

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

In the Matter of the Accusation Against:

Case No. 4809

LOUIS CHUN-HONG WONG

14925 SE 60th Street
Bellvue, WA 98006

Pharmacist License No. RPH 41176

Respondent.

DECISION AND ORDER

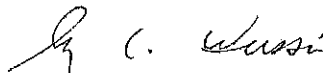
The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on April 16, 2014.

It is so ORDERED on April 11, 2014.

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 KENT D. HARRIS
Supervising Deputy Attorney General
3 STEPHANIE ALAMO-LATIF
Deputy Attorney General
4 State Bar No. 283580
1300 I Street, Suite 125
5 P.O. Box 944255
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6 Telephone: (916) 327-6819
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. 4809

12 **LOUIS CHUN-HONG WONG,**
14925 SE 60th Street
13 Bellvue, WA 98006

OAH No. 2013100205

14 **Pharmacist License No. RPH 41176**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

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 She brought this action solely in her official capacity and is represented in this matter by Kamala
22 D. Harris, Attorney General of the State of California, by Stephanie Alamo-Latif, Deputy
23 Attorney General.

24 2. Louis Chun-Hong Wong ("Respondent") is represented in this proceeding by attorney
25 David Bonilla, whose address is Law Office of David Bonilla, 901 H Street, Suite 620,
26 Sacramento, CA 95814.

27 \\\

28 \\\

1 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
2 Board of Pharmacy.

3
4 DATED: Feb 06, 2014



5 LOUIS CHUN-HONG WONG
6 Respondent

7 I have read and fully discussed with Respondent Louis Chun-Hong Wong the terms and
8 conditions and other matters contained in this Stipulated Surrender of License and Order. I
9 approve its form and content.

10 DATED: Feb 12th, 2014



11 DAVID BONILLA
12 Attorney for Respondent

13 ENDORSEMENT

14 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
15 for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

16 Dated:

17 Respectfully submitted,

18 KAMALA D. HARRIS
19 Attorney General of California
20 KENT D. HARRIS
21 Supervising Deputy Attorney General

22 STEPHANIE ALAMO-LATIF
23 Deputy Attorney General
24 *Attorneys for Complainant*

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DATED: _____

LOUIS CHUN-HONG WONG
Respondent

I have read and fully discussed with Respondent Louis Chun-Hong Wong the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: _____

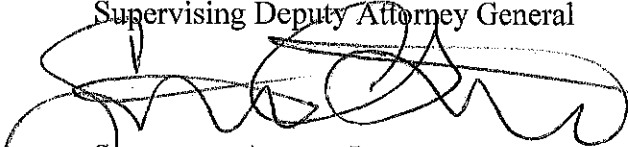
DAVID BONILLA
Attorney for Respondent

ENDORSEMENT

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

Dated: 2/27/14

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



STEPHANIE ALAMO-LATIF
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 4809

1 KAMALA D. HARRIS
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2 KENT D. HARRIS
Supervising Deputy Attorney General
3 STEPHANIE ALAMO-LATIF
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6 Telephone: (916) 327-6819
Facsimile: (916) 327-8643
7 E-mail: Stephanie.AlamoLatif@doj.ca.gov
Attorneys for Complainant
8

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

12 In the Matter of the Accusation Against:

Case No. 4809

13 **LOUIS CHUN-HONG WONG,**
14 14925 SE 60th Street
Bellvue, WA 98006

A C C U S A T I O N

15 **Pharmacist License No. RPH 41176**

16 Respondent.

17
18 Virginia Herold ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive
21 Officer of the Board of Pharmacy, Department of Consumer Affairs.

22 2. On or about September 26, 1987, the Board of Pharmacy issued Pharmacist License
23 Number RPH 41176 to Louis Chun-Hong Wong ("Respondent"). The Pharmacist License is
24 inactive, and will expire on October 31, 2014, unless renewed.

25 **JURISDICTION**

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

1 4. Code Section 4300 states, in pertinent part, that every license issued may be
2 suspended or revoked.

3 5. Section 4300.1 of the Code states:

4 "The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation
5 of law or by order or decision of the board or a court of law, the placement of a license on a
6 retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of
7 jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding
8 against, the licensee or to render a decision suspending or revoking the license."

9 **STATUTORY PROVISIONS**

10 6. Code Section 4301 states, in pertinent part:

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

14 ...

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

17 **COST RECOVERY**

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

22 **CAUSE FOR DISCIPLINE**

23 **(Disciplinary Action by the Washington Board of Pharmacy)**

24 8. Respondent is subject to discipline Under Code section 4301, subdivision (n), on the
25 grounds of unprofessional conduct, in that Respondent was disciplined by the Washington Board
26 of Pharmacy as follows: On or about October 20, 2011, by Stipulated Findings of Fact,
27 Conclusions of Law and Agreed Order, Respondent was found to be in violation of Washington
28 Board of Pharmacy law for unprofessional conduct for writing prescriptions for himself and family

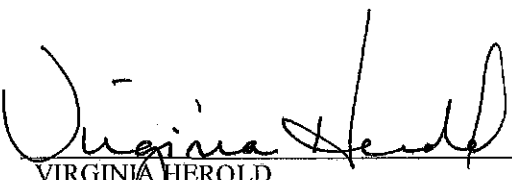
1 members using a physician's name as the prescriber, without the physician's authorization.
2 Respondent's Washington Pharmacist License was placed on probation for three years, subject to
3 terms including payment of \$7,000, passage of the MPJE examination within 15 months, and
4 completion of 18 hours of continuing education in the area of pharmacy law and/or ethics. A true
5 and correct copy of the Stipulated Findings of Fact, Conclusions of Law and Agreed Order is
6 attached as exhibit A and incorporated herein.

7 **PRAYER**

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

- 10 1. Revoking or suspending Pharmacist License Number RPH 41176, issued to Louis
11 Chun-Hong Wong
- 12 2. Ordering Louis Chun-Hong Wong to pay the Board of Pharmacy the reasonable costs
13 of the investigation and enforcement of this case, pursuant to Business and Professions Code
14 section 125.3;
- 15 3. Taking such other and further action as deemed necessary and proper.

16
17
18 DATED: 9/6/13


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

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EXHIBIT A

Washington Board of Pharmacy Stipulated Findings of Fact, Conclusions of Law and Agreed Order (Case No. M2011-472)

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
BOARD OF PHARMACY

In the Matter of

LOUIS C. WONG
Credential No. PHRM.PH.00021451

Respondent

No. M2011-472

STIPULATED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
AGREED ORDER

The Board of Pharmacy (Board), through Patrick F. Hanley, Jr., Department of Health Staff Attorney, and Respondent, represented by counsel, Kenneth S. Kagan, stipulate and agree to the following:

1. PROCEDURAL STIPULATIONS

- 1.1 On April 18, 2011, the Board issued a Statement of Charges against Respondent.
- 1.2 Respondent understands that the Board is prepared to proceed to a hearing on the allegations in the Statement of Charges.
- 1.3 Respondent understands that if the allegations are proven at a hearing, the Board has the authority to impose sanctions pursuant to RCW 18.130.160.
- 1.4 Respondent has the right to defend against the allegations in the Statement of Charges by presenting evidence at a hearing.
- 1.5 Respondent waives the opportunity for a hearing on the Statement of Charges provided that the Board accepts this Stipulated Findings of Fact, Conclusions of Law and Agreed Order (Agreed Order).
- 1.6 The parties agree to resolve this matter by means of this Agreed Order.
- 1.7 Respondent understands that this Agreed Order is not binding unless and until it is signed and accepted by the Board.
- 1.8 If the Board accepts this Agreed Order, it will be reported to the Health Integrity and Protection Databank (45 CFR Part 61), the National Practitioner Databank (45 CFR Part 60) and elsewhere as required by law. It is a public document and will be placed on the Department of Health's website and otherwise disseminated as required by the Public Records Act (Chap. 42.56 RCW) and the Uniform Disciplinary Act (RCW 18.130.110).

1.9 If the Board rejects this Agreed Order, Respondent waives any objection to the participation at hearing of any Board members who heard the Agreed Order presentation.

2. FINDINGS OF FACT

Respondent and the Board stipulate to the following facts:

2.1 On October 16, 1995, the state of Washington issued Respondent a credential to practice as a pharmacist. Respondent's credential is currently active.

2.2 Between approximately October 2005 and January 2010, while employed as a pharmacist at Rite Aid Pharmacy #5178 in Bellevue, WA, Respondent wrote prescriptions for himself and family members using a physician's name as the prescriber without the physician's authorization. These prescriptions included, but were not limited to, the following: Lonox, cough syrup with codeine (both being Controlled Substances Schedule V). These prescriptions also included multiple legend drugs.

2.3 When confronted by Rite Aid loss prevention staff, Respondent admitted to forging prescriptions for himself and family members, including his wife and daughter.

3. CONCLUSIONS OF LAW

The Board and Respondent agree to the entry of the following Conclusions of Law:

3.1 The Board has jurisdiction over Respondent and over the subject matter of this proceeding.

3.2 Respondent has committed unprofessional conduct in violation of RCW 18.130.180(1), (4), (6), (7), (12), (13), RCW 69.50.308(d), (e), (i), and RCW 69.50.403(1)(c), (d), (e).

3.3 The above violations provide grounds for imposing sanctions under RCW 18.130.160.

4. COMPLIANCE WITH SANCTION RULES

4.1 The disciplining authority applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions. WAC 246-16-800(2)(c) requires the disciplining authority to impose terms based on a specific sanction schedule unless "the schedule does not adequately address the facts in a case."

4.2 Respondent's alleged conduct falls in Tier A of the "Practice Below Standard of Care" schedule, WAC 246-16-810. The sanction range associated with that

tier does adequately address the alleged facts of this case. The disciplining authority has identified factors that justify a sanction that falls in the higher range of the above identified tier. Tier A applies because Respondent's conduct appears to have caused no or minimal patient harm. The sanction range for Tier A is 0 to 3 years of oversight. Under WAC 246-16-800(3)(d), the starting point for the duration of the sanctions is the middle of the range. The disciplining authority uses aggravating and mitigating factors to move towards the maximum or minimum ends of the range. In this case, the disciplining authority justified a sanction in the higher range of the identified tier based on the number of aggravating factors.

4.3 The disciplining authority considered the following aggravating factors:

- A. Number or frequency of the acts of unprofessional conduct.
- B. Abuse of trust.
- C. Intentional acts.

4.4 The disciplining authority considered the following mitigating factors:

- A. Admission of key facts.
- B. Respondent shows remorse and awareness that the conduct was wrong.

5. AGREED ORDER

Based on the Findings of Fact and Conclusions of Law, the Board and Respondent agreed to entry of the following Agreed Order:

5.1 Respondent's credential shall be placed on **PROBATION** for at least three (3) years. During the period of probation, the following terms and conditions shall apply.

5.2 Respondent shall present both portions of his credential to the Department of Health, Board of Pharmacy Compliance Unit, PO Box 47873, Olympia, WA 98504-7873 within ten (10) days of receipt of this Agreed Order.

5.3 For each year of probation, Respondent must provide evidence to the Board that he has successfully completed six (6) hours of continuing education course-work, pre-approved by the Board or its designee, in the area of pharmacy law and/or ethics, for a total of eighteen (18) hours over three (3) years. The continuing education course-work must be taken at an accredited educational institution or through a program otherwise

approved by the Board. Each year, Respondent must provide the Board with proof of completion of six (6) hours of such course-work within thirty (30) days of such completion:

5.4 Within thirty (30) days of completion of the first year's six (6) hours of course-work detailed above, Respondent must provide the Board with a five hundred (500) word summary on how the course-work related to pharmacy practice.

5.5 Respondent will be prohibited from serving as a preceptor or supervising pharmacy interns for the duration of the probationary period.

5.6 Respondent must pay a fine to the Board in the amount of seven thousand dollars (\$7,000.00) which must be received by the Board within fifteen (15) months after the effective date of this Agreed Order. The fine must be paid by certified or cashier's check or money order, made payable to the Department of Health and mailed to the Department of Health, Board of Pharmacy, at PO Box 1099, Olympia, Washington 98507-1099. Credit or Debit cards can also be used for payment at the front counter of the Department of Health building at 310 Israel Road SE, Tumwater, Washington 98501, during regular business hours.

5.7 Respondent must retake and pass the multi-state pharmacy jurisprudence examination (MPJE) within fifteen (15) months of the effective date of this Agreed Order.

5.8 Respondent must notify the Board of current and future employment in the health care field by submitting a job description directly to the Board within ten (10) days of Respondent's receipt of this Agreed Order or a change in employment. Respondent shall also provide a copy of this Agreed Order to current and future health care employers, including pharmacy managers, if any, within ten (10) days of Respondent's receipt of this Agreed Order or a change in employment. Respondent shall ensure that all health care employers understand the Board decision in this case by causing all health care employers to inform the Board, in writing, of the employers' knowledge of this Agreed Order within ten (10) days of Respondent's receipt of this Agreed Order or a change in employment.

5.9 In the event Respondent should leave the state of Washington to reside or to practice outside the state of Washington, Respondent must notify the Board, in writing, of the date of departure and return within twenty (20) calendar days. Periods of residency

or practice outside the state of Washington will not apply to the reduction of this probationary or suspension period.

5.10 All documents required by this Agreed Order shall be sent to the Department of Health, Compliance Unit at PO Box 47873, Olympia, WA 98504-7873.

5.11 Respondent shall obey all federal, state and local laws and all administrative rules governing the practice of the profession in Washington.

5.12 Respondent is responsible for all costs of complying with this Agreed Order.

5.13 Respondent shall inform the Board and the Adjudicative Clerk Office, in writing, of changes in Respondent's residential and/or business address within thirty (30) days of the change.

5.14 The effective date of this Agreed Order is the date the Adjudicative Clerk Office places the signed Agreed Order into the U.S. mail. If required, Respondent shall not submit any fees or compliance documents until after the effective date of this Agreed Order.

6. FAILURE TO COMPLY

Protection of the public requires practice under the terms and conditions imposed in this order. Failure to comply with the terms and conditions of this order may result in suspension of the credential after a show cause hearing. If Respondent fails to comply with the terms and conditions of this order, the Board may hold a hearing to require Respondent to show cause why the credential should not be suspended. Alternatively, the Board may bring additional charges of unprofessional conduct under RCW 18.130.180(9). In either case, Respondent will be afforded notice and an opportunity for a hearing on the issue of non-compliance.

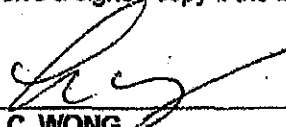
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7. ACCEPTANCE

I, LOUIS C. WONG, have read, understand and agree to this Agreed Order. This Agreed Order may be presented to the Board without my appearance. I understand that I will receive a signed copy if the Board accepts this Agreed Order.



LOUIS C. WONG
RESPONDENT
9/2/2011

DATE



KENNETH S. KAGAN, WSBA #12983
ATTORNEY FOR RESPONDENT
9/2/11

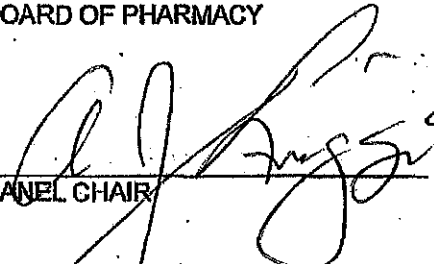
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8. ORDER

The Board accepts and enters this Stipulated Findings of Fact, Conclusions of Law and Agreed Order.

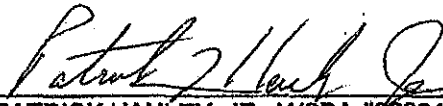
DATED: October 20, 2011

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
BOARD OF PHARMACY



PANEL CHAIR

PRESENTED BY:



PATRICK HANLEY, JR., WSBA #28924
DEPARTMENT OF HEALTH STAFF ATTORNEY

October 20, 2011

DATE