) in that, as set forth in paragraph 12, above, on or about May 16,  
5 2019, Respondent knowingly made or submitted or signed a certificate or other document that  
6 falsely represents the existence or nonexistence of a state of facts when she provided a written  
7 statement to the Board in which she falsely stated she was not the driver for her first DUI.

8 **PRAYER**

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

- 11 1. Denying the application of Iqra Ahmad for a Pharmacist Intern license;  
12 2. Taking such other and further action as deemed necessary and proper.

13  
14 DATED: 4/26/2023

Sodergren,  
Anne@DCA  
ANNE SODERGREN  
Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

Digitally signed by Sodergren,  
Anne@DCA  
Date: 2023.04.26 20:44:40 -07'00'

15  
16  
17  
18  
19 SA2023301379  
20 37075795.docx