

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

In the Matter of the Accusation Against:

Case No. 3989

SHAWN WEDWORTH  
3234 Collingswood Drive  
El Dorado Hills, CA 95762

Pharmacist License No. RPH 47280

Respondent.

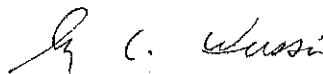
**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary and 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 September 14, 2012.

It is so ORDERED on August 15, 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 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 LESLIE A. BURGERMYER  
Deputy Attorney General  
4 State Bar No. 117576  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5337  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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. 3989

13 **SHAWN MARTIN WEDWORTH**  
3234 Collingswood Drive  
El Dorado Hills, CA 95762

OAH Case No. 2011080524

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

14 Pharmacist License Number RPH 47280

15 Respondent.

16  
17 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Virginia Herold ("Complainant") is the Executive Officer of the Board of Pharmacy  
21 ("Board"), Department of Consumer Affairs. She brought this action solely in her official  
22 capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of  
23 California, by Leslie A. Burgermyer, Deputy Attorney General.

24 2. Respondent Shawn Martin Wedworth ("Respondent") is represented in this  
25 proceeding by attorney Timothy J. Aspinwall, Esq., Nossaman LLP, 915 L Street, Suite 1000,  
26 Sacramento, CA, 95814.  
27  
28

1 3. On or about August 4, 1994, the Board issued Pharmacist License No. RPH 47280 to  
2 Respondent. The Pharmacist License was in full force and effect at all times relevant to the  
3 charges brought in Accusation No. 3989 and will expire on November 30, 2013, unless renewed.

4 **JURISDICTION**

5 4. Accusation No. 3989 was filed before the Board and is currently pending against  
6 Respondent. The Accusation and all other statutorily required documents were properly served  
7 on Respondent on April 11, 2011. Respondent timely filed his Notice of Defense contesting the  
8 Accusation. A true and correct copy of Accusation No. 3989 is attached hereto, marked Exhibit  
9 A, and incorporated herein by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, and understands the charges and allegations in  
12 Accusation No. 3989. 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. 3989.

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.  
28

RESERVATION

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

CONTINGENCY

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

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

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

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

1 **DISCIPLINARY ORDER**

2 **IT IS HEREBY ORDERED** that Pharmacist License No. RPH 47280 issued to  
3 Respondent Shawn Martin Wedworth ("Respondent") is revoked. However, the revocation is  
4 stayed and Respondent is placed on probation for five (5) years on the following terms and  
5 conditions.

6 **1. Suspension**

7 As part of probation, Respondent is suspended from the practice of pharmacy for seven (7)  
8 days beginning the effective date of this decision.

9 During suspension, Respondent shall not enter any pharmacy area or any portion of the  
10 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of  
11 drugs which is licensed by the Board, or any manufacturer, or where dangerous drugs and devices  
12 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act  
13 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient  
14 consultation; nor shall Respondent manage, administer, or be a consultant to any licensee of the  
15 Board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs  
16 and devices or controlled substances.

17 Respondent shall not engage in any activity that requires the professional judgment of a  
18 pharmacist. Respondent shall not direct or control any aspect of the practice of pharmacy.  
19 Respondent shall not perform the duties of a pharmacy technician or a designated representative  
20 for any entity licensed by the Board.

21 Subject to the above restrictions, Respondent may continue to own or hold an interest in  
22 any licensed premises in which he holds an interest at the time this decision becomes effective  
23 unless otherwise specified in this order.

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

25 **2. Obey All Laws**

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

27 Respondent shall report any of the following occurrences to the Board, in writing, within  
28 seventy-two (72) hours of such occurrence:

1 a. An arrest or issuance of a criminal complaint for violation of any provision of  
2 the Pharmacy Law, state and federal food and drug laws, or state and federal controlled  
3 substances laws;

4 b. A plea of guilty or nolo contendere in any state or federal criminal proceeding to  
5 any criminal complaint, information or indictment;

6 c. A conviction of any crime; and/or

7 d. Discipline, citation, or other administrative action filed by any state or federal  
8 agency which involves Respondent's Pharmacist License or which is related to the practice of  
9 pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any  
10 drug, device or controlled substance.

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

12 **3. Report to the Board**

13 Respondent shall report to the Board quarterly, on a schedule as directed by the Board or its  
14 designee. The report shall be made either in person or in writing, as directed. Among other  
15 requirements, Respondent shall state in each report under penalty of perjury whether there has  
16 been compliance with all the terms and conditions of probation. Failure to submit timely reports  
17 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency  
18 in submission of reports as directed may be added to the total period of probation. Moreover, if  
19 the final probation report is not made as directed, probation shall be automatically extended until  
20 such time as the final report is made and accepted by the Board.

21 **4. Interview with the Board**

22 Upon receipt of reasonable prior notice, Respondent shall appear in person for interviews  
23 with the Board or its designee, at such intervals and locations as are determined by the Board or  
24 its designee. Failure to appear for any scheduled interview without prior notification to Board  
25 staff, or failure to appear for two (2) or more scheduled interviews with the Board or its designee  
26 during the period of probation, shall be considered a violation of probation.

27 ///

28 ///

1           **5. Cooperate with Board Staff**

2           Respondent shall cooperate with the Board's inspection program and with the Board's  
3 monitoring and investigation of Respondent's compliance with the terms and conditions of his  
4 probation. Failure to cooperate shall be considered a violation of probation.

5           **6. Continuing Education**

6           Respondent shall provide evidence of efforts to maintain skill and knowledge as a  
7 pharmacist as directed by the Board or its designee.

8           **7. Notice to Employers**

9           During the period of probation, Respondent shall notify all present and prospective  
10 employers of the decision in Accusation No. 3989 and the terms, conditions and restrictions  
11 imposed on respondent by the decision, as follows:

12           Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
13 Respondent undertaking any new employment, Respondent shall cause his direct supervisor,  
14 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
15 tenure of employment) and owner to report to the Board in writing acknowledging that the listed  
16 individual(s) has/have read the decision in Accusation No. 3989, and terms and conditions  
17 imposed thereby. It shall be Respondent's responsibility to ensure that his employer(s) and/or  
18 supervisor(s) submit timely acknowledgment(s) to the Board.

19           If Respondent works for or is employed by or through a pharmacy employment service,  
20 Respondent must notify his direct supervisor, pharmacist-in-charge, and owner at every entity  
21 licensed by the Board of the terms and conditions of the decision in Accusation No. 3989 in  
22 advance of the Respondent commencing work at each licensed entity. A record of this  
23 notification must be provided to the Board upon request.

24           Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
25 (15) days of Respondent undertaking any new employment by or through a pharmacy  
26 employment service, Respondent shall cause his direct supervisor with the pharmacy employment  
27 service to report to the Board in writing acknowledging that he has read the decision in  
28 Accusation No. 3989 and the terms and conditions imposed thereby. It shall be Respondent's

1 responsibility to ensure that his employer(s) and/or supervisor(s) submit timely  
2 acknowledgment(s) to the Board.

3 Failure to timely notify present or prospective employer(s) or to cause that/those  
4 employer(s) to submit timely acknowledgments to the Board shall be considered a violation of  
5 probation.

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

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

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

15 **9. Reimbursement of Board Costs**

16 As a condition precedent to successful completion of probation, Respondent shall pay to the  
17 board its costs of investigation and prosecution in the amount of \$6,579.00. Respondent shall  
18 make said payments in installments as determined by the Board.

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

22 The filing of bankruptcy by Respondent shall not relieve Respondent of his responsibility to  
23 reimburse the Board its costs of investigation and prosecution.

24 **10. Probation Monitoring Costs**

25 Respondent shall pay any costs associated with probation monitoring as determined by the  
26 Board each and every year of probation. Such costs shall be payable to the Board on a schedule  
27 as directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed  
28 shall be considered a violation of probation.



1           **11. Status of License**

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

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

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

10          Following the effective date of this decision, should Respondent cease practice due to  
11 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
12 Respondent may tender his license to the board for surrender. The Board or its designee shall  
13 have the discretion whether to grant the request for surrender or take any other action it deems  
14 appropriate and reasonable. Upon formal acceptance of the surrender of the license, Respondent  
15 will no longer be subject to the terms and conditions of probation. This surrender constitutes a  
16 record of discipline and shall become a part of Respondent's license history with the Board.

17          Upon acceptance of the surrender, Respondent shall relinquish his pocket and wall license  
18 to the Board within ten (10) days of notification by the Board that the surrender is accepted.  
19 Respondent may not re-apply for any license from the Board for three (3) years from the effective  
20 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
21 of the date the application for that license is submitted to the Board, including any outstanding  
22 costs.

23           **13. Notification of a Change in Name, Residence Address, Mailing Address or**  
24           **Employment**

25          Respondent shall notify the Board in writing within ten (10) days of any change of  
26 employment. Said notification shall include the reasons for leaving, the address of the new  
27 employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
28

1 shall further notify the board in writing within ten (10) days of a change in name, residence  
2 address, mailing address, or phone number.

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

5 **14. Tolling of Probation**

6 Except during periods of suspension, Respondent shall, at all times while on probation, be  
7 employed as a pharmacist in California for a minimum of forty (40) hours per calendar month.  
8 Any month during which this minimum is not met shall toll the period of probation, i.e., the  
9 period of probation shall be extended by one month for each month during which this minimum is  
10 not met. During any such period of tolling of probation, Respondent must nonetheless comply  
11 with all terms and conditions of probation.

12 Should Respondent, regardless of residency, for any reason (including vacation) cease  
13 practicing as a pharmacist for a minimum of forty (40) hours per calendar month in California,  
14 Respondent must notify the Board in writing within ten (10) days of the cessation of practice, and  
15 must further notify the Board in writing within ten (10) days of the resumption of practice. Any  
16 failure to provide such notification(s) shall be considered a violation of probation.

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

20 "Cessation of practice" means any calendar month during which Respondent is  
21 not practicing as a pharmacist for at least forty (40) hours, as defined by Business and  
22 Professions Code section 4000 et seq. "Resumption of practice" means any calendar  
23 month during which Respondent is practicing as a pharmacist for at least forty (40)  
24 hours as a pharmacist as defined by Business and Professions Code section 4000 et  
25 seq.

24 **15. Violation of Probation**

25 If a Respondent has not complied with any term or condition of probation, the Board shall  
26 have continuing jurisdiction over Respondent, and probation shall automatically be extended,  
27 until all terms and conditions have been satisfied or the Board has taken other action as deemed  
28

1 appropriate to treat the failure to comply as a violation of probation, to terminate probation, and  
2 to impose the penalty that was stayed.

3 If Respondent violates probation in any respect, the Board, after giving Respondent notice  
4 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
5 was stayed. Notice and opportunity to be heard are not required for those provisions stating that a  
6 violation thereof may lead to automatic termination of the stay and/or revocation of the license. If  
7 a petition to revoke probation or an accusation is filed against Respondent during probation, the  
8 Board shall have continuing jurisdiction and the period of probation shall be automatically  
9 extended until the petition to revoke probation or accusation is heard and decided.

#### 10 **16. Completion of Probation**

11 Upon written notice by the Board or its designee indicating successful completion of  
12 probation, Respondent's license will be fully restored.

#### 13 **17. Pharmacists Recovery Program**

14 Within thirty (30) days of the effective date of this decision, Respondent shall contact the  
15 Pharmacists Recovery Program ("PRP") for evaluation, and shall immediately thereafter enroll,  
16 successfully participate in, and complete the treatment contract and any subsequent addendums as  
17 recommended and provided by the PRP and as approved by the Board or its designee. The costs  
18 for PRP participation shall be borne by the Respondent.

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

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

25 Probation shall be automatically extended until Respondent successfully completes the  
26 PRP. Any person terminated from the PRP program shall be automatically suspended by the  
27 Board. Respondent may not resume the practice of pharmacy until notified by the board in  
28 writing.

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

4 Respondent may not resume the practice of pharmacy until notified by the Board in writing.

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

13 During suspension, Respondent shall not engage in any activity that requires the  
14 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the  
15 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a  
16 designated representative for any entity licensed by the Board.

17 Subject to the above restrictions, Respondent may continue to own or hold an interest in  
18 any licensed premises in which he holds an interest at the time this decision becomes effective  
19 unless otherwise specified in this order.

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

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

24 **18. Random Drug Screening**

25 Respondent, at his own expense, shall participate in random testing, including but not  
26 limited to biological fluid testing (urine or blood), breathalyzer, hair follicle testing, or other drug  
27 screening program as directed by the board or its designee. Respondent may be required to  
28 participate in testing for the entire probation period and the frequency of testing will be

1 determined by the Board or its designee. At all times, Respondent shall fully cooperate with the  
2 Board or its designee, and shall, when directed, submit to such tests and samples for the detection  
3 of alcohol, narcotics, hypnotics, dangerous drugs or other controlled substances as the Board or  
4 its designee may direct. Failure to timely submit to testing as directed shall be considered a  
5 violation of probation. Upon request of the Board or its designee, Respondent shall provide  
6 documentation from a licensed practitioner that the prescription for a detected drug was  
7 legitimately issued and is a necessary part of the treatment of the Respondent. Failure to timely  
8 provide such documentation shall be considered a violation of probation. Any confirmed positive  
9 test for alcohol or for any drug not lawfully prescribed by a licensed practitioner as part of a  
10 documented medical treatment shall be considered a violation of probation and shall result in the  
11 automatic suspension of practice of pharmacy by Respondent. Respondent may not resume the  
12 practice of pharmacy until notified by the Board in writing.

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

21 During suspension Respondent shall not engage in any activity that requires the  
22 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the  
23 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a  
24 designated representative for any entity licensed by the Board.

25 Subject to the above restrictions, Respondent may continue to own or hold an interest in  
26 any licensed premises in which he holds an interest at the time this decision becomes effective  
27 unless otherwise specified in this order.

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

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

2           Respondent shall completely abstain from the possession or use of alcohol, controlled  
3 substances, dangerous drugs and their associated paraphernalia except when the drugs are  
4 lawfully prescribed by a licensed practitioner as part of a documented medical treatment. Upon  
5 request of the Board or its designee, Respondent shall provide documentation from the licensed  
6 practitioner that the prescription for the drug was legitimately issued and is a necessary part of the  
7 treatment of the Respondent. Failure to timely provide such documentation shall be considered a  
8 violation of probation. Respondent shall ensure that he is not in the same physical location as  
9 individuals who are using illicit substances even if Respondent is not personally ingesting the  
10 drugs. Any possession or use of alcohol, controlled substances, or their associated paraphernalia  
11 not supported by the documentation timely provided, and/or any physical proximity to persons  
12 using illicit substances, shall be considered a violation of probation.

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

14           Within thirty (30) days of the effective date of this decision, Respondent shall submit to the  
15 board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,  
16 physician assistant, or psychiatrist of respondent's choice, who shall be aware of the Respondent's  
17 history with the use of alcohol, controlled substances, and/or dangerous drugs and who will  
18 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled  
19 substances or mood-altering drugs. The approved practitioner shall be provided with a copy of  
20 the Board's Accusation and decision. A record of this notification must be provided to the Board  
21 upon request. Respondent shall sign a release authorizing the practitioner to communicate with  
22 the Board about respondent's treatment(s). The coordinating physician, nurse practitioner,  
23 physician assistant, or psychiatrist shall report to the Board on a quarterly basis for the duration of  
24 probation regarding Respondent's compliance with this condition. If any substances considered  
25 addictive have been prescribed, the report shall identify a program for the time limited use of any  
26 such substances. The Board may require that the single coordinating physician, nurse  
27 practitioner, physician assistant or psychiatrist be a specialist in addictive medicine, or consult a  
28 specialist in addictive medicine. Should Respondent, for any reason, cease supervision by the

1 approved practitioner, Respondent shall notify the Board immediately and, within thirty (30) days  
2 of ceasing treatment, submit the name of a replacement physician, nurse practitioner, physician  
3 assistant, or psychiatrist of respondent's choice to the Board or its designee for its prior approval.  
4 Failure to timely submit the selected practitioner or replacement practitioner to the Board for  
5 approval, or to ensure the required reporting thereby on the quarterly reports, shall be considered  
6 a violation of probation.

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

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

20 During suspension, Respondent shall not engage in any activity that requires the  
21 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the  
22 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a  
23 designated representative for any entity licensed by the Board.

24 Subject to the above restrictions, Respondent may continue to own or hold an interest in  
25 any licensed premises in which he holds an interest at the time this decision becomes effective  
26 unless otherwise specified in this order.

27 Failure to comply with this suspension shall be considered a violation of probation.  
28

1           **21. Community Services Program**

2           Within sixty (60) days of the effective date of this decision, Respondent shall submit to the  
3 board or its designee, for prior approval, a community service program in which Respondent shall  
4 provide free health-care related services on a regular basis to a community or charitable facility or  
5 agency for at least 300 hours completed during probation. Within thirty (30) days of Board  
6 approval thereof, Respondent shall submit documentation to the Board demonstrating  
7 commencement of the community service program. A record of this notification must be  
8 provided to the Board upon request. Respondent shall report on progress with the community  
9 service program in the quarterly reports. Failure to timely submit, commence, or comply with the  
10 program shall be considered a violation of probation.

11           **22. Remedial Education**

12           Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the  
13 Board or its designee, for prior approval, an appropriate program of remedial education related to  
14 the grounds for discipline alleged in the Accusation. The program of remedial education shall  
15 consist of at least ten (10) hours, which shall be completed within the first two (2) years of  
16 probation and at Respondent's own expense. All remedial education shall be in addition to, and  
17 shall not be credited toward, continuing education ("CE") courses used for license renewal  
18 purposes.

19           Failure to timely submit or complete the approved remedial education shall be considered a  
20 violation of probation. The period of probation will be automatically extended until such  
21 remedial education is successfully completed and written proof, in a form acceptable to the  
22 Board, is provided to the Board or its designee.

23           Following the completion of each course, the Board or its designee may require the  
24 Respondent, at his own expense, to take an approved examination to test the Respondent's  
25 knowledge of the course. If the Respondent does not achieve a passing score on the examination,  
26 this failure shall be considered a violation of probation. Any such examination failure shall  
27 require Respondent to take another course approved by the Board in the same subject area.

28           ///



1           **23. Supervised Practice**

2           During the period of probation, Respondent shall practice only under the supervision of a  
3 licensed pharmacist not on probation with the Board. Upon and after the effective date of this  
4 decision, Respondent shall not practice pharmacy and his license shall be automatically  
5 suspended until a supervisor is approved by the Board or its designee. The supervision shall be,  
6 as required by the Board or its designee, either:

- 7           a.     Continuous – At least 75% of a work week;  
8           b.     Substantial - At least 50% of a work week;  
9           c.     Partial - At least 25% of a work week; or  
10          d.     Daily Review - Supervisor's review of probationer's daily activities within  
11 twenty-four (24) hours.

12          Within thirty (30) days of the effective date of this decision, Respondent shall have his  
13 supervisor submit notification to the Board in writing stating that the supervisor has read the  
14 decision in Accusation No. 3989 and is familiar with the required level of supervision as  
15 determined by the Board or its designee. It shall be the Respondent's responsibility to ensure that  
16 his employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledgement(s) to  
17 the Board. Failure to cause the direct supervisor and the pharmacist-in-charge to submit timely  
18 acknowledgements to the Board shall be considered a violation of probation.

19          If Respondent changes employment, it shall be the Respondent's responsibility to ensure  
20 that his employer(s), pharmacist-in-charge and/or supervisor(s) submit timely acknowledge-  
21 ment(s) to the Board. Respondent shall have his new supervisor, within fifteen (15) days after  
22 employment commences, submit notification to the Board in writing stating the direct supervisor  
23 and pharmacist-in-charge have read the decision in Accusation No. 3989 and is familiar with the  
24 level of supervision as determined by the Board. Respondent shall not practice pharmacy and his  
25 license shall be automatically suspended until the Board or its designee approves a new super-  
26 visor. Failure to cause the direct supervisor and the PIC to submit timely acknowledgements to  
27 the Board shall be considered a violation of probation.

28          Within ten (10) days of leaving employment, Respondent shall notify the Board in writing.

1 During suspension, Respondent shall not enter any pharmacy area or any portion of the  
2 licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of  
3 drugs which is licensed by the Board, or any manufacturer, or where dangerous drugs and devices  
4 or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act  
5 involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient  
6 consultation; nor shall Respondent manage, administer, or be a consultant to any licensee of the  
7 board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs  
8 and controlled substances. Respondent shall not resume practice until notified by the board.

9 During suspension, Respondent shall not engage in any activity that requires the  
10 professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the  
11 practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or a  
12 designated representative for any entity licensed by the Board.

13 Subject to the above restrictions, Respondent may continue to own or hold an interest in  
14 any licensed premises in which he holds an interest at the time this decision becomes effective  
15 unless otherwise specified in this order.

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

17 **24. No Ownership of Licensed Premises**

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

25 **25. Separate File of Records**

26 Respondent shall maintain and make available for inspection a separate file of all records  
27 pertaining to the acquisition or disposition of all controlled substances. Failure to maintain such  
28 file or make it available for inspection shall be considered a violation of probation.

1           **26. Tolling of Suspension**

2           During the period of suspension, Respondent shall not leave California for any period  
3           exceeding ten (10) days, regardless of purpose (including vacation). Any such absence in excess  
4           of the (10) days during suspension shall be considered a violation of probation. Moreover, any  
5           absence from California during the period of suspension exceeding ten (10) days shall toll the  
6           suspension, i.e., the suspension shall be extended by one day for each day over ten (10) days  
7           respondent is absent from California. During any such period of tolling of suspension,  
8           Respondent must nonetheless comply with all terms and conditions of probation.

9           Respondent must notify the Board in writing within ten (10) days of departure, and must  
10          further notify the Board in writing within ten (10) days of return. The failure to provide such  
11          notification(s) shall constitute a violation of probation. Upon such departure and return,  
12          respondent shall not resume the practice of pharmacy until notified by the Board that the period  
13          of suspension has been satisfactorily completed.

14           **27. Ethics Course**

15          Within sixty (60) calendar days of the effective date of this decision, Respondent shall  
16          enroll in a course in ethics, at Respondent's expense, approved in advance by the Board or its  
17          designee. Failure to initiate the course during the first year of probation, and complete it within  
18          the second year of probation, is a violation of probation.

19          Respondent shall submit a certificate of completion to the Board or its designee within five  
20          (5) days after completing the course.

21           **28. Criminal Probation / Parole Reports**

22          Respondent shall provide a copy of the conditions of any criminal probation or parole to the  
23          Board, in writing, within ten (10) days of the issuance or modification of those conditions.  
24          Respondent shall provide the name of his probation or parole officer to the Board, in writing,  
25          within ten (10) days after that officer is designated or a replacement for that officer is designated.  
26          Respondent shall provide a copy of all criminal probation or parole reports to the Board within  
27          ten (10) days after Respondent receives a copy of such a report. Failure to timely make any of the  
28          submissions required hereby shall be considered a violation of probation.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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: March 6, 2012 Shawn Martin Wedworth  
 SHAWN MARTIN WEDWORTH  
 Respondent

I have read and fully discussed with Respondent Shawn Martin Wedworth the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 3/6/12 [Signature]  
 TIMOTHY J. ASPINWALL, ESQ.  
 Attorney for 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: 3/8/2012 Respectfully submitted,  
 KAMALA D. HARRIS  
 Attorney General of California  
 ARTHUR D. TAGGART  
 Supervising Deputy Attorney General  
[Signature]  
 LESLIE A. BURGERMYER  
 Deputy Attorney General  
 Attorneys for Complainant

**Exhibit A**

**Accusation No. 3989**

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 LESLIE A. BURGERMYER  
Deputy Attorney General  
4 State Bar No. 117576  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5337  
Facsimile: (916) 327-8643  
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:

Case No. 3989

12 **SHAWN MARTIN WEDWORTH**  
13 3234 COLLINGSWOOD DRIVE  
EL DORADO HILLS, CA 95762

**A C C U S A T I O N**

14 PHARMACIST LICENSE NUMBER RPH 47380

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

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

22 2. On or about August 4, 1994, the Board issued Pharmacist License Number RPH  
23 47280 to Shawn Martin Wedworth ("Respondent"). The Pharmacist License was in full force and  
24 effect at all times relevant to the charges brought herein and will expire on November 30, 2011,  
25 unless renewed.

26 ///  
27 ///  
28 ///

## JURISDICTION

1  
2 3. This Accusation is brought before the Board under the authority of the following  
3 laws. All section references are to the Business and Professions Code ("Code") unless otherwise  
4 indicated.

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

9 5. Section 4300 of the Code provides, among other things, that every license issued may  
10 be suspended or revoked.

## STATUTORY PROVISIONS

11  
12 6. Section 4301 of the Code states, in relevant part:

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

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

20 (h) The administering to oneself, of any controlled substance, or the use of  
21 any dangerous drug or of alcoholic beverages to the extent or in a manner as to be  
22 dangerous or injurious to oneself, to a person holding a license under this chapter,  
23 or to any other person or to the public, or to the extent that the use impairs the  
24 ability of the person to conduct with safety to the public the practice authorized by  
25 the license.

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

28 (l) The conviction of a crime substantially related to the qualifications,  
functions, and duties of a licensee under this chapter. The record of conviction of  
a violation of Chapter 13 (commencing with Section 801) of Title 21 of the United  
States Code regulating controlled substances or of a violation of the statutes of this  
state regulating controlled substances or dangerous drugs shall be conclusive  
evidence of unprofessional conduct. In all other cases, the record of conviction  
shall be conclusive evidence only of the fact that the conviction occurred. The  
board may inquire into the circumstances surrounding the commission of the  
crime, in order to fix the degree of discipline or, in the case of a conviction not  
involving controlled substances or dangerous drugs, to determine if the conviction  
is of an offense substantially related to the qualifications, functions, and duties of a  
licensee under this chapter. A plea or verdict of guilty or a conviction following a

1 plea of nolo contendere is deemed to be a conviction within the meaning of this  
2 provision. The board may take action when the time for appeal has elapsed, or the  
3 judgment of conviction has been affirmed on appeal or when an order granting  
4 probation is made suspending the imposition of sentence, irrespective of a  
5 subsequent order under Section 1203.4 of the Penal Code allowing the person to  
6 withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside  
7 the verdict of guilty, or dismissing the accusation, information, or indictment.

8 (o) Violating or attempting to violate, directly or indirectly, or assisting in or  
9 abetting the violation of or conspiring to violate any provision or term of this  
10 chapter or of the applicable federal and state laws and regulations governing  
11 pharmacy, including regulations established by the board or by any other state or  
12 federal regulatory agency.

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

14 7. Section 4022 of the Code states:

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

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

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

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

25 8. Section 4060 of the Code states, in pertinent part:

26 No person shall possess any controlled substance, except that furnished to a  
27 person upon the prescription of a physician, dentist, podiatrist, optometrist,  
28 veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished  
pursuant to a drug order issued by a certified nurse-midwife pursuant to Section  
2746.51, a nurse practitioner pursuant to Section 2836.1, a physician assistant  
pursuant to Section 3502.1, a naturopathic doctor pursuant to Section 3640.5, or a  
pharmacist pursuant to either Section 4052.1 or 44052.2. . . .

9. Section 4327 of the Code states:

Any person who, while on duty, sells, dispenses or compounds any drug  
while under the influence of any dangerous drug or alcoholic beverages shall be  
guilty of a misdemeanor.

10. Health and Safety Code section 11170 states that no person shall prescribe,  
administer, or furnish a controlled substance for himself.

11. Health and Safety Code section 11173(a) provides that no person shall obtain  
or attempt to obtain controlled substances, or procure or attempt to procure the



1 administration of, or prescription for, controlled substances, (1) by fraud, deceit,  
2 misrepresentation, or subterfuge, or (2) by the concealment of a material fact.

3 **DRUGS**

4 12. **Hydrocodone** is a Schedule III controlled substance as designated by Health and  
5 Safety Code section 11056(e)(4) and a dangerous drug within the meaning of Code section 4022.

6 13. **Levothyroxine** is a dangerous drug within the meaning of Code  
7 section 4022.

8 14. **Methadone** is a Schedule II controlled substance as designated by Health and Safety  
9 Code section 11055(c)(14) and a dangerous drug within the meaning of Code section 4022.

10 15. **Metoprolol** is a dangerous drug within the meaning of Code section 4022.

11 16. **Vicodin** is a compound consisting of Hydrocodone and Acetaminophen and is a  
12 Schedule III controlled substance as designated by Health and Safety code section 11056(e)(4)  
13 and is a dangerous drug within the meaning of Code section 4022.

14 **COST RECOVERY**

15 17. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
16 administrative law judge to direct a licentiate found to have committed a violation or violations of  
17 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
18 enforcement of the case.

19 **FIRST CAUSE FOR DISCIPLINE**

20 (Conviction of Crime)

21 18. Respondent is subject to disciplinary action under Code section 4301(1) on the  
22 grounds of unprofessional conduct in that on or about August 19, 2010, Respondent was  
23 convicted on his plea of nolo contendere in the case titled *People v. Shawn Wedworth*,  
24 Sacramento County Superior Court Case No. 10F04034 of violating Penal Code section 508  
25 [while employed, fraudulently appropriated for his own use and secreted with a fraudulent intent  
26 to appropriate to his own use, property of his employer], a misdemeanor. Said conviction is  
27 substantially related to the qualifications, functions, and duties of a licensed pharmacist.  
28 Respondent was sentenced to, among other things, 90 days in jail, three years probation, payment

1 of fees and fines, and restitution in the amount of \$5,693.62 to Walgreens. The circumstances are  
2 as follows:

3 19. In and between April 2009 and May 2010, while employed as a Pharmacist by  
4 Walgreens and working the graveyard shift, Respondent by his own admission, stole  
5 approximately 12,000 tablets of Hydrocodone or Vicodin, 516 tablets of Methadone, 50 tablets of  
6 Metoprolol, and 50 tablets of Levothyroxine. During that period of time, Respondent possessed  
7 the aforementioned controlled substances and dangerous drugs without valid prescriptions. On  
8 numerous and regular dates, in and between April 2009 and May 2010, the exact dates are  
9 unknown, Respondent self-administered Hydrocodone or Vicodin, Methadone, Metoprolol, and  
10 Levothyroxine while he was on duty and sold, dispensed, or compounded drugs while under the  
11 influence of dangerous drugs. On at least one occasion, Respondent was video-taped by his  
12 employer, Walgreens, pouring unknown pills in his hands and consuming them.

13 **SECOND CAUSE FOR DISCIPLINE**

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

15 20. Respondent is subject to disciplinary action under Code section 4301(f) on the  
16 grounds of unprofessional conduct in that Respondent committed acts involving moral turpitude,  
17 dishonesty, fraud, deceit, or corruption in that, in and between April 2009 and May 2010, while  
18 employed as a Pharmacist by Walgreens, Respondent by his own admission, stole approximately  
19 12,000 tablets of Hydrocodone or Vicodin, 516 tablets of Methadone, 50 tablets of Metoprolol,  
20 and 50 tablets of Levothyroxine.

21 **THIRD CAUSE FOR DISCIPLINE**

22 (Self-Administered Controlled Substances)

23 21. Respondent is subject to disciplinary action under Code section 4301(h) on the  
24 grounds of unprofessional conduct in that Respondent self-administered and used the dangerous  
25 drugs and controlled substances Hydrocodone, Vicodin, and Methadone and the dangerous drugs  
26 Metoprolol and Levothyroxine to the extent or in a manner dangerous or injurious to himself or to  
27 the public or used those controlled substances and dangerous drugs to the extent they impaired his  
28 ability to conduct with safety to the public the practice of pharmacy, in that in and between

1 April 2009 and May 2010, Respondent self-administered controlled substances and dangerous  
2 drugs while he was on duty and sold, dispensed, or compounded drugs while under the influence  
3 of dangerous drugs.

4 **FOURTH CAUSE FOR DISCIPLINE**

5 (Violation of Statutes Regulating Controlled Substances and Dangerous Drugs)

6 22. Respondent is subject to disciplinary action under Code section 4301(j) on the  
7 grounds of unprofessional conduct in that Respondent violated statutes regulating controlled  
8 substances and dangerous drugs in that, in and between April 2009 and May 2010:

9 a. Respondent unlawfully possessed 12,000 tablets of Hydrocodone or Vicodin,  
10 516 tablets of Methadone, 50 tablets of Metoprolol, and 50 tablets of Levothyroxine without valid  
11 written prescriptions in violation of Code section 4060; and/or

12 b. Respondent prescribed, administered, or furnished the controlled substances  
13 Hydrocodone or Vicodin and Methadone to himself in violation of Health and Safety Code  
14 section 11170; and/or

15 c. Respondent obtained or attempted to obtain controlled substances, or procured  
16 or attempted to procure the administration of or prescription for the controlled substances  
17 Hydrocodone or Vicodin and Methadone by fraud, deceit, misrepresentation, or subterfuge or by  
18 the concealment of a material fact in violation of Health and Safety Code section 11173.

19 **FIFTH CAUSE FOR DISCIPLINE**

20 (Violated or Attempted Violation, Assisted or Abetted or Conspired

21 to Violate Statutes Regulating Pharmacy)

22 23. Respondent is subject to disciplinary action under Code section 4301(o) on the  
23 grounds of unprofessional conduct in that Respondent violated or attempted to violate, directly or  
24 indirectly, or assisted in or abetted the violation of or conspired to violate the Pharmacy Act or  
25 federal and state laws and regulations governing pharmacy, including regulations established by  
26 the board or by any other state or federal regulatory agency, as set forth in paragraphs 18 through  
27 22, above, and incorporated herein by this reference.

28 ///

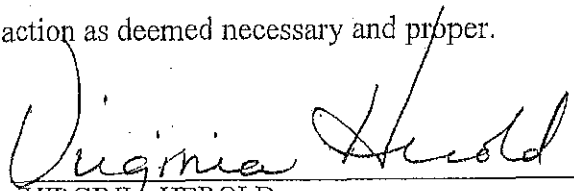
PRAYER

1  
2       WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Board of Pharmacy issue a decision:

- 4       1.    Revoking or suspending Pharmacist License Number RPH 47280, issued to Shawn  
5 Martin Wedworth;
- 6       2.    Ordering Shawn Martin Wedworth to pay the Board of Pharmacy the reasonable costs  
7 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
8 section 125.3; and/or
- 9       3.    Taking such other and further action as deemed necessary and proper.

10  
11 DATED: \_\_\_\_\_

4/5/11



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

12  
13  
14  
15 SA2011100358 / 10675769.doc