

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

In the Matter of the Accusation Against:

CRAIG KLINE
7168 Royal Melbourne Drive
Las Vegas, NV 89131

Pharmacist License No. RPH 28099

Respondent.

Case No. 3901

OAH No. 2011080570

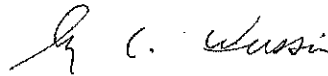
DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on January 4, 2013.

It is so ORDERED on December 5, 2012.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STANLEY C. WEISSER
Board President

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PROPOSED DECISION

Administrative Law Judge Catherine B. Frink, State of California, Office of Administrative Hearings, heard this matter in Sacramento, California on September 19, 2012.

Brian S. Turner, Deputy Attorney General, represented Virginia Herold (complainant), Executive Officer of the Board of Pharmacy (California Board).

Craig Irwin Kline (respondent) was represented by Ronald Kaldor, Attorney at Law. Respondent did not attend the administrative hearing.

Evidence was received, the hearing was closed, and record was held open, for the submission of additional evidence and legal argument. Respondent's Argument Regarding Use of Discipline by Nevada (Closing Argument), dated September 28, 2012, was received on October 1, 2012, and was marked as Exhibit A. Complainant's Reply to Respondent's Opposition (Reply), dated October 4, 2012, was received on October 5, 2012, and was marked as Exhibit 9. An updated License History Certification, dated October 9, 2012, was received on October 10, 2012, and was appended to Exhibit 8. The record was closed and the matter was submitted for decision on October 10, 2012.

FACTUAL FINDINGS

Procedural Background and License History

1. Complainant, acting in her official capacity, filed the Amended Accusation against respondent on May 16, 2012.

2. On November 17, 1972, the California Board issued Pharmacist License Number RPH 28099 to respondent to practice pharmacy in California. Said license was in full force and effect at all times relevant herein. Respondent's license is presently inactive, and is due to expire on April 30, 2014, unless renewed or revoked.

Out-of-State Disciplinary Action

3. On January 8, 2009, respondent entered into a Stipulation and Agreement (Stipulation) with the Nevada State Board of Pharmacy (Nevada Board) in Case No. 08-007-RPH-S, which was ratified by Order of the Nevada Board, dated January 31, 2009. By the terms of the Stipulation, respondent agreed that:

1. For the purposes of resolving this matter only, Craig Irwin Kline does not contest the facts and violations alleged in the First Cause of Action except that as to the retail value of the controlled substances taken, Craig Irwin Kline does not contest that he took controlled substances with a value between \$600 to \$1,600. The admissions made in this matter may not be used in any other proceeding or matter.

2. Upon approval of this stipulation by the [Nevada] Board, Craig Irwin Kline shall voluntarily surrender his certificate of registration #16024. Such surrender shall be treated as a revocation by the [Nevada] Board.

3. Upon approval of this stipulation by the [Nevada] Board, Craig Irwin Kline shall pay by cashier's check or money order made payable to "Nevada State Board of Pharmacy" the sum of \$600 for attorney's fees and costs in connection with this matter within 15 days of the approval of this stipulation.¹

4. The facts and violations which were uncontested by respondent in Case No. 08-007-RPH-S were contained in a Notice of Intended Action and Accusation, dated December 11, 2008. The matters set forth in the First Cause of Action took place while respondent was employed as a pharmacist with Food 4 Less, located at 1301 South Boulder Highway, Henderson, Nevada (Food 4 Less #785). The First Cause of Action stated:

V.

In removing controlled substances, namely hydrocodone and alprazolam without a prescription or other lawful authority

¹ According to the January 31, 2009 Order Ratifying Stipulation, "at the time of this Order Craig Irwin Kline has already returned his wall certificate and paid to the Nevada Board of Pharmacy a cashier's check of \$600 pursuant to the Stipulation and Agreement."

therefore, Mr. Kline violated Nevada Revised Statutes (NRS) 453.331(1)(d), 453.336(1), and 639.210(4) and (12) and Nevada Administrative Code (NAC) 639.945(1)(g), (h), and (i).

5. By reason of the facts set forth in Findings 3 and 4, respondent has engaged in unprofessional conduct, within the meaning of Business and Professions Code section 4301, subdivision (n), in that his pharmacy license was subject to "other discipline" by the Nevada Board, namely the surrender of his license with disciplinary action pending, and the payment of \$600 in attorney's fees and prosecution costs. Furthermore, respondent stipulated that the surrender "shall be treated as a revocation by the [Nevada] Board."

Conduct Warranting Denial of a License

6. Complainant did not introduce any evidence, other than the Nevada Board's Notice of Intended Action and Accusation, Stipulation, and Order Ratifying Stipulation and Agreement, to independently establish the facts and circumstances underlying the Nevada Board's disciplinary action. Respondent did not testify at the administrative hearing, and no evidence was introduced on his behalf.

7. For the reasons addressed in the Legal Conclusions, it was not established by competent evidence that respondent engaged in conduct that would have warranted denial of a license, i.e., acts substantially related to the qualifications, functions, or duties of a licensee.

Evidence of Mitigation, Extenuation, or Rehabilitation

8. There was no evidence of mitigation, extenuation, or rehabilitation offered by or on behalf of respondent.

Prior Discipline by the California Board

9. Effective December 19, 1982, in Case No. 1054, OAH Case No. L-24184, the California Board revoked Pharmacist License No. 28099 issued to respondent, after an administrative hearing held on October 1, 1982. The disciplinary action was based upon the following facts and circumstances: Between August of 1980 and December 27, 1980, respondent while employed as a pharmacist aided, abetted and participated in a conspiracy to unlawfully divert quantities of the controlled substance Quaalude from the pharmacy where he was employed. Respondent accepted and filled prescriptions which totaled in excess of 5,000 Quaalude units 300 mg. for a co-conspirator in exchange for monthly cash payments of \$200. Respondent was arrested on December 27, 1980, and a search of his car revealed stolen cosmetics and other merchandise from the pharmacy with an estimated value of \$800. On August 13, 1981, in the Los Angeles County Superior Court, Case No. A082040, respondent was convicted, on his plea of nolo contendere, of violating Business and Professions Code section 4390, altering or forging a prescription or possessing drugs obtained by such prescription, a felony, and Penal Code section 487.1, Grand Theft, a misdemeanor.

10. The California Board determined that respondent violated Health and Safety Code section 11379, thereby constituting cause for discipline pursuant to Business and Professions Code sections 4363, 4350.5, subdivision (c), and 4350. The California Board further determined that respondent had been convicted of crimes involving moral turpitude and crimes which bore a substantial relationship to the functions and duties of a pharmacist, thereby constituting cause for discipline pursuant to Business and Professions Code sections 490, 4354, and 4350. In considering whether or not to revoke respondent's license, the Decision stated that respondent, "without any hesitation did, for money, enter into an unlawful scheme whereby a very substantial quantity of dangerous drugs were released for unlawful consumption. In addition, respondent was a dishonest employee."

11. The prior revocation of respondent's license for diversion and theft is considered as a factor in aggravation in determining the appropriate penalty in this matter. Respondent's argument that the disciplinary action is remote in time, and there is no evidence of subsequent misconduct by respondent up until the surrender of his Nevada license, is unpersuasive.

Costs

12. Complainant has requested reimbursement for costs incurred by the California Board in connection with the investigation and prosecution of this matter, in the total amount of \$3,357.50. The costs were certified in the manner provided by Business and Professions Code section 125.3, subdivision (c), as set forth in the Certification of Prosecution Costs [and] Declaration of Brian S. Turner, dated March 6, 2012. As substantiated by billing records and other documentary evidence, the California Board incurred actual costs in the amount of \$2,762.50 in connection with its investigation and prosecution of this case as of March 6, 2012:

Department of Justice

2010/2011	11.25 hours	@ \$170.00	\$1,912.50
2011/2012	5.00 hours	@ \$170.00	\$ 850.00

13. In addition to the foregoing charges already billed to the California Board, Deputy Attorney General Brian Turner estimated in his Declaration that 3.5 hours of additional preparation time would be required up to the date of hearing, for an estimated additional charge of \$595 (at \$170 per hour).

14. The reasonableness of complainant's request for costs is discussed in the Legal Conclusions below.

LEGAL CONCLUSIONS

Applicable Statutes and Regulations

1. Pursuant to Business and Professions Code section 4300, the California Board may suspend or revoke a license.

2. Pursuant to Business and Professions Code section 4301, the California Board may take disciplinary action against a licensee for unprofessional conduct, which includes “(n) The revocation, suspension, or other discipline by another state of a license to practice pharmacy, operate a pharmacy, or do any other act for which a license is required by this chapter;” and “(p) actions or conduct that would have warranted denial of a license.”

3. California Code of Regulations, title 16, section 1770, provides that, “[f]or the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related to the qualifications, functions or duties of a licensee or registrant if to a substantial degree it evidences present or potential unfitness of a licensee or registrant to perform the functions authorized by his license or registration in a manner consistent with the public health, safety, or welfare.”

Cause for Discipline

4. Cause for discipline of respondent’s California pharmacist license was established by clear and convincing evidence to a reasonable certainty pursuant to Business and Professions Code section 4301, subdivision (n), by reason of Findings 3, 4, and 5 (discipline by another state of a license to practice pharmacy.)

5. Cause to discipline respondent’s California pharmacist license was not established by clear and convincing evidence to a reasonable certainty pursuant to Business and Professions Code section 4301, subdivision (p) (conduct that would have warranted denial of a license) by reason of Findings 3, 4, and 6. By the terms of the Stipulation with the Nevada Board, respondent agreed not to contest various allegations and violations in the Nevada Board’s Notice of Intended Action and Accusation. However, the Stipulation specifically provided that the admissions made by respondent were “[f]or the purpose of resolving this matter only,” and “may not be used in any other proceeding or matter.” Therefore, the admissions made by respondent in connection with the Nevada Board’s disciplinary action cannot be used to establish the underlying conduct as a separate basis for discipline under Business and Professions Code section 4301, subdivision (p).

6. Complainant argued that “discipline may be imposed with consideration of the facts underlying a settlement even where out-of-state discipline involves no admission to the facts and attempts to limit use of the settlement,” citing *Marek v. Board of Podiatric Medicine* (1993) 16 Cal.App.4th 1089 (*Marek*). This argument is not persuasive.

7. In *Marek*, as in this matter, the licensees entered into a consent decree that did not contain any admissions of wrongdoing and provided that the settlement would not be used by the parties in any way. (*Id.*, at p. 1096.) The California Board of Podiatric Medicine sought to discipline respondents' California licenses to practice podiatric medicine, under a statute with language substantially similar to the statute governing pharmacists in California. The issue in *Marek* was "whether, pursuant to Business and Professions Code section 2305, the Nevada Board's order, issued without admissions or the formal taking of evidence, forms a permissible basis for the California Board to impose discipline upon petitioners regarding their California podiatric licenses." (*Id.*, at pp. 1092-3, footnote omitted.) The court held that "section 2305 requires only that the California Board determine that disciplinary action by another state as to a license to practice medicine issued by that other state had occurred," and "the California Board need not take evidence on or establish the factual predicate for that other state's disciplinary action." (*Id.*, at p. 1093.) The court further stated:

The statute applies by its terms to any discipline imposed by another state on the holder of a license or certificate to practice medicine issued by that state and thus includes, as here, acquiescence by signing a consent decree to disciplinary action without any admission of the charges brought by the foreign jurisdiction. The focus of section 2305 is the mere fact that a measure of discipline was imposed on the licensee and not how it was imposed by the foreign jurisdiction. Pursuant to the language of section 2305, petitioners' "unprofessional conduct" lies not in the alleged underlying misfeasance in Nevada but in the fact that discipline has been imposed by another state regarding petitioners' licenses to practice medicine in that other state.

[¶]...[¶]

Permitting the disciplinary action in California based solely on the fact of disciplinary action in another jurisdiction is consistent with the purpose of the Medical Practice Act (Bus. & Prof. Code, § 2000 et seq.) to protect the state's citizens by regulation of the professional conduct of its health practitioners. (See *Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 577; *Fuller v. Board of Medical Examiners* (1936) 14 Cal.App.2d 734, 741.) The California Board is entitled to protect its citizens and to regulate the practice of its health care practitioners to the same extent that the Nevada Board is as to its citizens and health care practitioners. ...

[¶]...[¶]

The present case is thus distinguishable from *Halyalkar v. Board of Regents* (1988) 72 N.Y.2d 261, which held that the State of New York had improperly invoked the doctrine of collateral estoppel to give conclusive effect to a consent order in an earlier administrative proceeding in the State of New Jersey, where the medical licensee had entered a plea of guilty to similar misconduct and had agreed to a three-month suspension. **The licensee was then charged in New York not with having a prior disciplinary sanction in another state, the charge against petitioners in the present case, but rather was charged with the same underlying professional misconduct which had been proven in New Jersey.** (See also *Parklane Hosiery Co. v. Shore* (1979) 439 U.S. 322; *Imen v. Glassford* (1988) 201 Cal.App.3d 898, 905-908.) *Halyalkar* and other cases involving the offensive use of collateral estoppel are thus not controlling.

(*Marek, supra*, 16 Cal.App.4th, at pp. 1096-1099. Bolding added.)

8. It is clear that the court in *Marek* did not contemplate the use of the Nevada Board of Podiatric Medicine's Consent Decree as a basis to establish a separate cause for disciplinary action in California based on the facts underlying the Nevada discipline. Thus, complainant's reliance on *Marek* to support a cause for discipline based on respondent's underlying conduct in Nevada is misplaced. In the absence of independent evidence of the underlying acts or conduct, or a specific admission by respondent to such conduct as part of the California proceeding, the conduct cannot form a separate basis for disciplinary action.

Disciplinary Considerations

9. In his Closing Argument, respondent stated:

Under California law, [respondent] is subject to discipline for unprofessional conduct because of the fact of the Nevada discipline. The extent of his discipline should not however be in any way greater than necessary to protect the public. Additional or enhanced discipline, based on the underlying conduct which was the basis of the stipulation by [respondent] without any trial of those [*sic*] the factual nature of that conduct would serve no legitimate purpose."

10. Respondent did not come to California to attend the hearing in this matter, and he did not provide testimony or other evidence to explain the circumstances surrounding the Nevada Board's disciplinary action, or to establish rehabilitation (Finding 8). The Nevada Board accepted the surrender of respondent's Nevada pharmacist license, thereby removing respondent from practice in Nevada, as a necessary step to protect the public. In the absence

of evidence to the contrary, and considering respondent's prior history of disciplinary action in California (Findings 9, 10, and 11), revocation of respondent's California pharmacist license is likewise necessary to protect the public.

Costs

11. Business and Professions Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.² Business and Professions Code section 125.3, subdivision (c), states:

² California Code of Regulations, title 1, section 1042, implementing Business and Professions Code section 125.3, states:

- (a) An agency shall allege in its pleading any request for costs, citing the applicable cost recovery statute or regulation.
- (b) Except as otherwise provided by law, proof of costs at the Hearing may be made by Declarations that contain specific and sufficient facts to support findings regarding actual costs incurred and the reasonableness of the costs, which shall be presented as follows:
 - (1) For services provided by a regular agency employee, the Declaration may be executed by the agency or its designee and shall describe the general tasks performed, the time spent on each task and the method of calculating the cost. For other costs, the bill, invoice or similar supporting document shall be attached to the Declaration.
 - (2) For services provided by persons who are not agency employees, the Declaration shall be executed by the person providing the service and describe the general tasks performed, the time spent on each task and the hourly rate or other compensation for the service. In lieu of this Declaration, the agency may attach to its Declaration copies of the time and billing records submitted by the service provider.
 - (3) When the agency presents an estimate of actual costs incurred, its Declaration shall explain the reason actual cost information is not available.
 - (4) The ALJ may permit a party to present testimony relevant to the amount and reasonableness of costs.
- (c) The proposed decision shall include a factual finding and legal conclusion on the request for costs and shall state the reasons for denying a request or

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

12. As set forth in Findings 12 and 13, the Board seeks reimbursement for costs in the total amount of \$3,357.50. Of the total amount sought, \$2,762.50 constitutes substantiated actual costs billed to the Board as of the date of hearing, plus \$595 in projected additional costs. Complainant did not submit an amended cost certification to establish the actual costs incurred up to the date of hearing. While Business and Professions Code section 125.3, subdivision (c), permits the agency to submit a good faith estimate of costs where actual costs are not available, it was not established that complainant was unable to determine the actual costs up to the date of hearing. Consequently, the costs of investigation and enforcement established by the Board herein are in the amount of \$2,762.50.

13. *Zuckerman v. Board of Chiropractic Examiners* (2002) 29 Cal.4th 32, identifies the factors to be considered in determining the reasonableness of costs pursuant to statutory provisions like Business and Professions Code section 125.3. The factors include whether the licensee has been successful at hearing in getting charges dismissed or reduced; the licensee's subjective good faith belief in the merits of his or her position; whether the licensee has raised a colorable challenge to the proposed discipline; the financial ability of the licensee to pay; and whether the scope of the investigation was appropriate to the alleged misconduct.

14. Taking into account the above factors, the costs of the investigation and prosecution herein are appropriate; the time spent appears to be reasonable and the activities were necessary to the development and presentation of the case. Respondent offered no evidence regarding his ability to pay costs. Under all of the facts and circumstances, and considering the California Board's obligation to protect the public through licensing actions such as this one, assessment of costs in the amount of \$2,762.50 against respondent is reasonable and appropriate.

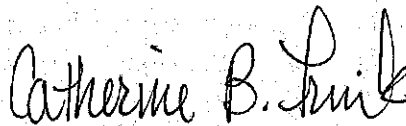
awarding less than the amount requested. Any award of costs shall be specified in the order.

ORDER

1. Pharmacist License Number RPH 28099, issued by the California Board of Pharmacy to respondent Craig Irwin Kline, is revoked pursuant to Legal Conclusions 4, 9 and 10.

2. Pursuant to Legal Conclusions 11, 12, 13, and 14, respondent shall pay to the California Board of Pharmacy the costs of investigation and prosecution of this matter, in the amount of \$2,762.50, in such manner as the California Board directs. Respondent's license shall not be reinstated, nor shall a new license be issued to respondent, until the above costs are paid in full.

DATED: October 29, 2012.



CATHERINE B. FRINK
Administrative Law Judge
Office of Administrative Hearings

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

12 In the Matter of the Accusation Against:

Case No. 3901

13 **CRAIG IRWIN KLINE**
14 **7168 Royal Melbourne Dr.**
Las Vegas, NV 89131

AMENDED ACCUSATION

15 **Pharmacist License No. RPH 28099**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

- 20 1. Virginia Herold (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
22 2. On or about November 17, 1972, the Board of Pharmacy issued Pharmacist
23 License Number RPH 28099 to Craig Irwin Kline (Respondent). The Pharmacist License was in
24 full force and effect at all times relevant to the charges brought herein and will expire on April 30,
25 2012, unless renewed.

26 ///

27 ///

28 ///

1 JURISDICTION

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

5 STATUTORY AND REGULATORY PROVISIONS

6 4. Section 4300 provides in relevant part:

7 "(a) Every license issued may be suspended or revoked."

8 5. Section 4301 provides in relevant part that unprofessional conduct includes:

9 (n) The revocation, suspension, or other discipline by another state of a
10 license to practice pharmacy, operate a pharmacy, or do any other act for which a
license is required by this chapter.

11 p) Actions or conduct that would have warranted denial of a license.
12 For the purpose of denial, suspension, or revocation of a personal or facility license
13 pursuant to Division 1.5 (commencing with Section 475) of the Business and
14 Professions Code, a crime or act shall be considered substantially related to the
15 qualifications, functions or duties of a licensee or registrant if to a substantial degree
it evidences present or potential unfitness of a licensee or registrant to perform the
functions authorized by his license or registration in a manner consistent with the
public health, safety, or welfare.

16 6. Title 16 California Code of Regulations section 1770 provides:

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

22 COST RECOVERY

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

28 ///

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct)

3 8. Respondent is subject to disciplinary action under sections 4301(n) and (p) in that
4 Respondent's Nevada State Pharmacist license No16024 was disciplined in 2009. The
5 circumstances are as follows:

6 9. On or about January 31, 2009, a stipulated disciplinary order became effective
7 accepting the surrender of Respondent's Nevada Pharmacist License on the basis of diversion of
8 and self-administration of hydrocodone, alprazolam, Ativan, Soma, Bentyl and Robaxin.
9 Respondent admitted to supplying his son who resided in Florida with Alprazolom and to
10 providing hydrocodone to a husband and wife all without prescriptions in violation of Nevada
11 law. A certified copy of the Notice of Intended Action and Accusation is attached as Exhibit A
12 and by this reference incorporated herein. A certified copy of the signed Stipulation and
13 Agreement with an effective date of January 8, 2009 is attached as Exhibit B and by this
14 reference incorporated herein.

15 **DISCIPLINARY CONSIDERATIONS**

16 10. In order to assist in setting the appropriate discipline, Complainant alleges
17 Respondent's license was previously disciplined by revocation for diversion and theft. The
18 circumstances are as follows:

19 11. Between August of 1980 and December 27, 1980, Respondent while employed as a
20 pharmacist aided, abetted and participated in a conspiracy to unlawfully divert quantities of the
21 controlled substance Quaalude from the pharmacy. Respondent accepted and filled
22 approximately 167 prescriptions for a co-conspirator in exchange for monthly cash payments of
23 two hundred dollars (\$200).

24 12. On December 27, 1980 when Respondent was arrested, a search of his car revealed
25 stolen merchandise from the pharmacy with an estimated value of eight hundred dollars (\$800)
26 and diverted controlled substances including Organidin Elixir, a bottle containing 100 Darvon
27 capsules and a bottle containing Quaalude tablets.

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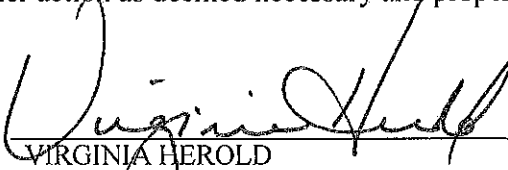
1 13. Respondent was convicted in the case of "People v. Craig Irwin Kline", in Los
2 Angeles County Superior Court case No. A082040 following his plea of no contest to violation of
3 Business and Professions Code section 4390, altering or forging a prescription or possessing
4 drugs obtained by such a prescription, a felony and Penal Code section 487.1, Grand Theft, a
5 misdemeanor. On November 19, 1982, the Board adopted the decision of an administrative law
6 judge revoking Respondent's pharmacist license. The decision was effective on December 19,
7 1982.

8 **PRAYER**

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

- 11 1. Revoking or suspending Pharmacist License Number RPH 28099, issued to Craig
12 Irwin Kline.
- 13 2. Ordering Craig Irwin Kline to pay the Board of Pharmacy the reasonable costs of
14 the investigation and enforcement of this case, pursuant to Business and Professions Code section
15 125.3;
- 16 3. Taking such other and further action as deemed necessary and proper.

17
18 DATED: 5/16/12


19 VIRGINIA HEROLD
20 Executive Officer
21 Board of Pharmacy
22 Department of Consumer Affairs
23 State of California
24 Complainant

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