

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

In the Matter of the Accusation Against:

Case No. 3931

**BRUCE THOMAS GLASSCOCK
704 Strathmore Drive
Modesto, CA 95355**

Pharmacist No. RPH 43601

Respondent.

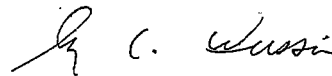
DECISION AND ORDER

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 April 23, 2012.

It is so ORDERED on March 23, 2012.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STANLEY C. WEISSER
Board President

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Attorney General of California
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8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 3931

13 **BRUCE THOMAS GLASSCOCK**
704 Strathmore Drive
Modesto, CA 95355

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

14 Pharmacist License No. RPH 43601

15 Respondent.

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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.
22 She brought this action solely in her official capacity and is represented in this matter by Kamala
23 D. Harris, Attorney General of the State of California, by Patrick M. Kenady, Deputy Attorney
24 General.

25 2. Respondent Bruce Thomas Glasscock (Respondent) is representing himself in this
26 proceeding and has chosen not to exercise his right to be represented by counsel.

27 3. On or about July 31, 1990, the Board of Pharmacy issued Pharmacist License No.
28 RPH 43601 to Bruce Thomas Glasscock (Respondent). The Pharmacist License was in full force

1 and effect at all times relevant to the charges brought in Accusation No. 3931 and will expire on
2 April 30, 2012, unless renewed.

3 JURISDICTION

4 4. Accusation No. 3931 was filed before the Board of Pharmacy (Board) , Department
5 of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other
6 statutorily required documents were properly served on Respondent on June 8, 2011. Respondent
7 timely filed his Notice of Defense contesting the Accusation.

8 A copy of Accusation No. 3931 is attached as exhibit A and incorporated herein by
9 reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, and understands the charges and allegations in
12 Accusation No. 3931. Respondent has also carefully read, and understands the effects of this
13 Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
16 his own expense; the right to confront and cross-examine the witnesses against him; the right to
17 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
18 the attendance of witnesses and the production of documents; the right to reconsideration and
19 court review of an adverse decision; and all other rights accorded by the California
20 Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in Accusation
25 No. 3931.

26 9. Respondent agrees that his Pharmacist License is subject to discipline and he agrees
27 to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Pharmacist License No. RPH 43601 issued to Respondent
3 Bruce Thomas Glasscock (Respondent) is revoked. However, the revocation is stayed and
4 Respondent is placed on probation for five (5) years on the following terms and conditions.

5 **1. Suspension**

6 Pharmacist License No. RPH 43601, issued To Respondent Bruce Thomas Glasscock, is
7 suspended for a period of 180 days from the effective date of the decision, provided that
8 Respondent is given credit for the time his license was suspended under the Pharmacist Recovery
9 Program (PRP).

10 **2. Obey All Laws**

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

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

- 14 • an arrest or issuance of a criminal complaint for violation of any provision of the
15 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
16 substances laws
- 17 • a plea of guilty or nolo contendere in any state or federal criminal proceeding to any
18 criminal complaint, information or indictment
- 19 • a conviction of any crime
- 20 • discipline, citation, or other administrative action filed by any state or federal agency
21 which involves respondent's Pharmacist license or which is related to the practice of
22 pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging
23 for any drug, device or controlled substance.

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

25 **3. Report to the Board**

26 Respondent shall report to the board quarterly, on a schedule as directed by the board or its
27 designee. The report shall be made either in person or in writing, as directed. Among other
28 requirements, respondent shall state in each report under penalty of perjury whether there has

1 been compliance with all the terms and conditions of probation. Failure to submit timely reports
2 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency
3 in submission of reports as directed may be added to the total period of probation. Moreover, if
4 the final probation report is not made as directed, probation shall be automatically extended until
5 such time as the final report is made and accepted by the board.

6 **4. Interview with the Board**

7 Upon receipt of reasonable prior notice, respondent shall appear in person for interviews
8 with the board or its designee, at such intervals and locations as are determined by the board or its
9 designee. Failure to appear for any scheduled interview without prior notification to board staff,
10 or failure to appear for two (2) or more scheduled interviews with the board or its designee during
11 the period of probation, shall be considered a violation of probation.

12 **5. Cooperate with Board Staff**

13 Respondent shall cooperate with the board's inspection program and with the board's
14 monitoring and investigation of respondent's compliance with the terms and conditions of his
15 probation. Failure to cooperate shall be considered a violation of probation.

16 **6. Continuing Education**

17 Respondent shall provide evidence of efforts to maintain skill and knowledge as a
18 pharmacist as directed by the board or its designee.

19 **7. Notice to Employers**

20 During the period of probation, respondent shall notify all present and prospective
21 employers of the decision in case number 3931 and the terms, conditions and restrictions imposed
22 on respondent by the decision, as follows:

23 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
24 respondent undertaking any new employment, respondent shall cause his direct supervisor,
25 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's
26 tenure of employment) and owner to report to the board in writing acknowledging that the listed
27 individual(s) has/have read the decision in case number 3931, and terms and conditions imposed
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1 thereby. It shall be respondent's responsibility to ensure that his employer(s) and/or supervisor(s)
2 submit timely acknowledgment(s) to the board.

3 If respondent works for or is employed by or through a pharmacy employment service,
4 respondent must notify his direct supervisor, pharmacist-in-charge, and owner at every entity
5 licensed by the board of the terms and conditions of the decision in case number 3931 in advance
6 of the respondent commencing work at each licensed entity. A record of this notification must be
7 provided to the board upon request.

8 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
9 (15) days of respondent undertaking any new employment by or through a pharmacy employment
10 service, respondent shall cause his direct supervisor with the pharmacy employment service to
11 report to the board in writing acknowledging that he has read the decision in case number 3931
12 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure
13 that his employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

14 Failure to timely notify present or prospective employer(s) or to cause that/those
15 employer(s) to submit timely acknowledgments to the board shall be considered a violation of
16 probation.

17 "Employment" within the meaning of this provision shall include any full-time,
18 part-time, temporary, relief or pharmacy management service as a pharmacist or any
19 position for which a pharmacist license is a requirement or criterion for employment,
20 whether the respondent is an employee, independent contractor or volunteer.

21 **8. No Supervision of Interns, Serving as Pharmacist-in-Charge (PIC), Serving as**
22 **Designated Representative-in-Charge, or Serving as a Consultant**

23 During the period of probation, respondent shall not supervise any intern pharmacist, be the
24 pharmacist-in-charge or designated representative-in-charge of any entity licensed by the board
25 nor serve as a consultant unless otherwise specified in this order. Assumption of any such
26 unauthorized supervision responsibilities shall be considered a violation of probation.

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1 **9. Reimbursement of Board Costs**

2 As a condition precedent to successful completion of probation, respondent shall pay to the
3 board its costs of investigation and prosecution in the amount of \$4,301.00 pursuant to a payment
4 plan approved by the Board.

5 There shall be no deviation from this schedule absent prior written approval by the board or
6 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of
7 probation.

8 **10. Probation Monitoring Costs**

9 Respondent shall pay any costs associated with probation monitoring as determined by the
10 board each and every year of probation. Such costs shall be payable to the board on a schedule as
11 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall
12 be considered a violation of probation.

13 **11. Status of License**

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

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

21 **12. License Surrender While on Probation/Suspension**

22 Following the effective date of this decision, should respondent cease practice due to
23 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,
24 respondent may tender his license to the board for surrender. The board or its designee shall have
25 the discretion whether to grant the request for surrender or take any other action it deems
26 appropriate and reasonable. Upon formal acceptance of the surrender of the license, respondent
27 will no longer be subject to the terms and conditions of probation. This surrender constitutes a
28 record of discipline and shall become a part of the respondent's license history with the board.

1 Upon acceptance of the surrender, respondent shall relinquish his pocket and wall license to
2 the board within ten (10) days of notification by the board that the surrender is accepted.
3 Respondent may not reapply for any license from the board for three (3) years from the effective
4 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
5 of the date the application for that license is submitted to the board, including any outstanding
6 costs.

7 **13. Notification of a Change in Name, Residence Address, Mailing Address or**
8 **Employment**

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

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

16 **14. Tolling of Probation**

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

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

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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 practice" means any calendar month during which respondent is
5 not practicing as a pharmacist for at least 40 hours, as defined by Business and
6 Professions Code section 4000 et seq . "Resumption of practice" means any calendar
7 month during which respondent is practicing as a pharmacist for at least 40 hours as a
8 pharmacist as defined by Business and Professions Code section 4000 et seq.

9 **15. Violation of Probation**

10 If a respondent has not complied with any term or condition of probation, the board shall
11 have continuing jurisdiction over respondent, and probation shall automatically be extended, until
12 all terms and conditions have been satisfied or the board has taken other action as deemed
13 appropriate to treat the failure to comply as a violation of probation, to terminate probation, and
14 to impose the penalty that was stayed.

15 If respondent violates probation in any respect, the board, after giving respondent notice
16 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
17 was stayed. Notice and opportunity to be heard are not required for those provisions stating that a
18 violation thereof may lead to automatic termination of the stay and/or revocation of the license. If
19 a petition to revoke probation or an accusation is filed against respondent during probation, the
20 board shall have continuing jurisdiction and the period of probation shall be automatically
21 extended until the petition to revoke probation or accusation is heard and decided.

22 **16. Completion of Probation**

23 Upon written notice by the board or its designee indicating successful completion of
24 probation, respondent's license will be fully restored.

25 **17. Pharmacists Recovery Program (PRP)**

26 Within thirty (30) days of the effective date of this decision, respondent shall contact the
27 Pharmacists Recovery Program (PRP) for evaluation, and shall immediately thereafter enroll,
28 successfully participate in, and complete the treatment contract and any subsequent addendums as

1 recommended and provided by the PRP and as approved by the board or its designee. The costs
2 for PRP participation shall be borne by the respondent.

3 If respondent is currently enrolled in the PRP, said participation is now mandatory and as of
4 the effective date of this decision is no longer considered a self-referral under Business and
5 Professions Code section 4362(c)(2). Respondent shall successfully participate in and complete
6 his current contract and any subsequent addendums with the PRP.

7 Failure to timely contact or enroll in the PRP, or successfully participate in and complete
8 the treatment contract and/or any addendums, shall be considered a violation of probation.

9 Probation shall be automatically extended until respondent successfully completes the PRP.

10 Any person terminated from the PRP program shall be automatically suspended by the board.

11 Respondent may not resume the practice of pharmacy until notified by the board in writing.

12 Any confirmed positive test for alcohol or for any drug not lawfully prescribed by a
13 licensed practitioner as part of a documented medical treatment shall result in the automatic
14 suspension of practice by respondent and shall be considered a violation of probation.

15 Respondent may not resume the practice of pharmacy until notified by the board in writing.

16 During suspension, respondent shall not enter any pharmacy area or any portion of the
17 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of
18 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices
19 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act
20 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient
21 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the
22 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs
23 and controlled substances. Respondent shall not resume practice until notified by the board.

24 During suspension, respondent shall not engage in any activity that requires the
25 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the
26 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a
27 designated representative for any entity licensed by the board.

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1 Subject to the above restrictions, respondent may continue to own or hold an interest in any
2 licensed premises in which he holds an interest at the time this decision becomes effective unless
3 otherwise specified in this order.

4 Failure to comply with this suspension shall be considered a violation of probation.

5 Respondent shall pay administrative fees as invoiced by the PRP or its designee. Fees not
6 timely paid to the PRP shall constitute a violation for probation. The board will collect unpaid
7 administrative fees as part of the annual probation monitoring costs if not submitted to the PRP.

8 **18. Random Drug Screening**

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

25 During suspension, respondent shall not enter any pharmacy area or any portion of the
26 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of
27 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices
28 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act

1 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient
2 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the
3 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs
4 and controlled substances. Respondent shall not resume practice until notified by the board.

5 During suspension, Respondent shall not engage in any activity that requires the
6 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the
7 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a
8 designated representative for any entity licensed by the board.

9 Subject to the above restrictions, respondent may continue to own or hold an interest in any
10 licensed premises in which he holds an interest at the time this decision becomes effective unless
11 otherwise specified in this order.

12 Failure to comply with this suspension shall be considered a violation of probation.

13 **19. Abstain from Drugs and Alcohol Use**

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

25 **20. Prescription Coordination and Monitoring of Prescription Use**

26 Within thirty (30) days of the effective date of this decision, respondent shall submit to the
27 board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,
28 physician assistant, or psychiatrist of respondent's choice, who shall be aware of the respondent's

1 history with the use of controlled substances, and/or dangerous drugs, and who will coordinate
2 and monitor any prescriptions for respondent for dangerous drugs, controlled substances or mood-
3 altering drugs. The approved practitioner shall be provided with a copy of the board's Accusation
4 and decision. A record of this notification must be provided to the board upon request.

5 Respondent shall sign a release authorizing the practitioner to communicate with the board about
6 respondent's treatment(s). The coordinating physician, nurse practitioner, physician assistant, or
7 psychiatrist shall report to the board on a quarterly basis for the duration of probation regarding
8 respondent's compliance with this condition. If any substances considered addictive have been
9 prescribed, the report shall identify a program for the time limited use of any such substances.

10 The board may require that the single coordinating physician, nurse practitioner, physician
11 assistant or psychiatrist be a specialist in addictive medicine, or consult a specialist in addictive
12 medicine. Should respondent, for any reason, cease supervision by the approved practitioner,
13 respondent shall notify the board immediately and, within thirty (30) days of ceasing treatment,
14 submit the name of a replacement physician, nurse practitioner, physician assistant, or psychiatrist
15 of respondent's choice to the board or its designee for its prior approval. Failure to timely submit
16 the selected practitioner or replacement practitioner to the board for approval, or to ensure the
17 required reporting thereby on the quarterly reports, shall be considered a violation of probation.

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

23 During suspension, respondent shall not enter any pharmacy area or any portion of the
24 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of
25 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices
26 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act
27 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient
28 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the

1 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs
2 and controlled substances. Respondent shall not resume practice until notified by the board.

3 During suspension, respondent shall not engage in any activity that requires the
4 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the
5 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a
6 designated representative for any entity licensed by the board.

7 Subject to the above restrictions, respondent may continue to own or hold an interest in any
8 licensed premises in which he holds an interest at the time this decision becomes effective unless
9 otherwise specified in this order.

10 Failure to comply with this suspension shall be considered a violation of probation.

11 **21. Community Services Program**

12 Within sixty (60) days of the effective date of this decision, respondent shall submit to the
13 board or its designee, for prior approval, a community service program in which respondent shall
14 provide free health-care related services on a regular basis to a community or charitable facility or
15 agency for at least 100 hours to be completed by the end of the third year of probation. Within
16 thirty (30) days of board approval thereof, respondent shall submit documentation to the board
17 demonstrating commencement of the community service program. A record of this notification
18 must be provided to the board upon request. Respondent shall report on progress with the
19 community service program in the quarterly reports. Failure to timely submit, commence, or
20 comply with the program shall be considered a violation of probation.

21 **22. Supervised Practice**

22 During the period of probation, respondent shall practice only under the supervision of a
23 licensed pharmacist not on probation with the board. Upon and after the effective date of this
24 decision, respondent shall not practice pharmacy and his license shall be automatically suspended
25 until a supervisor is approved by the board or its designee. The supervision shall be, as required
26 by the board or its designee, either:

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1 Continuous – At least 75% of a work week

2 Substantial - At least 50% of a work week

3 Partial - At least 25% of a work week

4 Daily Review - Supervisor's review of probationer's daily activities within 24 hours

5 Within thirty (30) days of the effective date of this decision, respondent shall have his
6 supervisor submit notification to the board in writing stating that the supervisor has read the
7 decision in case number 3931 and is familiar with the required level of supervision as determined
8 by the board or its designee. It shall be the respondent's responsibility to ensure that his
9 employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledgement(s) to the
10 board. Failure to cause the direct supervisor and the pharmacist-in-charge to submit timely
11 acknowledgements to the board shall be considered a violation of probation.

12 If respondent changes employment, it shall be the respondent's responsibility to ensure that
13 his employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledgement(s) to
14 the board. Respondent shall have his new supervisor, within fifteen (15) days after employment
15 commences, submit notification to the board in writing stating the direct supervisor and
16 pharmacist-in-charge have read the decision in case number 3931 and is familiar with the level of
17 supervision as determined by the board. Respondent shall not practice pharmacy and his license
18 shall be automatically suspended until the board or its designee approves a new supervisor.
19 Failure to cause the direct supervisor and the pharmacist-in-charge to submit timely
20 acknowledgements to the board shall be considered a violation of probation.

21 Within ten (10) days of leaving employment, respondent shall notify the board in writing.

22 During suspension, respondent shall not enter any pharmacy area or any portion of the
23 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of
24 drugs which is licensed by the board, or any manufacturer, or where dangerous drugs and devices
25 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act
26 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient
27 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the
28 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs

1 and controlled substances. Respondent shall not resume practice until notified by the board.

2 During suspension, respondent shall not engage in any activity that requires the
3 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the
4 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a
5 designated representative for any entity licensed by the board.

6 Subject to the above restrictions, respondent may continue to own or hold an interest in any
7 licensed premises in which he holds an interest at the time this decision becomes effective unless
8 otherwise specified in this order.

9 Failure to comply with this suspension shall be considered a violation of probation.

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

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

18 **24. Ethics Course**

19 Within sixty (60) calendar days of the effective date of this decision, respondent shall enroll
20 in a course in ethics, at respondent's expense, approved in advance by the board or its designee.
21 Failure to initiate the course during the first year of probation, and complete it within the second
22 year of probation, is a violation of probation.

23 **25. Separate File of Records**

24 Respondent shall submit a certificate of completion to the board or its designee within five
25 days after completing the course. Respondent shall maintain and make available for inspection a
26 separate file of all records pertaining to the acquisition of all controlled substances. Failure to
27 maintain such file or make it available for inspection shall be considered a violation of probation.

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ACCEPTANCE

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


DATED: 9/22/2011 
BRUCE THOMAS GLASSCOCK
Respondent

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: September ³⁰ 13, 2011

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
ARTHUR D. TAGGART
Supervising Deputy Attorney General


PATRICK M. KENADY
Deputy Attorney General
Attorneys for Complainant

SA2010103345
Stipulation.rtf

Exhibit A

Accusation No. 3931

1 KAMALA D. HARRIS
Attorney General of California
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8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 3931

13 **BRUCE THOMAS GLASSOCK**
704 Strathmore Drive
14 Modesto, CA. 94565
Pharmacist License No. RPH 43601

A C C U S A T I O N

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

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

20 2. On or about July 31, 1990, the Board of Pharmacy issued Original Pharmacist
21 License Number RPH 43601 to Bruce Thomas Glassock (Respondent). The Pharmacist License
22 was in full force and effect at all times relevant to the charges brought herein and will expire on
23 April 30, 2012, unless renewed.

24 **JURISDICTION**

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

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1 4. Section 4300 of the Code states:

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

3 ...

4 5. Section 4301 of the Code states:

5 "The board shall take action against any holder of a license who is guilty of unprofessional
6 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

7 Unprofessional conduct shall include, but is not limited to, any of the following:

8 ...

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

12 ...

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

18 ...

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

21 ...

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

26 6. Section 125.3 of the Code states, in pertinent part, that the Board may request the
27 administrative law judge to direct a licentiate found to have committed a violation or violations of

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

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

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

10 8. Section 118, subdivision (b), of the Code provides that the suspension, expiration,
11 surrender, or cancellation of a license shall not deprive the Board/Registrar/Director of
12 jurisdiction to proceed with a disciplinary action during the period within which the license may
13 be renewed, restored, reissued or reinstated.

14 FIRST CAUSE FOR DISCIPLINE

15 (Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)

16 9. Respondent is subject to disciplinary action under section 4301 (f) in that Respondent
17 between approximately May, 2009 and March 2010, on multiple occasions, all the exact dates
18 which are unknown, stole an estimated 8000 tablets of Schedule II, III, and IV controlled
19 substances, both narcotic and non-narcotics, including, but not limited to, Norco, amphetamines,
20 Ritalin, morphine, oxycodone, and vyanese, while on duty as a registered pharmacist.

21 SECOND CAUSE FOR DISCIPLINE

22 (Controlled Substance Violation)

23 10. Respondent is subject to disciplinary action under section 4301(j) (o) in that
24 Respondent between approximately May 2009 and March 2010, the exact dates which are
25 unknown, possessed without a valid prescription controlled substances as specified in paragraph 9
26 above in violation of Business and Professions Code section 4060 and/or Health and Safety Code
27 section 11350(a) and/ or section 11377(a).

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1 THIRD CAUSE FOR DISCIPLINE

2 (Unlawful Self-Administration of a Controlled Substance)

3 11. Respondent is subject to disciplinary action under section 4301(h) in that Respondent,
4 by his own admission, between May 2009 and March 2010, the exact dates which are unknown,
5 self-administered various controlled substances of Schedule II, schedule III, schedule IV
6 medications including both narcotics and non-narcotic medications and stimulants as specified in
7 paragraph 9, both while not at work and while at work as a pharmacist providing prescriptions
8 and patient care.

9 FOURTH CAUSE FOR DISCIPLINE

10 (Working Under the Influence)

11 12. Respondent is subject to disciplinary action under section 4301 (o) in that
12 Respondent, by his own admission, between May 2009 and March 2010, the exact dates which
13 are unknown, self-administered various schedule II, III, and IV controlled substances, both
14 narcotic and non-narcotic medications and stimulants as specified in paragraph 9 and was under
15 the influence of these controlled substances when he was engaged in the preparation,
16 compounding, dispensing, and sale of prescriptions and providing patient care as a licensed
17 pharmacist in violation of Business and Professions Code section 4022 and section 4327.

18 PRAYER

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

21 1. Revoking or suspending Pharmacist License Number RPH 43601, issued to Bruce
22 Thomas Glassock

23 2. Ordering BRUCE THOMAS GLASSOCK to pay the Board of Pharmacy the
24 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
25 Professions Code section 125.3;

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

DATED: 5/27/11

Virginia Herold

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

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