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

12 In the Matter of the First Amended Accusation  
Against:

Case No. 2924

13 PARK PHARMACY  
14 DENNIS ELIAS SAADEH  
Co-Owner/Pharmacist-in-Charge  
15 TINA MARIE SULIC-SAADEH  
Co-Owner  
16 250 East Yale Loop, Suite C  
Irvine, CA 92064

**NOTICE OF WITHDRAWAL OF**  
**FIRST AMENDED ACCUSATION**  
**AGAINST TINA MARIE SULIC-**  
**SAADEH ONLY**

17 Original Pharmacy Permit No. PHY 41748

18 DENNIS ELIAS SAADEH, RPH  
19 653 Via Faisan  
San Clemente, CA 92673

20 Pharmacist License No. RPH 41232

21 TINA MARIE SULIC-SAADEH, RPH  
22 653 Via Faisan  
San Clemente, CA 92673

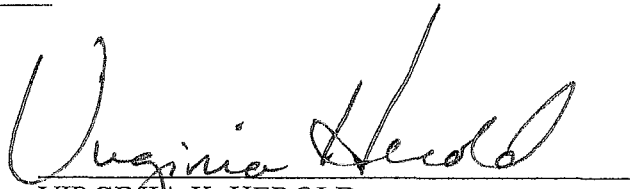
23 Pharmacist License No. RPH 41234

24 Respondents.  
25

1 On or about December 19, 2007, Complainant Virginia Herold ("Complainant"), in her  
2 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer  
3 Affairs, filed First Amended Accusation No. 2924 against Respondent Tina Marie Sulic-Saadeh  
4 (Pharmacist License No. RPH 41234).

5 WHEREFORE, Complainant hereby withdraws First Amended Accusation No. 2924,  
6 filed on or about December 19, 2007, against Respondent Tina Marie Sulic-Saadeh, (Pharmaicst  
7 License No. RPH 41234).

8  
9 DATED: 7/15/08

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12 VIRGINIA K. HEROLD  
13 Executive Officer  
14 Board of Pharmacy  
15 Department of Consumer Affairs  
16 State of California

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24  
25 Complainant



**Exhibit A**

**First Amended Accusation No. 2924**

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
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10 **BEFORE THE**  
11 **BOARD OF PHARMACY**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
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13 In the Matter of the First Amended Accusation  
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14 **PARK PHARMACY**  
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17 250 East Yale Loop, Suite C  
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**FIRST AMENDED  
ACCUSATION**

18 Original Pharmacy Permit No. PHY 41748

19 **DENNIS ELIAS SAADEH, RPH**  
20 653 Via Faisan  
San Clemente, CA 92673

21 Pharmacist License No. RPH 41232

22 **TINA MARIE SULIC-SAADEH, RPH**  
23 653 Via Faisan  
San Clemente, CA 92673

24 Pharmacist License No. RPH 41234

25 Respondents.

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28 Complainant alleges:

PARTIES

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2           1.       Virginia Herold (Complainant) brings this First Amended Accusation  
3 solely in her official capacity as the Executive Officer of the Board of Pharmacy, Department of  
4 Consumer Affairs.

5           2.       On or about February 18, 2007, Accusation No. 2924 was filed against  
6 Respondent Dennis Elias Saadeh. This First Amended Accusation supersedes and replaces the  
7 former Accusation that was filed on February 18, 2007 in this case.

8           3.       On or about August 1, 1996, the Board of Pharmacy issued Original  
9 Pharmacy Permit No. PHY 41748 to Dennis E. Saadeh and Tina M. Sulic-Saadeh to do business  
10 as Park Pharmacy (Respondent Park Pharmacy). On or about April 7, 2002, a Change of Permit  
11 was filed with the Board changing the name of the corporation to South Coast Specialty  
12 Compound with Dennis Saadeh as the CEO and President and Tina Sulic-Saadeh as the Secretary  
13 and Treasurer. From August 1, 1996 through June 14, 1997, Tina M. Sulic-Saadeh was the  
14 Pharmacist-in-Charge. From June 14, 1997 through September 4, 2007, Dennis Saadeh was and  
15 is the Pharmacist-in-Charge. The Original Pharmacy permit was in full force and effect at all  
16 times relevant to the charges brought herein and will expire on August 1, 2008, unless renewed.

17           4.       On or about September 26, 1987, the Board of Pharmacy issued  
18 Pharmacist License Number RPH 41232 to Dennis Elias Saadeh, RPH (Respondent Saadeh).  
19 The Pharmacist License was in full force and effect at all times relevant to the charges brought  
20 herein and will expire on August 31, 2008, unless renewed. At all times relevant herein,  
21 Respondent Saadeh was and is the Pharmacist-in-Charge (PIC) at Respondent Park Pharmacy.

22           5.       On or about August 24, 1987, the Board of Pharmacy issued Pharmacist  
23 License Number RPH 41234 to Tina Marie Sulic-Saadeh, RPH (Respondent Sulic-Saadeh). The  
24 Pharmacist License was in full force and effect at all times relevant to the charges brought herein  
25 and will expire on March 31, 2009, unless renewed.

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JURISDICTION

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2           6.     This First Amended Accusation is brought before the Board of Pharmacy  
3 (Board), Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code unless otherwise indicated.

5           7.     Section 118, subdivision (b) provides that the expiration of a license shall  
6 not deprive the Board of jurisdiction to proceed with a disciplinary action during the period  
7 within which the license may be renewed, restored, reissued or reinstated.

8           8.     Section 125.3 provides, in pertinent part, that the Board may request the  
9 administrative law judge to direct a licentiate found to have committed a violation or violations  
10 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
11 enforcement of the case.

12           9.     Section 490 states:

13                     A board may suspend or revoke a license on the ground that the licensee  
14 has been convicted of a crime, if the crime is substantially related to the  
15 qualifications, functions, or duties of the business or profession for which the  
16 license was issued. A conviction within the meaning of this section means a plea  
17 or verdict of guilty or a conviction following a plea of nolo contendere. Any  
18 action which a board is permitted to take following the establishment of a  
19 conviction may be taken when the time for appeal has elapsed, or the judgment of  
20 conviction has been affirmed on appeal, or when an order granting probation is  
21 made suspending the imposition of sentence, irrespective of a subsequent order  
22 under the provisions of Section 1203.4 of the Penal Code.

19           10.    Section 493 states:

20                     Notwithstanding any other provision of law, in a proceeding conducted by  
21 a board within the department pursuant to law to deny an application for a license  
22 or to suspend or revoke a license or otherwise take disciplinary action against a  
23 person who holds a license, upon the ground that the applicant or the licensee has  
24 been convicted of a crime substantially related to the qualifications, functions, and  
25 duties of the licensee in question, the record of conviction of the crime shall be  
26 conclusive evidence of the fact that the conviction occurred, but only of that fact,  
27 and the board may inquire into the circumstances surrounding the commission of  
28 the crime in order to fix the degree of discipline or to determine if the conviction  
is substantially related to the qualifications, functions, and duties of the licensee in  
question.

As used in this section, "license" includes "certificate," "permit,"  
"authority," and "registration."

1                    11.    Section 4022 of the Code states:

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

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

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

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

12                   12.    Section 4059 states:

13                   (a) A person may not furnish any dangerous drug, except upon the prescription of  
14 a physician, dentist, podiatrist, optometrist, or veterinarian. A person may not furnish any  
15 dangerous device, except upon the prescription of a physician, dentist, podiatrist, optometrist, or  
16 veterinarian.

17                   13.    Section 4060 states:

18                   No person shall possess any controlled substance, except that furnished to  
19 a person upon the prescription of a physician, dentist, podiatrist, or veterinarian,  
20 or furnished pursuant to a drug order issued by a certified nurse-midwife pursuant  
21 to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a physician  
22 assistant pursuant to Section 3502.1. This section shall not apply to the  
23 possession of any controlled substance by a manufacturer, wholesaler, pharmacy,  
24 physician, podiatrist, dentist, veterinarian, certified nurse-midwife, nurse  
25 practitioner, or physician assistant, when in stock in containers correctly labeled  
26 with the name and address of the supplier or producer.

27                   Nothing in this section authorizes a certified nurse-midwife, a nurse  
28 practitioner, or a physician assistant to order his or her own stock of dangerous  
drugs and devices.

1                   14.    Section 4113(b) provides that the pharmacist-in-charge shall be  
2 responsible for a pharmacy's compliance with all state and federal laws and regulations  
3 pertaining to the practice of pharmacy.

4                   15.    Section 4156 states:

5                   A pharmacy corporation shall not do, or fail to do, any act where doing or  
6 failing to do the act would constitute unprofessional conduct under any statute or  
7 regulation. In the conduct of its practice, a pharmacy corporation shall observe  
8 and be bound by the laws and regulations that apply to a person licensed under  
9 this chapter.

1                   16.     Section 4301 states:

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

6                   (f) The commission of any act involving moral turpitude, dishonesty,  
7 fraud, deceit, or corruption, whether the act is committed in the course of relations  
8 as a licensee or otherwise, and whether the act is a felony or misdemeanor or not.

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

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

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

20                   (l) The conviction of a crime substantially related to the qualifications,  
21 functions, and duties of a licensee under this chapter. The record of conviction of  
22 a violation of Chapter 13 (commencing with Section 801) of Title 21 of the  
23 United States Code regulating controlled substances or of a violation of the  
24 statutes of this state regulating controlled substances or dangerous drugs shall be  
25 conclusive evidence of unprofessional conduct. In all other cases, the record of  
26 conviction shall be conclusive evidence only of the fact that the conviction  
27 occurred. The board may inquire into the circumstances surrounding the  
28 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 dismissing the accusation,  
information, or indictment.



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

5 (p) Actions or conduct that would have warranted denial of a license.

6 17. California Code of Regulations, title 16, section 1715.6 states that an  
7 owner shall report to the Board within thirty (30) days of discovery of any loss of the controlled  
8 substances, including their amounts and strengths.

9 18. California Code of Regulations, title 16, section 1718, states:

10 "Current Inventory" as used in Sections 4081 and 4332 of the Business  
11 and Professions Code shall be considered to include complete accountability for  
12 all dangerous drugs handled by every licensee enumerated in Sections 4081 and  
13 4332.

14 The controlled substances inventories required by Title 21, CFR, Section  
15 1304 shall be available for inspection upon request for at least 3 years after the  
16 date of the inventory.

17 19. Health and Safety Code section 11103 provides that the theft or loss of any  
18 substance regulated pursuant to Section 11100 discovered by any permittee or any person  
19 regulated by the provisions of this chapter shall be reported in writing to the Department of  
20 Justice within three (3) days after the discovery.

21 20. Health and Safety Code section 11170 provides that no person shall  
22 prescribe, administer, or furnish a controlled substance for himself.

23 21. Health and Safety Code section 11171 provides that no person shall  
24 prescribe, administer, or furnish a controlled substance except under the conditions and in the  
25 manner provided by the state Uniform Controlled Substances Act, Health and Safety Code  
26 section 11000 et seq.

27 22. Health and Safety Code section 11173(a) provides, in pertinent part, that  
28 no person shall obtain, or attempt to obtain controlled substances by fraud, deceit,  
misrepresentation, or subterfuge.

29 23. Board Regulation 1770 provides that a crime shall be considered  
substantially related to the qualifications, functions or duties of a licensee if to a substantial

1 degree it evidences present or potential unfitness of a licensee to perform the functions  
2 authorized by his or her license in a manner consistent with the public health, safety, or welfare.

3 **Drugs**

4 24. At all times material herein, Hydrocodone was and is the generic name for  
5 the trade name drug Vicodin, which is designated by Health and Safety Code section 11056(e)(4)  
6 as a narcotic drug and a Schedule III controlled substance, and by Business and Professions Code  
7 section 4022 as a dangerous drug. Hydrocodone is used as a narcotic analgesic in the relief of  
8 pain.

9 25. At all times material herein, Alprazolam was and is the generic name for  
10 the trade name drug Xanax, which is designated by Health and Safety Code section 11057(d)(1)  
11 as a Schedule IV controlled substance, and by Business and Professions Code section 4022 as a  
12 dangerous drug. Alprazolam is used in the treatment of anxiety.

13 26. At all times material herein, Methylphenidate was and is the generic name  
14 for trade name drugs such as Ritalin and Concerta. Methylphenidate is designated as a Schedule  
15 II Controlled Substance according to Health and Safety Code section 11055(d)(6) and is  
16 classified as a dangerous drug according to Business and Professions Code section 4022.  
17 Methylphenidate is used in the treatment of Attention Deficit Hyperactivity disorders.

18 27. At all times material herein, Valium was and is a trade name for the  
19 generic drug Diazepam, which is designated by Health and Safety Code section 11057(d)(3) as a  
20 non-narcotic drug and a Schedule IV controlled substance, and by Business and Professions Code  
21 section 4022 as a dangerous drug. Valium is used in the management of anxiety.

22 28. At all times material herein, Elavil was and is the trade name for the  
23 generic drug Amitriptyline, which is a dangerous drug within the meaning of Business and  
24 Professions Code section 4022. Elavil is used for the treatment of depression.

25 **FACTS**

26 29. Complainant is informed and believes, and thereon alleges, that,  
27 Respondent Saadeh, while the pharmacist-in-charge (PIC) and owner of Park Pharmacy, illegally  
28 took controlled substances and dangerous drugs from Park Pharmacy from the time period of

1 2003 through 2005. On or about October 13, 2005, an inspector for the Board inspected Park  
2 Pharmacy and confirmed that Respondent Saadeh was missing controlled substances and  
3 dangerous drugs from his inventory. Respondent Saadeh had not completed a DEA 106 form  
4 and did not know the exact quantity of the medications that he had taken from Park Pharmacy for  
5 his own personal use. During the inspection, the inspector found the following controlled  
6 substances and dangerous drugs had been diverted or there was a discrepancy in the inventory  
7 amount by Respondent Saadeh from Park Pharmacy during the time period of 2003 through  
8 2005:

9	Drug	Amount
10	Hydrocodone	Loss of 651 tablets
11	Alprazolam	Showed discrepancy of an excess of 1698 tablets
12	Methylphenidate	Showed discrepancy of an excess of 149 tablets

13 To date, Respondent Saadeh has not filed any loss report with the Board, Federal Drug  
14 Enforcement or Department of Justice as required by law.

15 30. On or about May 12, 2004, while Respondent Saadeh was the owner and  
16 PIC at Park Pharmacy, Respondent Saadeh was involved in a single car accident wherein his  
17 vehicle hit the center divide and his car sustained major front-end damage and both airbags were  
18 deployed. Respondent Saadeh told the responding officer that he was sleepy and had taken  
19 Vicodin, Valium and Elavil. Respondent Saadeh told the officer that he did not have  
20 prescriptions for the drugs. Respondent Saadeh failed a field sobriety test and was arrested for  
21 being under the influence of drugs. A search of Respondent Saadeh's car revealed 3.56 grams of  
22 Methylphenidate, two tablets of Alprazolam and 2 capsules of Hydrocodone. Respondent  
23 Saadeh's subsequent drug screen revealed the presence of opiates in Respondent Saadeh's  
24 system.

25 31. On or about September 17, 2004, in the Superior Court of California,  
26 County of Orange, in a case entitled *People v. Dennis Saadeh*, Case No. 04HF0870, Respondent  
27 Saadeh was convicted on his plea of guilty of violating Health and Safety Code section 11350(a)  
28 (Unlawful Possession of Hydrocodone), a felony; Health and Safety Code section 11377(a)

1 (Possession of Methylphenidate), a felony; Health and Safety Code section 11375(b)(2)  
2 (Possession of Alprazolam), a misdemeanor; and Vehicle Code section 23152(a) (Driving While  
3 Under the Influence of Drugs), a misdemeanor. Respondent Saadeh was sentenced as follows:  
4 a. Respondent Saadeh was placed on three years formal probation on the  
5 terms and conditions that he serve 90 days in the Orange County Jail with credit for time served  
6 of 2 days; his 90 days jail to be served as 90 days in a residential drug program; he attend and  
7 complete a 3 month Level 1 First Offender Alcohol Program; pay a fine of \$390; pay a restitution  
8 fee of \$200; pay a \$50 controlled substance lab fee; pay a \$50 Alcohol abuse education fee; pay a  
9 \$37 DUI Lab/Blood Alcohol fee; pay a \$20 Security fee; register pursuant to Health and Safety  
10 Code section 11590; use no unauthorized drugs; and submit to drug testing.

11 **CHARGES AND ALLEGATIONS**

12 **RESPONDENT DENNIS ELIAS SAADEH, RPH**

13 **FIRST CAUSE FOR DISCIPLINE**

14 (Conviction of a Crime Substantially Related to Pharmacy)

15 32. Respondent Saadeh is subject to disciplinary action under section 4301 for  
16 unprofessional conduct in that he was convicted of a crime substantially related to the  
17 qualifications, functions and duties of a licensee under this chapter in violation of sections 490  
18 and 4301(1) and as set forth above in paragraphs 30 and 31, which are realleged and incorporated  
19 herein by reference.

20 **SECOND CAUSE FOR DISCIPLINE**

21 (Conviction of More Than one Misdemeanor or Felony Involving  
22 the Use, Consumption or Self-Administration of any Dangerous Drug)

23 33. Respondent Saadeh is subject to disciplinary action under section 4301(k)  
24 for unprofessional conduct in that Respondent Saadeh was convicted of two misdemeanors and  
25 two felonies involving the use, consumption and self-administration of dangerous drugs as set  
26 forth in paragraphs 30 and 31 above, which are realleged and incorporated herein by reference.

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THIRD CAUSE FOR DISCIPLINE

(Furnishing Dangerous Drugs To Himself Without a Prescription)

34. Respondent Saadeh is subject to disciplinary action under section 4301(o) for unprofessional conduct in that he furnished to himself dangerous drugs, namely Elavil, Vicodin and Valium, without a prescription, in violation of section 4059(a) as set forth in paragraph 30 above, which is realleged and incorporated herein by reference.

FOURTH CAUSE FOR DISCIPLINE

(No Person Shall Prescribe, Administer or Furnishing a Controlled Substance for Himself)

35. Respondent Saadeh is subject to disciplinary action under section 4301(o) for unprofessional conduct in that he administered and furnished to himself Vicodin, a Schedule III controlled substance, and Valium, a Schedule IV controlled substance in violation of Health and Safety Code section 11170 as set forth in paragraph 30 above, which is realleged and incorporated herein by reference.

FIFTH CAUSE FOR DISCIPLINE

(Administering and Furnishing Controlled Substances in Violation of State Law)

36. Respondent Saadeh is subject to disciplinary action under section 4301(j) for unprofessional conduct, in that he administered and furnished the controlled substances Vicodin and Valium to himself in violation of Health and Safety Code section 11171 as set forth in paragraph 30 above, which is realleged and incorporated herein by reference.

SIXTH CAUSE FOR DISCIPLINE

(Possession of a Controlled Substance Without a Prescription)

37. Respondent Saadeh is subject to disciplinary action under section 4301(o) for unprofessional conduct in that he possessed the controlled substances, Hydrocodone, Alprazolam and Methylphenidate, without a prescription in violation of section 4060 as set forth in paragraphs 29 and 30 above, which are realleged and incorporated herein by reference.

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1    SEVENTH CAUSE FOR DISCIPLINE

2    (Obtaining Controlled Substances by Fraud)

3                    38.     Respondent Saadeh is subject to disciplinary action under Health and  
4 Safety Code section 11173(a) for obtaining controlled substances by fraud as set forth in  
5 paragraph 29 above, which is realleged and incorporated herein by reference.

6    EIGHTH CAUSE FOR DISCIPLINE

7    (Self-Administration of A Controlled Substance)

8                    39.     Respondent Saadeh is subject to disciplinary action under section 4301(h)  
9 for unprofessional conduct in that he administered to himself controlled substances as set forth in  
10 paragraph 30 above, which is realleged and incorporated herein by reference.

11     NINTH CAUSE FOR DISCIPLINE

12     (Acts Involving Moral Turpitude - Acquiring Controlled Substances By Fraud)

13                    40.     Respondent Saadeh is subject to disciplinary action under section 4301(f)  
14 for unprofessional conduct in that Respondent Saadeh committed acts involving moral turpitude  
15 and dishonestly when he illegally acquired controlled substances and dangerous drugs from his  
16 pharmacy for self administration as set forth in paragraphs 29 and 30 above, which are realleged  
17 and incorporated herein by reference.

18     TENTH CAUSE FOR DISCIPLINE

19     (Violating State Statutes re Controlled Substances)

20                    41.     Respondent Saadeh's license is subject to discipline for unprofessional  
21 conduct under section 4301(j) for violating statutes of this state regulating controlled substances  
22 and dangerous drugs whereby Respondent Saadeh furnished and administered controlled  
23 substances and dangerous drugs as set forth in paragraphs 29 and 30 above, which are realleged  
24 and incorporated herein by reference.

25     ELEVENTH CAUSE FOR DISCIPLINE

26     (Violation of Provisions of the Pharmacy Act)

27                    42.     Respondent Saadeh's license is subject to discipline for unprofessional  
28 conduct under section 4301(o) for violating the provisions of this chapter and applicable federal

1 and state laws and regulations governing pharmacy when Respondent Saadeh illegally furnished  
2 and administered to himself controlled substances and dangerous drugs as set forth in paragraphs  
3 29 and 30 above, which are realleged and incorporated herein by reference.

4 TWELFTH CAUSE FOR DISCIPLINE

5 (Failure to Report Drug Loss)

6 43. Respondent Saadeh is subject to disciplinary action under California Code  
7 of Regulations, title 16, section 1715.6 in that he did not report the losses of controlled  
8 substances he created when he illegally took controlled substances out of the pharmacy for his  
9 personal use as set forth in paragraphs 29 and 30 above, which are realleged and incorporated  
10 herein by reference.

11 THIRTEENTH CAUSE FOR DISCIPLINE

12 (Failure to Report Theft or Loss of Controlled Substances)

13 44. Respondent Saadeh is subject to disciplinary action under Health and  
14 Safety Code section 11103 in that he did not report the controlled substances he illegally took  
15 from his pharmacy for personal use to the Department of Justice within the required three days as  
16 set forth in paragraph 29 above, which is realleged and incorporated herein by reference.

17 FOURTEENTH CAUSE FOR DISCIPLINE

18 (Failure to Keep Current Inventory on Dangerous Drugs as Owner and Pharmacist-in-Charge)

19 45. Respondent Saadeh is subject to disciplinary action under California Code  
20 of Regulations, title 16, section 1718 in that he did not have a complete accounting for all the  
21 dangerous drugs at Park Pharmacy where he was the owner and the PIC as set forth in paragraph  
22 29 above, which is realleged and incorporated herein by reference.

23 FIFTEENTH CAUSE FOR DISCIPLINE

24 (Failure to Meet Responsibilities of Pharmacist-in-Charge)

25 46. Respondent Saadeh is subject to disciplinary action under section 4113(b)  
26 in that as owner and PIC, he violated state and federal laws and regulations governing the  
27 practice of pharmacy as set forth in paragraph 29 above, which is realleged and incorporated  
28 herein by reference.

1                                   SIXTEENTH CAUSE FOR DISCIPLINE

2                                   (General Unprofessional Conduct)

3                   47.   Respondent Saadeh is subject to disciplinary action for unprofessional  
4 conduct under section 4301(p) for actions or conduct that would have warranted denial of a  
5 license as specified in paragraphs 29 through 31 above, which are realleged and incorporated  
6 herein by reference.

7                                   RESPONDENT TINA MARIE SULIC-SAADEH

8                                   FIRST CAUSE FOR DISCIPLINE

9                                   (Failure to Report Drug Loss)

10                  48.   Respondent Sulic-Saadeh is subject to disciplinary action under California  
11 Code of Regulations, title 16, section 1715.6 in that she did not report the losses of controlled  
12 substances that were created when her husband, Respondent Saadeh, illegally took controlled  
13 substances out of their pharmacy for his personal use as set forth in paragraphs 29 and 30 above,  
14 which are realleged and incorporated herein by reference.

15                                   SECOND CAUSE FOR DISCIPLINE

16                                   (Failure to Report Theft or Loss of Controlled Substances)

17                  49.   Respondent Sulic-Saadeh is subject to disciplinary action under Health  
18 and Safety Code section 11103 in that she did not report the controlled substances Respondent  
19 Saadeh illegally took from their pharmacy for his personal use to the Department of Justice  
20 within the required three days as set forth in paragraph 29 above, which is realleged and  
21 incorporated herein by reference.

22                                   THIRD CAUSE FOR DISCIPLINE

23                                   (Failure to Keep Current Inventory on Dangerous Drugs as Owner)

24                  50.   Respondent Sulic-Saadeh is subject to disciplinary action under California  
25 Code of Regulations, title 16, section 1718 in that she did not have a complete accounting for all  
26 the dangerous drugs at Park Pharmacy where she was the co-owner as set forth in paragraph 29  
27 above, which is realleged and incorporated herein by reference.

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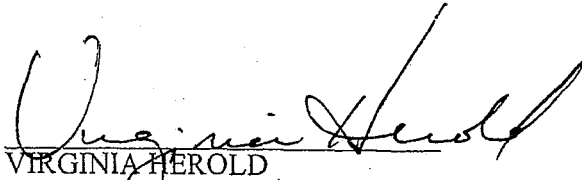




1 investigation and enforcement of this case, pursuant to Business and Professions Code section  
2 125.3; and

3 E. Taking such other and further action as deemed necessary and proper.

4 DATED: 12/19/07



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

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