

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

In the Matter of the Accusation Against:

**OB INTERNATIONAL DBA OB
MEDICAL SUPPLIES & PHARMACY**
671 w. 2ND Street
San Bernardino, CA 92410

Permit No. PHY 46742

GREGORY O. IMOOHI
P.O. Box 110
San Bernardino, CA 92402

Pharmacist License No. RPH 42948

Case No. 5037

OAH No. 2014090751

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

**[AS TO OB INTERNATIONAL DBA OB
MEDICAL SUPPLIES & PHARMACY]**

Respondents.

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 March 17, 2016.

It is so ORDERED February 16, 2016.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By

Amy Gutierrez, Pharm.D.
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA L. SUN
Supervising Deputy Attorney General
3 HELENE E. ROUSE
Deputy Attorney General
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Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 5037

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12 **MEDICAL SUPPLIES & PHARMACY**
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13 San Bernardino, CA 92410

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STIPULATED SURRENDER OF
LICENSE AND ORDER

14 Permit No. PHY 46742

[AS TO OB INTERNATIONAL DBA OB
MEDICAL SUPPLIES & PHARMACY]

15 **GREGORY O. IMOCHI**

16 P.O. Box 110
San Bernardino, CA 92402

17 Pharmacist License No. RPH 42948

18 Respondents.
19

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

22 PARTIES

23 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.
24 She brought this action solely in her official capacity and is represented in this matter by Kamala
25 D. Harris, Attorney General of the State of California, by Helene E. Rouse, Deputy Attorney
26 General.

27 2. OB International dba OB Medical Supplies & Pharmacy; Gregory Imochi
28 (Respondent) is represented in this proceeding by attorney Herbert L. Weinberg, Esq., whose

1 address is: FENTON LAW GROUP, LLP, 1990 S. Bundy Drive, Suite 777, Los Angeles, CA
2 90025, telephone: (310) 444-5246.

3 3. On or about June 1, 2004, the Board of Pharmacy issued Pharmacy Permit No. PHY
4 46742 to OB International dba OB Medical Supplies & Pharmacy, Gregory Imoohi, President,
5 100% Shareholder (Respondent OB). The Pharmacy Permit was in full force and effect at all
6 times relevant to the charges brought in Accusation No. 5037 and will expire on June 1, 2016,
7 unless renewed.

8 4. Gregory Imoohi (Respondent Imoohi) is the President, Sole Shareholder and
9 authorized representation of Respondent OB Pharmacy.

10 JURISDICTION

11 5. Accusation No. 5037 was filed before the Board of Pharmacy (Board), Department of
12 Consumer Affairs, and is currently pending against Respondent. The Accusation and all other
13 statutorily required documents were properly served on Respondent on July 8, 2014. Respondent
14 timely filed its Notice of Defense contesting the Accusation. A copy of Accusation No. 5037 is
15 attached as Exhibit A and incorporated by reference.

16 ADVISEMENT AND WAIVERS

17 6. Respondent has carefully read, fully discussed with counsel, and understands the
18 charges and allegations in Accusation No. 5037. Respondent also has carefully read, fully
19 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
20 Order.

21 7. Respondent is fully aware of its legal rights in this matter, including the right to a
22 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
23 its own expense; the right to confront and cross-examine the witnesses against them; the right to
24 present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel
25 the attendance of witnesses and the production of documents; the right to reconsideration and
26 court review of an adverse decision; and all other rights accorded by the California
27 Administrative Procedure Act and other applicable laws.
28

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

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 5037, agrees that cause exists for discipline and hereby surrenders their Pharmacy Permit No. PHY 46742 for the Board's formal acceptance.

10. Respondent understands that by signing this stipulation Entity enables the Board to issue an order accepting the surrender of their Pharmacy Permit without further process.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent understands and agrees that they may not withdraw its 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 Surrender 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 Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Surrender of License and 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 Surrender of License and 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.

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

3 **ORDER**

4 IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 46742, issued to Respondent
5 OB International dba OB Medical Supplies & Pharmacy (OB International) is surrendered and
6 accepted by the Board of Pharmacy. The effective date of the Decision as to Respondent OB
7 International's permit surrender, however, shall be stayed for 60 days from the effective date of
8 the Decision, at which time the pharmacy shall be sold or closed.

9 1. The surrender of Respondent's Pharmacy Permit and the acceptance of the
10 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
11 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
12 license history with the Board of Pharmacy.

13 2. In the event that OB International is sold and an application for a new permit is
14 submitted to the Board, the Board shall expedite the processing of that application.

15 3. Respondent shall lose all rights and privileges as a pharmacy in California as of the
16 effective date of the Board's Decision and Order.

17 4. Respondent shall cause to be delivered to the Board its pocket license and, if one was
18 issued, its wall certificate on or before the effective date of the Decision and Order.

19 5. If Respondent ever applies for licensure or petitions for reinstatement in the State of
20 California, the Board shall treat it as a new application for licensure. Respondent must comply
21 with all the laws, regulations and procedures for licensure in effect at the time the application or
22 petition is filed, and all of the charges and allegations contained in Accusation No. 5037 shall be
23 deemed to be true, correct and admitted by Respondent when the Board determines whether to
24 grant or deny the application or petition.

25 6. If Respondent should ever apply or reapply for a new license or certification, or
26 petition for reinstatement of a license, by any other health care licensing agency in the State of
27 California, all of the charges and allegations contained in Accusation, No. 5037 shall be deemed
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1 to be true, correct, and admitted by Respondents for the purpose of any Statement of Issues or any
2 other proceeding seeking to deny or restrict licensure.

3 7. Reimbursement of Board Costs

4 Respondent owner Imoohi and Respondent OB International dba OB Medical Supplies &
5 Pharmacy shall be jointly and severally liable for paying the board its costs of investigation and
6 prosecution in the amount of \$10,000.00. Respondents shall be permitted to pay these costs in a
7 payment plan approved by the Board or its designee, so long as full payment is made within fifty-
8 four (54) months of the effective date of this decision. There is to be no deviation from this
9 schedule absent prior written approval by the Board or its designee. Failure to pay costs by the
10 deadline(s) as directed shall be considered a violation of probation.

11 The filing of bankruptcy by respondents shall not relieve respondents of his responsibility
12 to reimburse the board its costs of investigation and prosecution.

13 8. In the event that Respondent OB International is not sold within 60 days of the
14 effective date of the Decision, Respondent OB International shall, within ten (10) days of the
15 stayed effective date of the Board's order, arrange for the destruction of, the transfer to, sale of or
16 storage in a facility licensed by the Board of all controlled substances and dangerous drugs and
17 devices. Respondent OB International shall further provide written proof of such disposition and
18 submit a completed Discontinuance of Business form according to Board guidelines.

19 Respondent owner shall also, by the effective date of this decision, arrange for the
20 continuation of care for ongoing patients of the pharmacy by, at minimum, providing a written -
21 notice to ongoing patients that specifies the anticipated closing date of the pharmacy and that
22 identifies one or more area pharmacies capable of taking up the patients' care, and by cooperating
23 as may be necessary in the transfer of records or prescriptions for ongoing patients. Within five
24 days of its provision to the pharmacy's ongoing patients, Respondent owner shall provide a copy
25 of the written notice to the board. For the purposes of this provision, "ongoing patients" means
26 those patients for whom the pharmacy has on file a prescription with one or more refills
27 outstanding, or for whom the pharmacy has filled a prescription within the preceding sixty (60)
28 days.

1 9. Administrative Fine.

2 Respondents shall pay an administrative fine to the Board in the amount of \$15,000.00.

3 Respondents shall be jointly and severally liable for payment of these costs. Respondents
4 shall pay the administrative fine pursuant to a payment plan to be approved by the Board or its
5 designee, until the amount is paid in full, to be paid within 54 months. There shall be no
6 deviation from this schedule absent prior written approval by the Board or its designee. Failure to
7 pay fines by the deadline(s) as directed shall be considered a violation of this agreement.

8 Respondents understand and agree that such administrative fine is not dischargeable in
9 bankruptcy. Respondents further understand and agree that the filing of bankruptcy by
10 Respondents shall not relieve Respondents of the obligation to pay the balance of the
11 administrative fine to the Board.

12 10. Surrender of DEA Permit

13 Upon the effective date of this decision, Respondent shall surrender his federal Drug
14 Enforcement Administration (DEA) permit to the DEA, for cancellation. Respondent is
15 prohibited from prescribing until the board has received satisfactory proof of cancellation.
16 Thereafter, respondent shall not apply/reapply for a DEA registration number without the prior
17 written consent of the board or its designee.

18 Respondent shall not order, receive, or retain any federal order forms, including 222 forms,
19 for controlled substances.

20 11. Respondent may not apply, reapply, or petition for any licensure or registration of the
21 Board for three (3) years from the effective date of the Decision and Order.

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1 ACCEPTANCE

2 I have carefully read the above Stipulated Surrender of License and Order and have fully
3 discussed it with my attorney, Herbert L. Weinberg, Esq. I understand the stipulation and the
4 effect it will have on my Pharmacy Permit. I enter into this Stipulated Surrender of License and
5 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
6 of the Board of Pharmacy.

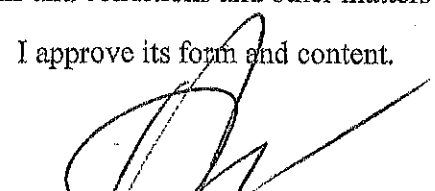
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8 DATED: December 7, 2015



9 GREGORY IMOOGHI
10 President, Sole Shareholder and authorized agent
11 for OB INTERNATIONAL DBA OB MEDICAL
12 SUPPLIES & PHARMACY; GREGORY IMOOGHI
13 Respondent

14 I have read and fully discussed with Respondent OB International dba OB Medical
15 Supplies & Pharmacy; Gregory Imoohi the terms and conditions and other matters contained in
16 this Stipulated Surrender of License and Order. I approve its form and content.

17 DATED: December 7, 2015



18 HERBERT L. WEINBERG, ESQ.
19 Attorney for Respondent

20 ENDORSEMENT

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

23 Dated: 12/7/15

24 Respectfully submitted,

25 KAMALA D. HARRIS
26 Attorney General of California
27 LINDA L. SUN
28 Supervising Deputy Attorney General



HELENE E. ROUSE
Deputy Attorney General
Attorneys for Complainant

LA2014510967; 61781940.doc

Exhibit A

Accusation No. 5037

1 KAMALA D. HARRIS
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 LINDA L. SUN
Deputy Attorney General
4 State Bar No. 207108
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Attorneys for Complainant

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STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 5037

11 **OB INTERNATIONAL d.b.a.**
12 **OB MEDICAL SUPPLIES & PHARMACY;**
13 **GREGORY IMOOHI**
(President and Pharmacist-in-Charge)
14 671 W. 2nd Street
San Bernardino, CA 92410

A C C U S A T I O N

15 Permit No. PHY 46742

16 **GREGORY O. IMOOHI**
P. O. Box 110
17 San Bernardino, CA 92402

18 Pharmacist License No. RPH 42948

19 Respondents.
20

21 Complainant alleges:

22 **PARTIES**

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

25 2. On or about June 1, 2004, the Board issued Permit Number PHY 46742 to OB
26 International d.b.a. OB Medical Supplies & Pharmacy ("Respondent Pharmacy"), with Gregory O.
27 Imoohi ("Respondent Imoohi") as President and Pharmacist-in-Charge. The Permit was in full
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1 force and effect at all times relevant to the charges brought herein and will expire on June 1, 2014,
2 unless renewed.

3 3. On or about June 1, 2004, the Board issued Original Pharmacist License Number RPH
4 42948 to Respondent Imoohi. The License was in full force and effect at all times relevant to the
5 charges brought herein and will expire on October 31, 2014, unless renewed.

6 JURISDICTION

7 4. This Accusation is brought before the Board under the authority of the following laws.
8 All section references are to the Business and Professions Code unless otherwise indicated.

9 5. Section 4300 of the Code states:

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

11 6. Section 4300.1 of the Code states:

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

17 STATUTORY PROVISIONS

18 7. Section 4301 of the Code states:

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

22

23 "(d) The clearly excessive furnishing of controlled substances in violation of subdivision (a)
24 of Section 11153 of the Health and Safety Code.

25

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

28

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

5 8. Section 4022 of the Code states:

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

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

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

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

15 9. Health and Safety Code section 11153 provides:

16 "(a) A prescription for a controlled substance shall only be issued for a legitimate medical
17 purpose by an individual practitioner acting in the usual course of his or her professional practice.
18 The responsibility for the proper prescribing and dispensing of controlled substances is upon the
19 prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the
20 prescription. Except as authorized by this division, the following are not legal prescriptions: (1) an
21 order purporting to be a prescription which is issued not in the usual course of professional
22 treatment or in legitimate and authorized research; or (2) an order for an addict or habitual user of
23 controlled substances, which is issued not in the course of professional treatment or as part of an
24 authorized narcotic treatment program, for the purpose of providing the user with controlled
25 substances, sufficient to keep him or her comfortable by maintaining customary use."

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1 **REGULATORY PROVISION**

2 10. California Code of Regulations, title 16 ("Regulations"), section 1761 provides:

3 "(a) No pharmacist shall compound or dispense any prescription which contains any
4 significant error, omission, irregularity, uncertainty, ambiguity or alteration. Upon receipt of any
5 such prescription, the pharmacist shall contact the prescriber to obtain the information needed to
6 validate the prescription.

7 "(b) Even after conferring with the prescriber, a pharmacist shall not compound or dispense
8 a controlled substance prescription where the pharmacist knows or has objective reason to know
9 that said prescription was not issued for a legitimate medical purpose."

10 **COST RECOVERY PROVISION**

11 11. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
12 administrative law judge to direct a licentiate found to have committed a violation or violations of
13 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
14 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
15 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
16 included in a stipulated settlement.

17 **DRUG CLASSIFICATIONS**

18 12. Roxicodone, brand name for oxycodone 30 mg, is a Schedule II controlled substance
19 and a dangerous drug pursuant to Code section 4022. It is used for the relief of pain.

20 13. Xanax, brand name for alprazolam 2mg, is a Schedule IV controlled substance and a
21 dangerous drug pursuant to Code section 4022. It is used for the relief of anxiety.

22 14. Norco, brand name for hydrocodone/acetaminophen 10/325 mg, is a Schedule III
23 controlled substance and a dangerous drug pursuant to Code section 4022. It is used for the relief
24 of pain.

25 15. Phenergan with Codeine, brand name for promethazine with codeine, is a Schedule V
26 controlled substance and a dangerous drug pursuant to Code section 4022. It is used for the relief
27 of cough.

28 ///

BOARD INVESTIGATION

16. Pursuant to a series of investigations which occurred on March 2, 2013, May 10, 2013, and July 11, 2013, the computer records provided by Respondent Pharmacy for the period 01/03/2011 to 07/13/2013 revealed the following:

a. Respondent Pharmacy dispensed a total of 19,887 prescriptions. 85.18% were for non-controlled substances, and 14.82% were for controlled substances.

b. Of all the controlled substances dispensed (Schedules II to V), prescriptions from Dr. C.A. and Dr. D.C. were the highest. Over 50% of all Schedule II medications were written by these two physicians, which were 5.5 times greater than the next prescriber.

c. Respondent Pharmacy's dispensing ratio of oxycodone 30 mg was greatly disproportionate when compared with neighboring pharmacies – about 13 times greater than its closest competitor in terms of prescriptions filled, and 22 times greater in terms of total tablets dispensed. However, based on the total number of controlled substance prescriptions filled for the queried time period, Respondent Pharmacy dispensed 6.7 times less prescriptions when compared to one neighboring pharmacy and 8 times less when compared to another neighboring pharmacy. Yet, Respondent Pharmacy dispensed a quantity of oxycodone 30 mg which exceeds these major pharmacies by the tens of thousands.

d. Respondent Pharmacy dispensed more alprazolam 2 mg (in terms of tablets) than its neighboring pharmacies.

17. Dr. C.A.'s Prescriber Profile reveals the following:

a. A review of Respondent Pharmacy's overall practice shows a more even distribution of payment methods for all prescriptions, but 100% of all prescriptions dispensed under Dr. C.A. were paid for without the use of insurance.

b. Patients who purchased 180 oxycodone 30 mg without the use of insurance paid between \$338.99 to \$900 per prescription.

c. According to Respondent Imoochi, Dr. C.A. is a pain specialist. However, of the 276 prescriptions written by Dr. C.A., no prescriptions were written for gabapentin (Neurontin), pregabalin (Lyrica), and duloxetine (Cymbalta), which are all common medications indicated for

1 the treatment of nerve pain, and only 5 were written for anti-inflammatory medications (ibuprofen,
2 meloxicam, celecoxib/Celebrex).

3 d. On some days, the sequential numbering of RX numbers and the time each
4 prescription was processed suggested that groups of patients arrived at Respondent Pharmacy or 1
5 person provided prescriptions for other patients at or about the same time.

6 e. On multiple occasions, multiple patients received the exact same prescription (same
7 medication, same dose, same directions, and same quantity) from an out-of-area prescriber.

8 f. Selected data shows that all of the alprazolam prescriptions were written for 2 mg (the
9 highest dose in immediate release form), #90, 1 tablet by mouth twice daily, with 0 refills.

10 g. Selected data shows that nearly all of the oxycodone prescriptions were written for 30
11 mg (the highest dose in immediate release form), #180, 1 tablet by mouth every 4 hours, with 0
12 refills.

13 h. The patients' age range was from birth year 1946 to 1992.

14 i. Selected samples show that Dr. C.A.'s patients drove an average of 141.7 miles to
15 obtain medications at Respondent Pharmacy. The shortest distance was 137.7 miles and the
16 longest was 145.5 miles.

17 18. Dr. D.C.'s Prescriber Profile reveals the following:

18 a. A review of Respondent Pharmacy's overall practice shows a more even distribution
19 of payment methods for all prescriptions, but 99.47% of all prescriptions dispensed under Dr. D.C.
20 were paid for without the use of insurance. 100% of controlled substances were paid for without
21 the use of insurance.

22 b. Patients who purchased 180 oxycodone 30 mg without the use of insurance paid
23 between \$338.99 to \$900 per prescription.

24 c. According to Respondent Imoohi, Dr. D.C. is a also pain specialist. However, of the
25 376 prescriptions written by Dr. D.C., 2 prescriptions were written for gabapentin (Neurontin), 0
26 for pregabalin (Lyrica), and 0 for duloxetine (Cymbalta), which are all common medications
27 indicated for the treatment of nerve pain, and only 1 was written for anti-inflammatory medications
28 (ibuprofen meloxicam, celecoxib/Celebrex).

1 d. On some days, the sequential numbering of RX numbers and the time each
2 prescription was processed suggested that groups of patients arrived at Respondent Pharmacy or 1
3 person provided prescriptions for other patients at or about the same time.

4 e. On multiple occasions, multiple patients received the exact same prescription (same
5 medication, same dose, same directions, and same quantity) from an out-of-area prescriber.

6 f. Selected data shows that nearly all of the oxycodone prescriptions were written for 30
7 mg (the highest dose in immediate release form), #150 or #180, 1 tablet by mouth five times a day
8 or 2 tablets by mouth three times a day, with 0 refills.

9 g. The patients' age range was from birth year 1932 to 1984.

10 h. Selected samples show that Dr. D.C.'s patients drove an average of 95.3 miles to
11 obtain medications at Respondent Pharmacy. The shortest distance was 91.1 miles and the longest
12 was 100.6 miles.

13 CAUSE FOR DISCIPLINE

14 **(Failure to Assume Corresponding Responsibility to Validate Legitimacy of Prescriptions)**

15 19. Respondents Pharmacy and Imoohi are subject to disciplinary action under
16 Code section 4301, subdivisions (d) and (j) for violating Health and Safety Code section 11153,
17 subdivision (a), and Code section 4301, subdivision (o), for violating Regulations sections 1761, in
18 that between 01/03/2011 to 07/13/2013, Respondents failed to assume corresponding
19 responsibility by failing to validate the legitimacy of the prescriptions and/or reviewing the
20 patients' drug therapy, by dispensing prescriptions without regard to objective factors, and/or by
21 dispensing irregular/uncertain prescriptions. Complainant refers to and incorporates all the
22 allegations contained in paragraphs 16-18, as though set forth fully.

23 DISCIPLINE CONSIDERATIONS

24 20. To determine the degree of discipline, if any, to be imposed on Respondent Pharmacy,
25 Complainant alleges that on or about September 11, 2013, in a prior action, the Board of
26 Pharmacy issued Citation Number CI 2011 49326 and ordered Respondent Pharmacy to pay a fine
27 of \$500 for violation of Regulations sections 1714.1, subdivision (b) and 1714, subdivision (c)
28 [temporary absence of a pharmacist; operational standards and security; pharmacy responsible for

1 pharmacy security], and Regulations section 1715 [self-assessment of a pharmacy by the
2 pharmacist-in-charge.] That Citation is now final and is incorporated by reference as if fully set
3 forth.

4 21. To determine the degree of discipline, if any, to be imposed on Respondent Imoohi,
5 Complainant alleges that on or about September 11, 2013, in a prior action, the Board of
6 Pharmacy issued Citation Number CI 2013 58110 and ordered Respondent Imoohi to pay a fine of
7 \$1,000 for violation of Regulations sections 1714.1, subdivision (b) and 1714 subdivision (e)
8 [temporary absence of a pharmacist; operational standards and security; pharmacy responsible for
9 pharmacy security], and Regulations section 1715 [self-assessment of a pharmacy by the
10 pharmacist-in-charge.] That Citation is now final and is incorporated by reference as if fully set
11 forth.

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:

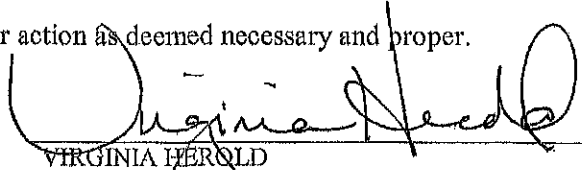
15 1. Revoking or suspending Permit Number PHY 46742, issued to OB International d.b.a.
16 OB Medical Supplies & Pharmacy; with Gregory O. Imoohi as President and Pharmacist-in-
17 Charge;

18 2. Revoking or suspending Original Pharmacist License Number RPH 42948 issued to
19 Gregory O. Imoohi;

20 3. Ordering OB International d.b.a. OB Medical Supplies & Pharmacy, and Gregory O.
21 Imoohi to pay the Board of Pharmacy, jointly and severally, the reasonable costs of the
22 investigation and enforcement of this case, pursuant to Code section 125.3;

23 4. Taking such other and further action as deemed necessary and proper.

24 DATED: 6/14/14


25 VIRGINIA HEROLD
26 Executive Officer
27 Board of Pharmacy
28 Department of Consumer Affairs
State of California
Complainant

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