



California State Board of Pharmacy
 1625 N. Market Blvd, N219, Sacramento, CA 95834
 Phone: (916) 574-7900
 Fax: (916) 574-8618
 www.pharmacy.ca.gov

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
 DEPARTMENT OF CONSUMER AFFAIRS
 GOVERNOR EDMUND G. BROWN, JR.

2014 MAY -2 AM 11:59
 PHARMACY

APPLICATION FOR VOLUNTARY SURRENDER OF PHARMACY TECHNICIAN LICENSE

PLEASE PRINT IN BLACK OR BLUE INK OR TYPE YOUR RESPONSES

Name: <u>AIDA K. NAGHASHIAN</u>	Case No. <u>3642</u>
Address of Record: <u>P.O. BOX 882</u> <u>HUNTINGTON PARK, CA 90255</u>	

Pursuant to the terms and conditions of my probation with the California State Board of Pharmacy (Board) in Case No. 3642, I hereby request to surrender my pharmacy technician license, License No. TCH 22309. The Board or its designee shall have the discretion whether to grant the request for surrender or take any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the license, I will no longer be subject to the terms and conditions of probation. I understand that this surrender constitutes a record of discipline and shall become a part of my license history with the Board.

Upon the acceptance of the surrender, I shall relinquish my pharmacy technician license to the Board within ten (10) days of notification by the Board that the surrender is accepted. I understand that I may not reapply for any license, permit, or registration from the board for three (3) years from the effective date of the surrender. I further understand that I shall meet all requirements applicable to the license sought as of the date the application for that license is submitted to the Board.

PLEASE BE ADVISED THAT YOU ARE NOT RELIEVED OF THE REQUIREMENTS OF YOUR PROBATION UNLESS THE BOARD NOTIFIES YOU THAT YOUR REQUEST TO SURRENDER YOUR LICENSE HAS BEEN ACCEPTED.

[Signature]
 Applicant's Signature
[Signature]
 Executive Officer's Approval

4-30-14
 Date
5-9-14
 Date

All items on this application are mandatory in accordance with your probationary order and the Board's Disciplinary Guidelines as authorized by Title 16, California Code of Regulations section 1760. Failure to provide any of the requested information or providing unreadable information will result in the application being rejected as incomplete. The information provided on this form will be used to determine eligibility for surrender. The official responsible for information maintenance is the Executive Officer, telephone (916) 574-7900, 1625 N. Market Blvd., Suite N-219, Sacramento, CA 95834. The information you provide may also be disclosed in the following circumstances: (1) in response to a Public Records Act request; (2) to another government agency as required by state or federal law; or, (3) in response to a court or administrative order, a subpoena, or a search warrant. Each individual has the right to review the files or records maintained on them by our agency, unless the records are identified as confidential information and exempted by Section 1798.40 of the Civil Code.

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

In the Matter of the Accusation Against:

Case No. 3642

AIDA NAGHASHIAN
P.O. Box 882
Huntington Park, CA 90255

Pharmacy Technician License No.
TCH 22309

Respondent.

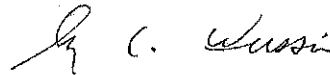
DECISION AND ORDER

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 November 26, 2012.

It is so ORDERED on October 25, 2012.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STANLEY C. WEISSER
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JOSHUA A. ROOM
Deputy Attorney General
4 State Bar No. 214663
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1299
6 Facsimile: (415) 703-5480
Attorneys for Complainant

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

10 In the Matter of the Accusation Against:

Case No. 3642

11 **AIDA NAGHASHIAN**
12 **a.k.a., AIDA KADIJA NAGHASHIAN**
13 **a.k.a., AIDA NAGHASUIAN**
P.O. Box 882
14 Huntington Park, CA 90255

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 **Pharmacy Technician License No. TCH 22309**

16 Respondent.

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

21
22 PARTIES

23 1. Virginia Herold (Complainant), Executive Officer of the Board of Pharmacy, brought
24 this action solely in her official capacity and is represented in this matter by Kamala D. Harris,
25 Attorney General of the State of California, by Joshua A. Room, Deputy Attorney General.

26 2. Respondent Aida Kadija Naghashian (Respondent) is represented in this proceeding
27 by attorney Edgardo Gonzalez, whose address is: Law Offices of Edgardo Gonzalez, 1300 Clay
28 Street, Suite 600, Oakland, CA 94612 (telephone (888) 800-9200).

1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 3642. Respondent agrees that her Pharmacy Technician License is subject to discipline and
4 agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.
5

6 RESERVATION

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

11 CONTINGENCY

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

21 11. The parties understand and agree that facsimile copies of this stipulation, including
22 facsimile signatures thereto, shall have the same force and effect as the originals.

23 12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
24 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
25 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
26 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
27 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
28 writing executed by an authorized representative of each of the parties.

1 13. In consideration of the foregoing, the parties agree that the Board may, without
2 further notice or formal proceeding, issue and enter the following Disciplinary Order:

3
4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Pharmacy Technician License No. TCH 22309, issued to
6 Aida Kadija Naghashian (Respondent), is revoked. However, the revocation is stayed and
7 Respondent is placed on probation for five (5) years on the following terms and conditions.

8 **1. Certification Prior to Resuming Work**

9 Respondent shall be automatically suspended from working as a pharmacy technician until
10 she is certified as defined by Business and Professions Code section 4202(a)(4) and provides
11 satisfactory proof of certification to the board. Respondent shall not resume working as a
12 pharmacy technician until notified by the board. Failure to achieve certification within one (1)
13 year shall be considered a violation of probation.

14 During suspension, respondent shall not enter any pharmacy area or any portion of any
15 other board licensed premises (wholesaler, veterinary food-animal drug retailer or any other
16 distributor of drugs), any drug manufacturer, or any other location where dangerous drugs and
17 devices or controlled substances are maintained. Respondent shall not do any act involving drug
18 selection, selection of stock, manufacturing, compounding or dispensing; nor shall respondent
19 manage, administer, or assist any board licensee. Respondent shall not have access to or control
20 ordering, manufacturing or dispensing of dangerous drugs and devices or controlled substances.
21 Failure to comply with this suspension shall be considered a violation of probation.

22 **2. Obey All Laws**

23 Respondent shall obey all state and federal laws and regulations.

24 Respondent shall report any of the following occurrences to the board, in writing, within
25 seventy-two (72) hours of such occurrence:

- 26 an arrest or issuance of a criminal complaint for violation of any provision of the
27 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
28 substances laws

- 1 a plea of guilty or nolo contendere in any state or federal criminal proceeding to any
- 2 criminal complaint, information or indictment
- 3 a conviction of any crime
- 4 discipline, citation, or other administrative action filed by any state or federal agency
- 5 which involves respondent's Pharmacy Technician License or which is related to the
- 6 practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing,
- 7 or charging for any drug, device or controlled substance.

8 Failure to timely report any such occurrence shall be considered a violation of probation.

9 **3. Report to the Board**

10 Respondent shall report to the board quarterly, on a schedule as directed by the board or its

11 designee. The report shall be made either in person or in writing, as directed. Among other

12 requirements, respondent shall state in each report under penalty of perjury whether there has

13 been compliance with all the terms and conditions of probation. Failure to submit timely reports

14 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency

15 in submission of reports as directed may be added to the total period of probation. Moreover, if

16 the final probation report is not made as directed, probation shall be automatically extended until

17 such time as the final report is made and accepted by the board.

18 **4. Interview with the Board**

19 Upon receipt of reasonable prior notice, respondent shall appear in person for interviews

20 with the board or its designee, at such intervals and locations as are determined by the board or its

21 designee. Failure to appear for any scheduled interview without prior notification to board staff,

22 or failure to appear at two (2) or more scheduled interviews with the board or its designee during

23 the period of probation, shall be considered a violation of probation.

24 **5. Cooperate with Board Staff**

25 Respondent shall cooperate with the board's inspection program and with the board's

26 monitoring and investigation of respondent's compliance with the terms and conditions of her

27 probation. Failure to cooperate shall be considered a violation of probation.

28 ///

1 **6. Notice to Employers**

2 During the period of probation, respondent shall notify all present and prospective
3 employers of the decision in case number 3642 and the terms, conditions and restrictions imposed
4 on respondent by the decision, as follows:

5 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
6 respondent undertaking any new employment, respondent shall cause her direct supervisor,
7 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's
8 tenure of employment), and owner to report to the board in writing acknowledging that the listed
9 individual(s) has/have read the decision in case number 3642 and the terms and conditions
10 imposed thereby. It shall be respondent's responsibility to ensure that her employer(s) and/or
11 supervisor(s) submit timely acknowledgement(s) to the board.

12 If respondent works for or is employed by or through a pharmacy employment service,
13 respondent must notify her direct supervisor, pharmacist-in-charge, and owner at every pharmacy
14 of the terms and conditions and decision in case number 3642 prior to respondent commencing
15 work at each pharmacy. A record of this notification must be provided to the board upon request.

16 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
17 (15) days of respondent undertaking any new employment by or through a pharmacy employment
18 service, respondent shall cause her direct supervisor with the pharmacy employment service to
19 report to the board in writing acknowledging that she has read the decision in case number 3642
20 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure
21 that her employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

22 Failure to timely notify present or prospective employer(s) or to cause employer(s) to
23 submit timely acknowledgements to the board shall be considered a violation of probation.

24 "Employment" within the meaning of this provision shall include any full-time,
25 part-time, temporary or relief service or pharmacy management service as a pharmacy
26 technician or in any position for which a pharmacy technician license is a requirement
27 or criterion for employment, whether the respondent is considered an employee,
28 independent contractor or volunteer.

1 **7. Status of License**

2 Respondent shall, at all times while on probation, maintain an active, current pharmacy
3 technician license with the board, including any period during which suspension or probation is
4 tolled. Failure to maintain an active, current license shall be considered a violation of probation.

5 If respondent's pharmacy technician license expires or is cancelled by operation of law or
6 otherwise at any time during the period of probation, including any extensions thereof due to
7 tolling or otherwise, upon renewal or reapplication respondent's license shall be subject to all
8 terms and conditions of this probation not previously satisfied.

9 **8. Notification of Change in Employment, Name, Address(es), or Phone(s)**

10 Respondent shall notify the board in writing within ten (10) days of any change of
11 employment. Said notification shall include the reasons for leaving, the address of the new
12 employer, the name of the supervisor and owner, and the work schedule if known. Respondent
13 shall further notify the board in writing within ten (10) days of a change in name, residence
14 address, mailing address, or phone number(s).

15 Failure to timely notify the board of any change in employer(s), name(s), address(es), or
16 phone number(s) shall be considered a violation of probation.

17 **9. Employment Requirement; Tolling of Probation**

18 Except during any periods of suspension, respondent shall, at all times while on probation,
19 be employed as a pharmacy technician in California for a minimum of forty (40) hours per
20 calendar month. Any month during which this minimum is not met shall toll the period of
21 probation, i.e., the period of probation shall be extended by one month for each month during
22 which this minimum is not met. During any such period of tolling of probation, respondent must
23 nonetheless comply with all terms and conditions of probation.

24 Should respondent, regardless of residency, for any reason (including vacation) cease
25 working as a pharmacy technician for a minimum of forty (40) hours per calendar month in
26 California, respondent must notify the board in writing within ten (10) days of cessation of work
27 and must further notify the board in writing within ten (10) days of the resumption of the work.
28 Any failure to provide such notification(s) shall be considered a violation of probation.

1 It is a violation of probation for respondent's probation to remain tolled pursuant to the
2 provisions of this condition for a total period, counting consecutive and non-consecutive months,
3 exceeding thirty-six (36) months.

4 "Cessation of work" means any calendar month during which respondent is not
5 working for at least forty (40) hours as a pharmacy technician, as defined in Business
6 and Professions Code section 4115. "Resumption of work" means any calendar
7 month during which respondent works as a pharmacy technician for at least forty (40)
8 hours as a pharmacy technician as defined by section 4115.

9 **10. No Ownership of Licensed Premises**

10 Respondent shall not own, have any legal or beneficial interest in, or serve as a manager,
11 administrator, member, officer, director, trustee, associate, or partner of any business, firm,
12 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell
13 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)
14 days following the effective date of this decision and shall immediately thereafter provide written
15 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide
16 documentation thereof shall be considered a violation of probation.

17 **11. Abstain from Drugs and Alcohol Use**

18 Respondent shall completely abstain from the possession or use of alcohol, controlled
19 substances, dangerous drugs and their associated paraphernalia except when the drugs are
20 lawfully prescribed by a licensed practitioner as part of a documented medical treatment. Upon
21 request of the board or its designee, respondent shall provide documentation from the licensed
22 practitioner that the prescription for the drug was legitimately issued and is a necessary part of the
23 treatment of the respondent. Failure to timely provide such documentation shall be considered a
24 violation of probation. Respondent shall ensure that she is not in the same physical location as
25 individuals who are using illicit substances even if respondent is not personally ingesting the
26 drugs. Any possession or use of alcohol, controlled substances, or their associated paraphernalia
27 not supported by the documentation timely provided, and/or any physical proximity to persons
28 using illicit substances, shall be considered a violation of probation.

1 **12. Random Drug Screening**

2 Respondent, at her own expense, shall participate in random drug testing, including but not
3 limited to biological fluid testing (urine, blood), breathalyzer, hair follicle testing, or other testing
4 program as directed by the board or its designee. Respondent may be required to participate in
5 testing for the entire probation period and the frequency of testing will be determined by the
6 board or its designee. At all times respondent shall fully cooperate with the board or its designee,
7 and shall, when directed, submit to such tests and samples for the detection of alcohol, narcotics,
8 hypnotics, dangerous drugs or controlled substances as the board or its designee direct. Failure to
9 timely submit to testing as directed shall be considered a violation of probation. Upon request of
10 the board or its designee, respondent shall provide documentation from a licensed practitioner
11 that a prescription for a detected drug was legitimately issued and is a necessary part of treatment
12 for respondent. Failure to timely provide such documentation shall be considered a violation of
13 probation. Any confirmed positive test for alcohol or for any drug not lawfully prescribed by a
14 licensed practitioner as part of a documented medical treatment shall be considered a violation of
15 probation and shall result in the automatic suspension of work by respondent. Respondent may
16 not resume work as a pharmacy technician until notified by the board in writing.

17 During any such suspension, respondent shall not enter any pharmacy area or any portion of
18 any other board licensed premises (wholesaler, veterinary food-animal drug retailer, or any other
19 distributor of drugs), any drug manufacturer, or any other location where dangerous drugs and
20 devices or controlled substances are maintained. Respondent shall not do any act involving drug
21 selection, selection of stock, manufacturing, compounding or dispensing; nor shall respondent
22 manage, administer, or assist any board licensee. Respondent shall not have access to or control
23 ordering, manufacturing or dispensing of dangerous drugs and devices or controlled substances.
24 Failure to comply with any such suspension shall be considered a violation of probation

25 In addition, any confirmed positive test for alcohol or for any drug not lawfully prescribed
26 by a licensed practitioner as part of a documented medical treatment shall automatically require
27 respondent to comply with the two following additional terms and conditions:
28

1 **(A) Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

2 Within thirty (30) days of the notification by the board or its designee of a
3 positive test result, respondent shall begin regular attendance at a recognized and
4 established substance abuse recovery support group in California, (e.g., Alcoholics
5 Anonymous, Narcotics Anonymous, etc.) which has been approved by the board or
6 its designee. Respondent must attend at least one group meeting per week unless
7 otherwise directed by the board or its designee. Respondent shall continue regular
8 attendance and submit signed and dated documentation confirming attendance with
9 each quarterly report for the duration of probation, unless otherwise notified by the
10 board or its designee. Failure to timely attend or submit documentation thereof shall
11 be considered a violation of probation.

12 **(B) Notification of Departure**

13 Following notification by the board or its designee of a positive test result, and
14 for the remainder of probation unless otherwise notified by the board or its designee,
15 prior to leaving the probationary geographic area designated by the board or its
16 designee for a period greater than twenty-four (24) hours, respondent shall notify the
17 board verbally and in writing of the dates of departure and return. Failure to comply
18 with this provision shall be considered a violation of probation.

19 **13. Prescription Coordination and Monitoring of Prescription Use**

20 Within thirty (30) days of the effective date of this decision, respondent shall submit for
21 prior approval by the board or its designee, the name and qualifications of a single physician,
22 nurse practitioner, physician assistant, or psychiatrist of respondent's choice, who shall be aware
23 of respondent's history with the use of alcohol, controlled substances, and/or dangerous drugs,
24 and who will coordinate and monitor any prescriptions for respondent for dangerous drugs,
25 controlled substances, or mood-altering drugs. The approved practitioner shall be provided with a
26 copy of the board's Accusation and decision. A record of this notification must be provided to
27 the board upon request. Respondent shall sign a release authorizing the practitioner to
28 communicate with the board about respondent's treatment(s).

1 The coordinating physician, nurse practitioner, physician assistant, or psychiatrist shall
2 report to the board on a quarterly basis for the duration of probation regarding respondent's
3 compliance with this condition. If any substances considered addictive have been prescribed, the
4 report shall identify a program for the time limited use of any such substances. The board or its
5 designee may require that the single coordinating physician, nurse practitioner, physician assistant
6 or psychiatrist be a specialist in addictive medicine, or consult a specialist in addictive medicine.
7 Should respondent, for any reason, cease supervision by the approved practitioner, respondent
8 shall notify the board immediately and shall, within thirty (30) days of ceasing treatment, submit
9 the name of a replacement physician, nurse practitioner, physician assistant, or psychiatrist of
10 respondent's choice to the board or its designee for prior approval. Failure to timely submit the
11 selected practitioner or replacement practitioner to the board for approval, or to ensure the
12 required reporting thereby on the quarterly reports, shall be considered a violation of probation.

13 If at any time an approved practitioner determines that respondent is unable to practice
14 safely or independently as a pharmacist, the practitioner shall notify the board immediately by
15 telephone and follow up by written letter within three (3) working days. Upon notification from
16 the board or its designee of this determination, respondent shall be automatically suspended and
17 shall not resume practice until notified by the board that practice may be resumed.

18 During any such suspension, respondent shall not enter any pharmacy area or any portion of
19 any other board licensed premises (wholesaler, veterinary food-animal drug retailer, or any other
20 distributor of drugs), any drug manufacturer, or any other location where dangerous drugs and
21 devices or controlled substances are maintained. Respondent shall not do any act involving drug
22 selection, selection of stock, manufacturing, compounding or dispensing; nor shall respondent
23 manage, administer, or assist any board licensee. Respondent shall not have access to or control
24 ordering, manufacturing or dispensing of dangerous drugs and devices or controlled substances.
25 Failure to comply with any such suspension shall be considered a violation of probation

26 14. Probation Monitoring Costs

27 Respondent shall pay any costs associated with probation monitoring as determined by the
28 board each and every year of probation.

1 Such costs shall be payable on a schedule as directed by the board or its designee. Failure
2 to pay such costs by the deadline(s) as directed shall be considered a violation of probation.

3 **15. Reimbursement of Board Costs**

4 As a condition precedent to successful completion of probation, respondent shall pay to the
5 board its costs of investigation and prosecution in the amount of \$8,000.00. Respondent shall be
6 permitted to pay these costs in a payment plan approved by the board or its designee, so long as
7 payment is completed no later than four (4) years after the effective date of this decision. There
8 shall be no deviation from this schedule absent prior written approval by the board or its designee.
9 Failure to pay costs by the deadline(s) as directed shall be considered a violation of probation.

10 The filing of bankruptcy by respondent shall not relieve respondent of her responsibility to
11 reimburse the board its costs of investigation and prosecution.

12 **16. Violation of Probation**

13 If a respondent has not complied with any term or condition of probation, the board shall
14 have continuing jurisdiction over respondent, and probation shall automatically be extended, until
15 all terms and conditions are satisfied or the board has taken other action as deemed appropriate to
16 treat the failure to comply as a violation of probation, to terminate probation, and to impose the
17 penalty that was stayed. If respondent violates probation in any respect, the board, after giving
18 respondent notice and opportunity to be heard, may revoke probation and carry out the revocation
19 order that was stayed. If a petition to revoke probation or accusation is filed against respondent
20 during probation, the board shall have continuing jurisdiction, and the period of probation shall be
21 automatically extended, until the petition to revoke probation or accusation is heard and decided.

22 **17. License Surrender While on Probation/Suspension**

23 Following the effective date of this decision, should respondent cease work due to
24 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation, she
25 may tender her pharmacy technician license to the board for surrender. The board or its designee
26 shall have the discretion whether to grant the request for surrender or take any other action it
27 deems appropriate and reasonable. Upon formal acceptance of the surrender of the license,
28 respondent will no longer be subject to the terms and conditions of probation.

1 This surrender constitutes a record of discipline and shall become a part of the respondent's
2 license history with the board. Upon acceptance of the surrender, respondent shall relinquish her
3 pharmacy technician license to the board within ten (10) days of notification that the surrender is
4 accepted. Respondent may not reapply for any license, permit, or registration from the board for
5 three (3) years from the effective date of the surrender. Respondent shall meet all requirements
6 applicable to the license sought as of the date any such application is submitted.

7 **18. Completion of Probation**

8 Upon written notice by the board indicating successful completion of probation,
9 respondent's pharmacy technician license will be fully restored.

10
11 ACCEPTANCE

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

17
18 DATED: _____

19 AIDA NAGHASHIAN
20 a.k.a. Aida Kadija Naghashian, Aida Naghasuian
Respondent

21 I have read and fully discussed with Respondent Aida Naghashian a.k.a. Aida Kadija
22 Naghashian, Aida Naghasuian the terms and conditions and other matters contained in the above
23 Stipulated Settlement and Disciplinary Order. I approve its form and content.

24 DATED: _____

25 EDGARDO GONZALEZ
26 Attorney for Respondent
27
28

1 This surrender constitutes a record of discipline and shall become a part of the respondent's
2 license history with the board. Upon acceptance of the surrender, respondent shall relinquish her
3 pharmacy technician license to the board within ten (10) days of notification that the surrender is
4 accepted. Respondent may not reapply for any license, permit, or registration from the board for
5 three (3) years from the effective date of the surrender. Respondent shall meet all requirements
6 applicable to the license sought as of the date any such application is submitted.

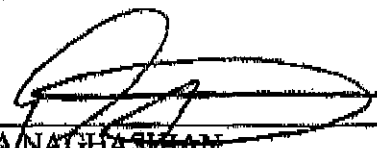
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14 will have on my Pharmacy Technician License. I enter into this Stipulated Settlement and
15 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
16 Decision and Order of the Board of Pharmacy.

17
18 DATED: 9-24-12


19 AIDA NAGHASHIAN
20 a.k.a. Aida Kadja Naghashian, Aida Naghasujan
Respondent

21 I have read and fully discussed with Respondent Aida Naghashian a.k.a. Aida Kadja
22 Naghashian, Aida Naghasujan the terms and conditions and other matters contained in the above
23 Stipulated Settlement and Disciplinary Order. I approve its form and content.

24 DATED: 9-25-12


25 EDGARDO GONZALEZ
26 Attorney for Respondent
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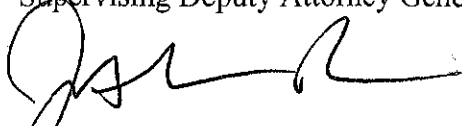
ENDORSEMENT

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

Dated: 9/25/2012

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General



JOSHUA A. ROOM
Deputy Attorney General
Attorneys for Complainant

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40593859.doc

Exhibit A

Accusation No. 3642

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 KIMBERLEY J. BAKER-GUILLEMET
Supervising Deputy Attorney General
4 State Bar No. 242920
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2533
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:
12 **AIDA NAGHASHIAN**
13 **a.k.a., AIDA KADIJA NAGHASHIAN**
14 **a.k.a., AIDA NAGHASUIAN**
P.O. Box 882
Huntington Park, CA 90255
15 Pharmacy Technician License No. TCH 22309
16 Respondent.

Case No. 3642
A C C U S A T I O N

18 Complainant alleges:

19 **PARTIES**

- 20 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
22 2. On or about May 15, 1997, the Board issued Pharmacy Technician License No.
23 TCH 22309 to Aida Naghashian, also known as Aida Kadija Naghashian, and Aida Naghasuian
24 (Respondent). The Pharmacy Technician License was in full force and effect at all times relevant
25 to the charges brought herein and will expire on December 31, 2012, unless renewed.

26 **JURISDICTION**

- 27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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

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

10 "(j) The violation of any of the statutes of this state, or any other state, or of the United
11 States regulating controlled substances and dangerous drugs.

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

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1 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
2 indictment.

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4 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
5 violation of or conspiring to violate any provision or term of this chapter or of the applicable
6 federal and state laws and regulations governing pharmacy, including regulations established by
7 the board or by any other state or federal regulatory agency."

8 8. Section 4324, subdivision (a) states:

9 "Every person who signs the name of another, or of a fictitious person, or falsely makes,
10 alters, forges, utters, publishes, passes, or attempts to pass, as genuine, any prescription for any
11 drugs is guilty of forgery and upon conviction thereof shall be punished by imprisonment in the
12 state prison, or by imprisonment in the county jail for not more that one year."

13 **REGULATORY PROVISIONS**

14 9. California Code of Regulations, title 16, section 1770 states, in pertinent part:

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

21 **COST RECOVERY**

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

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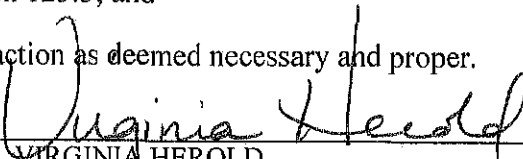
1 a prescriber's authorization. Complainant refers to, and by this reference incorporates, the
2 allegations set forth above in paragraph 14, as though fully set forth.

3 **PRAYER**

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Board issue a decision:

- 6 1. Revoking or suspending Pharmacy Technician License No. TCH 22309, issued to
7 Respondent;
- 8 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
9 enforcement of this case, pursuant to section 125.3; and
- 10 3. Taking such other and further action as deemed necessary and proper.

11 DATED: 8/22/11



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