

1 BILL LOCKYER, Attorney General
of the State of California
2 JOSHUA A. ROOM, State Bar No. 214663
Deputy Attorney General
3 California Department of Justice
455 Golden Gate Avenue, Suite 11000
4 San Francisco, CA 94102-7004
Telephone: (415) 703-1299
5 Facsimile: (415) 703-5480

6 Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

11 MAGGIE SEKHON
4521 Queensboro Way
12 Union City, CA 94587

13 Pharmacy Technician License No. TCH 33

14 Respondent.

Case No. 2939

OAH No.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16 In the interest of a prompt and speedy settlement of this matter, consistent with the
17 public interest and responsibility of the Board of Pharmacy, Department of Consumer Affairs,
18 the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will
19 be submitted to the Board for approval and adoption as its final disposition of the Accusation.

20
21 PARTIES

22 1. Patricia F. Harris (Complainant), Executive Officer, Board of Pharmacy,
23 brought this action solely in her official capacity and is represented herein by Bill Lockyer,
24 Attorney General of the State of California, by Joshua A. Room, Deputy Attorney General.

25 2. Respondent Maggie Sekhon Maggie Sekhon (Respondent) is representing
26 herself in this proceeding and has chosen not to exercise her right to be represented by counsel.

27 ///

28 ///

1 CULPABILITY

2 9. Respondent admits the truth of each and every charge and allegation in
3 Accusation No. 2939.

4 10. Respondent agrees that her Pharmacy Technician License is subject to
5 discipline and she agrees to be bound by the Board of Pharmacy (Board)'s imposition of
6 discipline as set forth in the Disciplinary Order below.

7
8 RESERVATION

9 11. The admissions made by Respondent herein are only for the purposes of
10 this proceeding, or any other proceedings in which the Board of Pharmacy or other professional
11 licensing agency is involved, and shall not be admissible in other criminal or civil proceedings.

12
13 CONTINGENCY

14 12. This stipulation shall be subject to approval by the Board of Pharmacy.
15 Respondent understands and agrees that counsel for Complainant and the staff of the Board may
16 communicate directly with the Board regarding this stipulation and settlement, without notice to
17 or participation by Respondent. By signing the stipulation, Respondent understands and agrees
18 that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the
19 Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and
20 Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for
21 this paragraph, it shall be inadmissible in any legal action between the parties, and the Board
22 shall not be disqualified from further action by having considered this matter.

23 13. The parties understand and agree that facsimile copies of this Stipulated
24 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
25 force and effect as the originals.

26 14. In consideration of the foregoing admissions and stipulations, the parties
27 agree that the Board may, without further notice or formal proceeding, issue and enter the
28 following Disciplinary Order:

1 DISCIPLINARY ORDER

2 IT IS HEREBY ORDERED that a Letter of Admonishment pursuant to Business
3 and Professions Code section 4315 shall be issued against Pharmacy Technician License No.
4 TCH 33, and Respondent Maggie Sekhon. Said Letter of Admonishment will issue as set forth
5 herein above and shall be in the same form as the letter attached as Exhibit B hereto. There shall
6 be no right to request an office conference, to seek judicial review, or to otherwise appeal said
7 Letter of Admonishment, and once issued it shall be a final administrative decision.

8 This settlement shall constitute the imposition of discipline against Respondent.
9 This stipulation shall become a part of Respondent's license history with the Board.

10
11 ACCEPTANCE

12 I have carefully read the Stipulated Settlement and Disciplinary Order. I
13 understand the stipulation and the effect it will have on my Pharmacy Technician License. I
14 enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and
15 intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

16 DATED: 3-3-2006.

17 Maggie Sekhon
18 MAGGIE SEKHON
19 Respondent

19 ENDORSEMENT

20 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
21 submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

22 DATED: 3/7/06.

23 BILL LOCKYER, Attorney General
24 of the State of California

25 Josh Room
26 JOSHUA A. ROOM
27 Deputy Attorney General

27 Attorneys for Complainant

**BEFORE THE
BOARD OF PHARMACY
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In the Matter of the Accusation Against:

MAGGIE SEKHON
4521 Queensboro Way
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DECISION AND ORDER

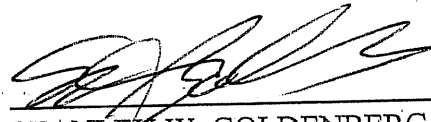
The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on April 21, 2006.

It is so ORDERED April 21, 2006.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



STANLEY W. GOLDENBERG
Board President



California State Board of Pharmacy

1625 North Market Boulevard, Suite N219, Sacramento, CA 95834
Phone (916) 574-7900
Fax (916) 579-8618
www.pharmacy.ca.gov

STATE AND CONSUMERS AFFAIRS AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
ARNOLD SCHWARZENEGGER, GOVERNOR

LETTER OF ADMONISHMENT
April 21, 2006

Maggie Sekhon
aka Malkiat Sekhon
4521 Queensboro Way
Union City CA 94587

RE: Administrative Case 2939
Pharmacy Technician Registration 33

This **LETTER OF ADMONISHMENT** is being issued pursuant to Business and Professions Code section 4005 and section 4315 et seq. for failure to comply with the laws and regulations that govern the practice of pharmacy in California. (For exact language refer to the California Pharmacy Law and Index, located on the board's website at www.pharmacy.ca.gov, under Forms and Publications.)

The Board of Pharmacy has completed its investigation in the above referenced matter. Statements relating to the investigation have been accepted and included in an Investigation Report on file in this office. Facts contained in this report lead to the conclusion that the following violations of pharmacy laws or regulations have occurred:

Bus. Prof. Code, § 4301 subd. (f), (g) and (l). Unprofessional Conduct – Conviction of a Crime.

On or about August 3, 2005, Maggie Sekhon, TCH 33, was convicted of Penal Code § 487 subd. (a) (grand theft), a felony, in the Alameda County Superior Court, Case No. 149592B. The conviction was based on conduct including fraudulent billing for payment from Alameda County Social Services for in-home services.

You shall maintain and have readily available a copy of this Letter of Admonishment for three years from the date of issuance of this letter. The Letter of Admonishment will be considered a public record for purposes of disclosure for three years. The issuance of this Letter of Admonishment does not limit the board's ability to pursue other disciplinary or administrative action under Business and Professions Code section 4315, subdivision (f).

Exhibit A
Accusation No. 2939

1 BILL LOCKYER, Attorney General
of the State of California
2 JOSHUA A. ROOM, State Bar No. 214663
Deputy Attorney General
3 California Department of Justice
455 Golden Gate Avenue, Suite 11000
4 San Francisco, CA 94102-7004
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9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 MAGGIE SEKHON
AKA MALKIAT SEKHON
4521 Queensboro Way
Union City, CA 94587

13 Pharmacy Technician License No. TCH 33

14 Respondent.

Case No. 2939

OAH No.

ACCUSATION

15
16 Complainant alleges:

17 PARTIES

18 1. Patricia F. Harris (Complainant) brings this Accusation solely in her
19 official capacity as the Executive Officer, Board of Pharmacy, Department of Consumer Affairs.

20 2. On or about September 12, 1992, the Board of Pharmacy issued Pharmacy
21 Technician License Number TCH 33 to Maggie Sekhon aka Malkiat Sekhon (Respondent). The
22 License was in full force and effect at all times relevant to the charges brought herein and will
23 expire on December 31, 2007, unless renewed.

24
25 JURISDICTION

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

1 FIRST CAUSE FOR DISCIPLINE

2 (Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit or Corruption)

3 14. Respondent is subject to discipline under Code section 4301(f) in that, as
4 described in paragraphs 11-13 above, Respondent committed acts involving moral turpitude,
5 dishonesty, fraud, deceit, or corruption.

6
7 SECOND CAUSE FOR DISCIPLINE

8 (Making or Signing of False Document)

9 15. Respondent is subject to discipline under Code section 4301(g) in that, as
10 described in paragraphs 11-13 above, on numerous occasions between December 22, 2003 and
11 October 15, 2004 Respondent completed and signed, attesting to the accuracy thereof, timesheets
12 falsely seeking payment for in-home services not performed.

13
14 THIRD CAUSE FOR DISCIPLINE

15 (Conviction of Substantially Related Crime)

16 16. Respondent is subject to discipline under Code sections 4301(l) and/or 490
17 and/or California Code of Regulations, title 16, section 1770, in that on or about August 3, 2005,
18 in a criminal case titled *People of the State of California v. Joe Sekhon and Maggie Sekhon*, Case
19 No. 149592B in Alameda County Superior Court, Respondent was convicted on her plea of no
20 contest of violating Penal Code section 487(a) (grand theft), a felony. The circumstances of and
21 entry of this conviction in Alameda County Superior Court were as follows:

22 a. On the basis of the conduct described in paragraphs 11-13, above,
23 or about March 22, 2005, the Grand Jury of/for the County of Alameda returned an Indictment
24 charging Joe Sekhon and Maggie Sekhon each with one count of violating Penal Code section
25 487(a) (grand theft), a felony, and one count of violating Penal Code section 72 (intentionally
26 fraudulent submission of false and fraudulent claim to public entity or officer), a felony.

27 b. On or about August 3, 2005, Respondent pleaded no contest to the
28 first count of the indictment (Penal Code section 487(a), grand theft, a felony) and was convicted.

1 c. On or about September 14, 2005, Respondent was sentenced. The
2 sentence imposed included 1 day in county jail with credit for time served, 9 weekends in county
3 jail, 5 years formal probation, fines and fees, and restitution of \$16,194.37 to IHSS.

4
5 FOURTEENTH CAUSE FOR DISCIPLINE

6 (Unprofessional Conduct)

7 17. Respondent is subject to disciplinary action under section 4301 of the
8 Code in that Respondent, by way of the conduct described in paragraphs 11-16 above, engaged in
9 "unprofessional conduct" not becoming the profession of a pharmacy technician.

10
11 PRAYER

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

14 A. Revoking or suspending Pharmacy Technician License Number TCH 33,
15 issued to Maggie Sekhon aka Malkiat Sekhon (Respondent);

16 B. Ordering Respondent to pay the Board reasonable costs of investigation
17 and enforcement of this case, pursuant to Business and Professions Code section 125.3;

18 C. Taking such other and further action as is deemed necessary and proper.

19
20 DATED: 1/23/06

21 P. J. Harris
22 PATRICIA F. HARRIS
23 Executive Officer
24 Board of Pharmacy
25 Department of Consumer Affairs
26 State of California
27 Complainant

Exhibit B
Letter of Admonishment



California State Board of Pharmacy

1625 North Market Boulevard, Suite N219, Sacramento, CA 95834
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The Board of Pharmacy has completed its investigation in the above referenced matter. Statements relating to the investigation have been accepted and included in an Investigation Report on file in this office. Facts contained in this report lead to the conclusion that the following violations of pharmacy laws or regulations have occurred:

Bus. & Prof. Code, § 4301 and subd. (f), (g) and (l). Unprofessional Conduct – Including dishonesty, fraud, false statements, and conviction of a crime.

On or about August 3, 2005, Maggie Sekhon, TCH 33, was convicted of Penal Code § 487 subd. (a) (grand theft), a felony, in Alameda County Superior Court, Case No. 149592B. The conviction was based on conduct including fraudulent billing for payment from Alameda County Social Services for in-home services.

You shall maintain and have readily available a copy of this Letter of Admonishment for three years from the date of issuance of this letter. The Letter of Admonishment will be considered a public record for purposes of disclosure for three years. The issuance of this Letter of Admonishment does not limit the board's ability to pursue other disciplinary or administrative action under Business and Professions Code section 4315, subdivision (f).