

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

In the Matter of the Accusation Against:

Case No. 4431

**MIMI NGUYEN
aka Vanapha Phouiphanith
406 Washington Square
Sacramento, CA 95811**

Applicant

Respondent.

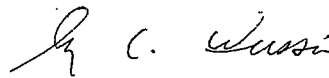
DECISION AND ORDER

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 August 21, 2013.

It is so ORDERED on July 22, 2013.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

STANLEY C. WEISSER
Board President

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

11 In the Matter of the Statement of Issues
12 Against:

Case No. 4431

13 **MIMI NGUYEN AKA VANNAPHA**
14 **PHOUIPHANITH**
406 Washington Square
15 Sacramento, CA 95811
16 Pharmacist License

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

Respondent.

17
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 Anahita S. Crawford, Deputy Attorney
24 General.

25 2. Respondent Mimi Nguyen aka Vannapha Phouiphanith (Respondent) is represented
26 in this proceeding by attorney Gregory P. Matzen, whose address is: 2104 Big Sandy Court
27 Gold River, CA 95670-8399
28

1 3. On or about May 18, 2012, Respondent filed an application dated May 16, 2012, with
2 the Board of Pharmacy to obtain a Pharmacist License.

3 JURISDICTION

4 4. Statement of Issues No. 4431 was filed before the Board of Pharmacy (Board),
5 Department of Consumer Affairs, and is currently pending against Respondent. The Statement of
6 Issues and all other statutorily required documents were properly served on Respondent on march
7 21, 2013.

8 5. A copy of Statement of Issues No. 4431 is attached as exhibit A and incorporated
9 herein by reference.

10 ADVISEMENT AND WAIVERS

11 6. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Statement of Issues No. 4431. Respondent has also carefully read,
13 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
14 Disciplinary Order.

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

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

24 CULPABILITY

25 9. Respondent admits the truth of each and every charge and allegation in Statement of
26 Issues No. 4431.

27 10. Respondent agrees that her Pharmacist License is subject to denial and she agrees to
28 be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Respondent Mimi Nguyen aka Vannapha Phouiphanith
3 that Pharmacist License will be issued and immediately revoked. The revocation will be stayed
4 and the Respondent placed on four (4) years probation on the following terms and conditions.

5 **1. Obey All Laws**

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

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

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

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

20 **2. Report to the Board**

21 Respondent shall report to the board quarterly, on a schedule as directed by the board or its
22 designee. The report shall be made either in person or in writing, as directed. Among other
23 requirements, respondent shall state in each report under penalty of perjury whether there has
24 been compliance with all the terms and conditions of probation. Failure to submit timely reports
25 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency
26 in submission of reports as directed may be added to the total period of probation. Moreover, if
27 the final probation report is not made as directed, probation shall be automatically extended until
28 such time as the final report is made and accepted by the board.

1 **3. Interview with the Board**

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

7 **4. Cooperate with Board Staff**

8 Respondent shall cooperate with the board's inspection program and with the board's
9 monitoring and investigation of respondent's compliance with the terms and conditions of her
10 probation. Failure to cooperate shall be considered a violation of probation.

11 **5. Continuing Education**

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

14 **6. Notice to Employers**

15 During the period of probation, respondent shall notify all present and prospective
16 employers of the decision in case number 4431 and the terms, conditions and restrictions imposed
17 on respondent by the decision, as follows:

18 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
19 respondent undertaking any new employment, respondent shall cause her direct supervisor,
20 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's
21 tenure of employment) and owner to report to the board in writing acknowledging that the listed
22 individual(s) has/have read the decision in case number 4431, and terms and conditions imposed
23 thereby. It shall be respondent's responsibility to ensure that her employer(s) and/or supervisor(s)
24 submit timely acknowledgment(s) to the board.

25 If respondent works for or is employed by or through a pharmacy employment service,
26 respondent must notify her direct supervisor, pharmacist-in-charge, and owner at every entity
27 licensed by the board of the terms and conditions of the decision in case number 4431 in advance
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1 of the respondent commencing work at each licensed entity. A record of this notification must be
2 provided to the board upon request.

3 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
4 (15) days of respondent undertaking any new employment by or through a pharmacy employment
5 service, respondent shall cause her direct supervisor with the pharmacy employment service to
6 report to the board in writing acknowledging that she has read the decision in case number 4431
7 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure
8 that her employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

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

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

16 **7. No Supervision of Interns, Serving as Pharmacist-in-Charge (PIC), Serving as**
17 **Designated Representative-in-Charge, or Serving as a Consultant**

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

22 **8. Probation Monitoring Costs**

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

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9. Status of License

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

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

10. License Surrender While on Probation/Suspension

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

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

11. Notification of a Change in Name, Residence Address, Mailing Address or Employment

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

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 12. 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 40 hours per calendar month. Any
8 month during which this minimum is not met shall toll the period of probation, i.e., the period of
9 probation shall be extended by one month for each month during which this minimum is not met.
10 During any such period of tolling of probation, respondent must nonetheless comply with all
11 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 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 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 40 hours as a
24 pharmacist as defined by Business and Professions Code section 4000 et seq.

25 13. Violation of Probation

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

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 14. **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 15. **Random Drug Screening**

14 Respondent, at her own expense, shall participate in random testing, including but not
15 limited to biological fluid testing (urine, blood), breathalyzer, hair follicle testing, or other drug
16 screening program as directed by the board or its designee. Respondent may be required to
17 participate in testing for the entire probation period and the frequency of testing will be
18 determined by the board or its designee. At all times, respondent shall fully cooperate with the
19 board or its designee, and shall, when directed, submit to such tests and samples for the detection
20 of alcohol, narcotics, hypnotics, dangerous drugs or other controlled substances as the board or its
21 designee may direct. Failure to timely submit to testing as directed shall be considered a violation
22 of probation. Upon request of the board or its designee, respondent shall provide documentation
23 from a licensed practitioner that the prescription for a detected drug was legitimately issued and is
24 a necessary part of the treatment of the respondent. Failure to timely provide such documentation
25 shall be considered a violation of probation. Any confirmed positive test for any drug not
26 lawfully prescribed by a licensed practitioner as part of a documented medical treatment shall be
27 considered a violation of probation and shall result in the automatic suspension of practice of
28

1 pharmacy by respondent. Respondent may not resume the practice of pharmacy until notified by
2 the board in writing.

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

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

15 Subject to the above restrictions, respondent may continue to own or hold an interest in any
16 licensed premises in which she holds an interest at the time this decision becomes effective unless
17 otherwise specified in this order.

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

19 **16. Abstain from Drugs Use**

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

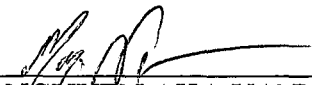
1 documentation timely provided, and/or any physical proximity to persons using illicit substances,
2 shall be considered a violation of probation.

3 ACCEPTANCE

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
5 discussed it with my attorney, Gregory P. Matzen. I understand the stipulation and the effect it
6 will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary
7 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
8 of the Board of Pharmacy.

9
10 DATED:

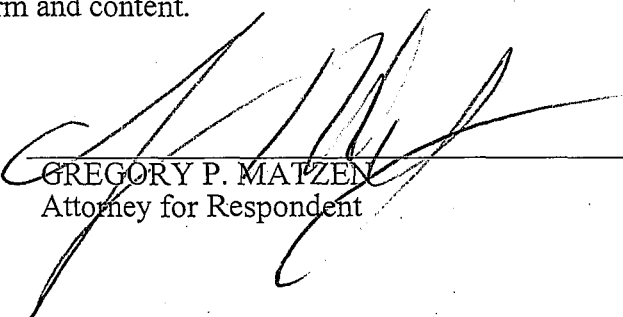
4/5/13


MIMI NGUYEN AKA VANNAPHA
PHOUIPHANITH
Respondent

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14 I have read and fully discussed with Respondent Mimi Nguyen aka Vannapha Phouiphanith
15 the terms and conditions and other matters contained in the above Stipulated Settlement and
16 Disciplinary Order. I approve its form and content.

17
18 DATED:

4/5/13


GREGORY P. MATZEN
Attorney for Respondent

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ENDORSEMENT

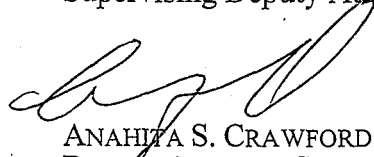
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The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: 5.1.13

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General



ANAHITA S. CRAWFORD
Deputy Attorney General
Attorneys for Complainant

SA2012107941
11053636

Exhibit A

Statement of Issues No. 4431

1 KAMALA D. HARRIS
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2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD
Deputy Attorney General
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6 Telephone: (916) 322-8311
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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 Statement of Issues Against:

Case No.: 4431

13 **MIMI NGUYEN**
14 **A.K.A. VANNAPHA PHOUIPHANITH**
406 Washington Square
Sacramento, CA 95811

STATEMENT OF ISSUES

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

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

20 2. On or about May 18, 2012, the Board of Pharmacy (Board), Department of Consumer
21 Affairs received an application for a Pharmacist Examination and Licensure from Mimi Nguyen,
22 also know as Vannapha Phouiphanith (Respondent). On or about May 16, 2012, Respondent
23 certified under penalty of perjury to the truthfulness of all statements, answers, and
24 representations in the application. The Board denied the application on August 1, 2012.

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 sections references are to the
28 Business and Professions Code unless otherwise indicated.

1 3) (A) Done any act that if done by a licentiate of the business or
2 profession in question, would be grounds for suspension or revocation of license.

3 (B) The board may deny a license pursuant of this subdivision only if the
4 crime or act is substantially related to the qualifications, functions, or duties of the
5 business or profession fro which application is made.

6 8. Section 493 of the Code states:

7 Notwithstanding any other provision of law, in a proceeding conducted
8 by a board within the department pursuant to law to deny an application for a license
9 or to suspend or revoke a license or otherwise take disciplinary action against a
10 person who holds a license, upon the ground that the applicant or the licensee has
11 been convicted of a crime substantially related to the qualifications, functions, and
12 duties of the licensee in question, the record of conviction of the crime shall be
13 conclusive evidence of the fact that the conviction occurred, but only of that fact, and
14 the board may inquire into the circumstances surrounding the commission of the
15 crime in order to fix the degree of discipline or to determine if the conviction is
16 substantially related to the qualifications, functions, and duties of the licensee in
17 question.

18 As used in this section, 'license' includes 'certificate,' 'permit,'
19 'authority,' and 'registration.'

20 9. Section 4301 states in relevant part, that:

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

25

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

....

(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 plea of nolo
contendere is deemed to be a conviction within the meaning of this provision. The
board may take action when the time for appeal has elapsed, or the judgment of
conviction has been affirmed on appeal or when an order granting probation is made
suspending the imposition of sentence, irrespective of a subsequent order under

1 Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of
2 guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
3 dismissing the accusation, information, or indictment.

4 **COST RECOVERY**

5 10. Code section 125.3 provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licentiate found to have committed a violation or violations of
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case.

9 **FIRST CAUSE FOR DENIAL**

10 **(Conviction of Crime)**

11 11. Respondent's application is subject to denial under section 480, subdivisions (a)(1),
12 and 480 subdivisions (a)(3)(A) for violating of section 4301, subdivisions (l) in that on or about
13 December 11, 2001, in a criminal proceeding entitled *People vs. Vannapha Phouiphanith* in
14 Sacramento County Superior Court, Case Number 01F08399, Respondent was convicted on her
15 plea of nolo contendere to Penal Code section 32 (accessory to a crime), a misdemeanor. The
16 circumstances are as follows:

17 a. On or about October 17, 2001, Respondent was arrested for her involvement in the
18 transportation and sale of 4000 ecstasy pills. On October 16, 2001, an undercover agent from the
19 Department of Justice, Bureau of Narcotic Enforcement, made contact with a known drug dealer
20 to set up the purchase and exchange of 4000 ecstasy pills for the purchase price of \$15,500, to be
21 delivered on October 17, 2001.

22 On October 17, 2001, special agents set up surveillance at 3:30 p.m. outside a home known
23 to agents for possible drug activity. At 6:40 p.m., agents observed Respondent leave the home
24 with the dealer and another individual. Respondent and the dealer arrived in two separate cars at a
25 previously determined McDonald's restaurant location. When the undercover agent approached
26 the dealer for the purchase, the dealer indicated the drugs were with his "homey" and pointed to
27 Respondent's car. Undercover agents walked to Respondent's car and identified the driver as
28 Respondent and the passenger as Nguyen Tran. Tran was holding the pills in his lap wrapped in a
grocery bag.

1 Further investigation revealed that Tran lived at the apartment under surveillance, and
2 during a search, agents located over a thousand pills on the entertainment center shelf and in the
3 night stands in Tran's bedroom. Tran was Respondent's boyfriend, and Respondent had keys to
4 his home.

5 b. On or about December 11, 2001, Respondent was sentenced to 3 years informal
6 probation, 90 days jail and \$100 restitution fine.

7 **SECOND CAUSE FOR DENIAL**

8 **(Act Involving Moral Turpitude)**

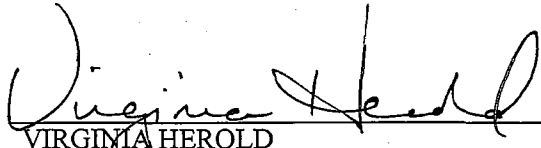
9 12. Respondent's application is subject to denial under Code section 4301, subdivisions
10 (f) in that Respondent committed acts involving moral turpitude, dishonesty, fraud, deceit, or
11 corruption, as set forth in subparagraph 11(a).

12 **PRAYER**

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

- 15 1. Denying the application of Mimi Nguyen also know as Vannapha Phouiphanith for a
16 Pharmacist Examination and Licensure and,
17 2. Taking such other and further action as deemed necessary and proper.

18
19 DATED: 3/1/13


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

26 SA2012107941
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