

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

In the Matter of the Accusation Against:

**CREATIVE COMPOUNDS INC.,
DBA HARBOR COMPOUNDING AND
HOME HEALTH CARE PHARMACY**

Pharmacy Permit No. PHY 50397

**CREATIVE COMPOUNDS INC.,
DBA HARBOR COMPOUNDING PHARMACY**

**Licensed Sterile Compounding Permit No.
99688**

MAYANK PARIMAL SHAH

Pharmacist License No. RPH 57834

MICHAEL CAN HUA

Pharmacist License No. RPH 61291

Case No. 5041

OAH No. 2014070068

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO
MICHAEL CAN HUA ONLY**

DECISION AND ORDER

Pursuant to the Board of Pharmacy's action on September 30, 2015, the attached Stipulated Settlement and Disciplinary Order was adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on November 9, 2015.

It is so ORDERED on October 9, 2015.

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 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 DESIREE I. KELLOGG
Deputy Attorney General
4 State Bar No. 126461
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2996
7 Facsimile: (619) 645-2061
Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 5041

12 **CREATIVE COMPOUNDS INC.,**
13 **DBA HARBOR COMPOUNDING AND**
14 **HOME HEALTH CARE PHARMACY**
2000 Harbor Blvd., Ste. C-100
15 Costa Mesa, CA 92627

OAH No. 2014070068

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER (MICHAEL
CAN HUA)

16 Pharmacy Permit No. PHY 50397

17 **CREATIVE COMPOUNDS INC.,**
18 **DBA HARBOR COMPOUNDING**
PHARMACY 2000 Harbor Blvd., Ste. C-100
Costa Mesa, CA 92627

19 Licensed Sterile Compounding Permit No.
20 99688

21 **MAYANK PARIMAL SHAH**
P.O. Box 65
22 Downey, CA 90241

23 Pharmacist License No. RPH 57834

24 **MICHAEL CAN HUA**
37255 Tomasek Terrace
25 Fremont, CA 94536

26 Pharmacist License No. RPH 61291

27 Respondents.
28

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

3 PARTIES

4 1. Virginia Herold ("Complainant") is the Executive Officer of the Board of Pharmacy.
5 She brought this action solely in her official capacity and is represented in this matter by Kamala
6 D. Harris, Attorney General of the State of California, by Desiree I. Kellogg, Deputy Attorney
7 General.

8 2. Respondent Michael Can Hua ("Respondent") is represented in this proceeding by
9 attorney Herbert L. Weinberg of Fenton Law Group, LLP whose address is: 1990 S. Bundy
10 Drive, Suite 777, Los Angeles, CA 90025.

11 3. On or about August 6, 2008, the Board of Pharmacy issued Pharmacist License No.
12 RPH 61291 to Michael Can Hua (Respondent). The Pharmacist License was in full force and
13 effect at all times relevant to the charges brought in First Amended Accusation No. 5041 and will
14 expire on June 30, 2016, unless renewed.

15 JURISDICTION

16 4. First Amended Accusation No. 5041 was filed before the Board of Pharmacy (Board),
17 Department of Consumer Affairs, and is currently pending against Respondent. The First
18 Amended Accusation and all other statutorily required documents were properly served on
19 Respondent on April 28, 2015. Respondent timely filed his Notice of Defense contesting the First
20 Amended Accusation.

21 5. A copy of First Amended Accusation No. 5041 is attached as exhibit A and
22 incorporated herein by reference.

23 ADVISEMENT AND WAIVERS

24 6. Respondent has carefully read, fully discussed with counsel, and understands the
25 charges and allegations in First Amended Accusation No. 5041. Respondent has also carefully
26 read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and
27 Disciplinary Order.

1 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,
2 and the Board shall not be disqualified from further action by having considered this matter.

3 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
4 copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format
5 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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

15 **DISCIPLINARY ORDER**

16 IT IS HEREBY ORDERED that Pharmacist License No. RPH 61291 issued to Respondent
17 Michael Can Hua (Respondent) is revoked. However, the revocation is stayed and Respondent is
18 placed on probation for five (5) years on the following terms and conditions.

19 1. **Obey All Laws**

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

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

- 23 • an arrest or issuance of a criminal complaint for violation of any provision of the
24 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
25 substances laws
- 26 • a plea of guilty or nolo contendere in any state or federal criminal proceeding to any
27 criminal complaint, information or indictment
- 28 • a conviction of any crime

- 1 • discipline, citation, or other administrative action filed by any state or federal agency
2 which involves respondent's pharmacist license or which is related to the practice of
3 pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging
4 for any drug, device or controlled substance.

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

6 **2. Report to the Board**

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

15 **3. Interview with the Board**

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

21 **4. Cooperate with Board Staff**

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

25 **5. Continuing Education**

26 Respondent shall provide evidence of efforts to maintain skill and knowledge as a
27 pharmacist as directed by the board or its designee.
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1 **6. Notice to Employers**

2 During the period of probation, respondent shall notify all present and prospective
3 employers of the decision in case number 5041 and the terms, conditions and restrictions imposed
4 on respondent by the decision, as follows:

5 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
6 respondent undertaking any new employment, respondent shall cause his direct supervisor,
7 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's
8 tenure of employment) and owner to report to the board in writing acknowledging that the listed
9 individual(s) has/have read the decision in case number 5041, and terms and conditions imposed
10 thereby. It shall be respondent's responsibility to ensure that his employer(s) and/or supervisor(s)
11 submit timely acknowledgment(s) to the board.

12 If respondent works for or is employed by or through a pharmacy employment service,
13 respondent must notify his direct supervisor, pharmacist-in-charge, and owner at every entity
14 licensed by the board of the terms and conditions of the decision in case number 5041 in advance
15 of the respondent commencing work at each licensed entity. A record of this notification must be
16 provided to the board upon request.

17 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
18 (15) days of respondent undertaking any new employment by or through a pharmacy employment
19 service, respondent shall cause his direct supervisor with the pharmacy employment service to
20 report to the board in writing acknowledging that he has read the decision in case number 5041
21 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure
22 that his employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

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

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

3 **7. Reimbursement of Board Costs**

4 As a condition precedent to successful completion of probation, respondent shall be jointly
5 and severally liable with Creative Compounds Inc., dba Harbor Compounding and Home Health
6 Care Pharmacy and Creative Compounds Inc., dba Harbor Compounding Pharmacy and shall pay
7 to the board its costs of investigation and prosecution in the amount of \$12,262.00. Respondent
8 shall make said payments in a payment plan to be approved by the Board.

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

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

14 **8. Probation Monitoring Costs**

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

19 **9. Status of License**

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

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

1 **10. License Surrender While on Probation/Suspension**

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

9 Upon acceptance of the surrender, respondent shall relinquish his pocket and wall license to
10 the board within ten (10) days of notification by the board that the surrender is accepted.

11 Respondent may not reapply for any license from the board for three (3) years from the effective
12 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
13 of the date the application for that license is submitted to the board, including any outstanding
14 costs.

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

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

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

24 **12. Tolling of Probation**

25 Except during periods of suspension, respondent shall, at all times while on probation, be
26 employed as a pharmacist in California for a minimum of 40 hours per calendar month. Any
27 month during which this minimum is not met shall toll the period of probation, i.e., the period of
28 probation shall be extended by one month for each month during which this minimum is not met.

1 During any such period of tolling of probation, respondent must nonetheless comply with all
2 terms and conditions of probation.

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

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

11 "Cessation of practice" means any calendar month during which respondent is
12 not practicing as a pharmacist for at least 40 hours, as defined by Business and
13 Professions Code section 4000 et seq. "Resumption of practice" means any calendar
14 month during which respondent is practicing as a pharmacist for at least 40 hours as a
15 pharmacist as defined by Business and Professions Code section 4000 et seq.

16 13. **Violation of Probation**

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

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

1 **14. Completion of Probation**

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

4 **15. Restricted Practice**

5 Respondent shall not prepare, oversee or participate in the preparation of compounded drug
6 preparations until he submits proof satisfactory to the board that he has completed ten (10) hours
7 of remedial education in the subject matter area of compounded drug preparations in a course
8 approved by the board. Respondent shall submit proof satisfactory to the board of compliance
9 with this term of probation. Failure to abide by this restriction or to timely submit proof to the
10 board of compliance therewith shall be considered a violation of probation.

11 **16. Remedial Education**

12 Respondent shall submit to the board or its designee, for prior approval, an appropriate
13 program of remedial education in the subject matter area of the preparation of compounded drug
14 preparations. The program of remedial education shall consist of at least ten (10) hours at
15 respondent's own expense. All remedial education shall be in addition to, and shall not be
16 credited toward, continuing education (CE) courses used for license renewal purposes.

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

21 Respondent shall be restricted from the practice of preparing compounded drug
22 preparations until the remedial education program has been successfully completed.

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

24 Respondent shall not acquire any new ownership, legal or beneficial interest nor serve as a
25 manager, administrator, member, officer, director, trustee, associate, or partner of any additional
26 business, firm, partnership, or corporation licensed by the board. If respondent currently owns or
27 has any legal or beneficial interest in, or serves as a manager, administrator, member, officer,
28 director, trustee, associate, or partner of any business, firm, partnership, or corporation currently

1 or hereinafter licensed by the board, respondent may continue to serve in such capacity or hold
2 that interest, but only to the extent of that position or interest as of the effective date of this
3 decision. Violation of this restriction shall be considered a violation of probation.

4 **18. Consultant for Owner or Pharmacist-In-Charge**

5 During the period of probation, respondent shall not supervise any intern pharmacist or
6 serve as a consultant to any entity licensed by the board. Respondent may be a pharmacist-in-
7 charge of respondents Creative Compounds Inc., doing business as Harbor Compounding and
8 Home Health Care Pharmacy and Harbor Compounding Pharmacy. If during the period of
9 probation respondent serves as the pharmacist-in-charge of Creative Compounds Inc., doing
10 business as Harbor Compounding and Home Health Care Pharmacy and Harbor Compounding
11 Pharmacy, respondent shall submit to the board or its designee within thirty (30) days of the
12 effective date of this decision, for prior approval, the name of an expert in the preparation of
13 compounded drug preparations that shall then be retained by respondents Creative Compounds
14 Inc., doing business as Harbor Compounding and Home Health Care Pharmacy and Harbor
15 Compounding Pharmacy or respondent at their own expense as an independent consultant
16 responsible for reviewing pharmacy operations on a monthly basis during the period of probation
17 for compliance by respondents Creative Compounds Inc., doing business as Harbor
18 Compounding and Home Health Care Pharmacy and Harbor Compounding Pharmacy with state
19 and federal laws and regulations governing the practice of pharmacy and for compliance by
20 respondent with the obligations of a pharmacist-in-charge. The consultant shall not on probation
21 with the board. Respondent shall be responsible for ensuring that the consultant submits timely
22 reports. After twelve monthly reports have been submitted timely, respondent may request that
23 the board or its designee approve transition to quarterly review and reporting by the consultant.
24 Approval or denial of such transition shall be within the discretion of the board or its designee.

25 If an approved consultant is no longer able or willing to serve as a consultant for
26 respondent, respondent shall seek approval of a new consultant within thirty (30) days, and to
27 ensure timely reporting by the newly-approved consultant. Failure to timely seek approval of,
28 retain, or ensure timely reporting by the consultant shall be considered a violation of probation.

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

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

20. **Ethics Course**

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

Respondent shall submit a certificate of completion to the board or its designee within five days after completing the course.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Herbert L. Weinberg. 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: 7/15/15


MICHAEL CAN HUA
Respondent

I have read and fully discussed with Respondent Michael Can Hua the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 7/15/2015


HERBERT L. WEINBERG
Attorney for Respondent Michael Can Hua

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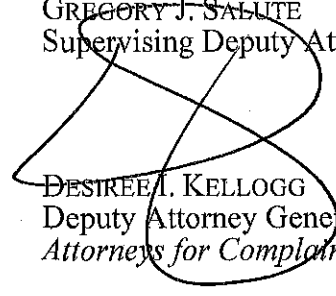
ENDORSEMENT

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

DATED: 7/16/15

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General



DESIREE L. KELLOGG
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 5041

1 KAMALA D. HARRIS
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 DESIREE J. KELLOGG
Deputy Attorney General
4 State Bar No. 126461
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2996
7 Facsimile: (619) 645-2061
Attorneys for Complainant

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13 **DBA HARBOR COMPOUNDING AND HOME**
HEALTH CARE PHARMACY
14 **2000 Harbor Blvd., Ste. C-100**
Costa Mesa, CA 92627

FIRST AMENDED ACCUSATION

15 **Pharmacy Permit No. PHY 50397**

16 **CREATIVE COMPOUNDS INC.,**
17 **DBA HARBOR COMPOUNDING PHARMACY**
2000 Harbor Blvd., Ste. C-100
18 **Costa Mesa, CA 92627**

19 **Licensed Sterile Compounding Permit No. 99688**

20 **MAYANK PARIMAL SHAH**
21 **P.O. Box 65**
Downey, CA 90241

22 **Pharmacist License No. RPH 57834**

23 **MICHAEL CAN HUA**
24 **37255 Tomasek Terrace**
Fremont, CA 94536

25 **Pharmacist License No. RPH 61291**

26 Respondents.
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1 Complainant alleges:

2 **PARTIES**

3 1. Virginia Herold (Complainant) brings this First Amended Accusation solely in her
4 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer
5 Affairs.

6 2. On or about August 25, 2010, the Board of Pharmacy issued Pharmacy Permit
7 Number PHY 50397 to a corporate entity, Creative Compounds Inc., dba Harbor Compounding
8 and Home Health Care Pharmacy (Respondent Harbor Compounding and Home Health Care
9 Pharmacy). The Pharmacy Permit was in full force and effect at all times relevant to the charges
10 brought herein and will expire on August 1, 2015, unless renewed.

11 3. On or about July 15, 2011, the Board of Pharmacy issued Licensed Sterile
12 Compounding Permit Number 99688 to a corporate entity, Creative Compounds Inc., doing
13 business as Harbor Compounding Pharmacy (Respondent Harbor Compounding Pharmacy). The
14 Licensed Sterile Compounding Permit was in full force and effect at all times relevant to the
15 charges brought herein and will expire on August 1, 2015, unless renewed.

16 4. On or about November 10, 2005, the Board of Pharmacy issued Pharmacist License
17 Number RPH 57834 to Mayank Parimal Shah (Respondent Mike Shah). The Pharmacist License
18 was in full force and effect at all times relevant to the charges brought herein and will expire on
19 August 31, 2015, unless renewed.

20 5. On or about August 6, 2008, the Board of Pharmacy issued Pharmacist License
21 Number RPH 61291 to Michael Can Hua (Respondent Michael Hua). The Pharmacist License
22 was in full force and effect at all times relevant to the charges brought herein and will expire on
23 June 30, 2016, unless renewed.

24 **JURISDICTION**

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

1 7. Section 4011 of the Code provides that the Board shall administer and enforce both
2 the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances
3 Act [Health & Safety Code, § 11000 et seq.].

4 8. Section 4300(a) of the Code provides that every license issued by the Board may be
5 suspended or revoked.

6 9. Section 4300.1 of the Code states:

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

13 **STATUTORY PROVISIONS**

14 10. Section 4022 of the Code states:

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

17 (a) Any drug that bears the legend: "Caution: federal law prohibits
18 dispensing 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 import,
21 the blank to be filled in with the designation of the practitioner licensed to use or
22 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 11. Section 4110(a) of the Code states:

26 No person shall conduct a pharmacy in the State of California unless he or
27 she has obtained a license from the board. A license shall be required for each
28 pharmacy owned or operated by a specific person. A separate license shall be
29 required for each of the premises of any person operating a pharmacy in more than
30 one location. The license shall be renewed annually. The board may, by regulation,
31 determine the circumstances under which a license may be transferred.

32 12. Section 4113, subdivision (c) of the Code states:

33 The pharmacist-in-charge shall be responsible for a pharmacy's compliance
34 with all state and federal laws and regulations pertaining to the practice of pharmacy.

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13. Section 4127.7 of the Code states:

On or after July 1, 2005, a pharmacy shall compound sterile injectable products from one or more nonsterile ingredients in one of the following environments:

- (a) An ISO class 5 laminar airflow hood within an ISO class 7 cleanroom. The cleanroom must have a positive air pressure differential relative to adjacent areas.
- (b) An ISO class 5 cleanroom.
- (c) A barrier isolator that provides an ISO class 5 environment for compounding.

14. Sections 4201(a) and (b)(2) of the Code states:

Each application to conduct a pharmacy, wholesaler, or veterinary food-animal drug retailer shall be made on a form furnished by the board, and shall state the name, address, usual occupation, and professional qualifications, if any, of the applicant. If the applicant is other than a natural person, the application shall state the information as to each person beneficially interested therein.

As used in this section, and subject to subdivision (c), the term "beneficially interested" means and includes:

...

If the applicant is a corporation, each of its officers, directors, and stockholders, provided that no natural person shall be deemed to be beneficially interested in a nonprofit corporation.

15. Section 4301 of the Code states in pertinent part:

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

....

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

....

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

....

1 16. Section 4302 of the Code states:

2 The board may deny, suspend, or revoke any license of a corporation where
3 conditions exist in relation to any person holding 10 percent or more of the corporate
4 stock of the corporation, or where conditions exist in relation to any officer or
5 director of the corporation that would constitute grounds for disciplinary action
6 against a licensee.

7 17. Section 4307(a) of the Code states that:

8 Any person who has been denied a license or whose license has been revoked
9 or is under suspension, or who has failed to renew his or her license while it was
10 under suspension, or who has been a manager, administrator, owner member, officer,
11 director, associate, or partner of any partnership, corporation, firm, or association
12 whose application for a license has been denied or revoked, is under suspension or
13 has been placed on probation, and while acting as the manger, administrator, owner,
14 member, officer, director, associate, or partner had knowledge or knowingly
15 participated in any conduct for which the license was denied, revoked, suspended, or
16 placed on probation, shall be prohibited from serving as a manger, administrator,
17 owner, member, officer, director, associate, or partner of a licensee as follows:

18 (1) Where a probationary license is issued or where an existing license is placed
19 on probation, this prohibition shall remain in effect for a period not to exceed five
20 years.

21 (2) Where the license is denied or revoked, the prohibition shall continue until
22 the license is issued or reinstated.

23 REGULATORY PROVISIONS

24 18. Title 16, California Code of Regulations, section 1735(a) states in pertinent part:

25 "Compounding" means any of the following activities occurring in a licensed
26 pharmacy, by or under the supervision of a licensed pharmacist, pursuant to a
27 prescription:

28 (1) Altering the dosage form or delivery system of a drug

(2) Altering the strength of a drug

(3) Combining components or active ingredients

(4) Preparing a drug product from chemicals or bulk drug substances

...

19 19. Title 16, California Code of Regulations, section 1735.2(h) states:

20 Every compounded drug product shall be given an expiration date representing
21 the date beyond which, in the professional judgment of the pharmacist performing or
22 supervising the compounding, it should not be used. This "beyond use date" of the
23 compounded drug product shall not exceed 180 days from preparation or the shortest
24 expiration date of any component in the compounded drug product, unless a longer
25 date is supported by stability studies of finished drugs or compounded drug products
26 using the same components and packaging. Shorter dating than set forth in this

1 subsection may be sued if it is deemed appropriate in the professional judgment of the
2 responsible pharmacist.

3 20. Title 16, California Code of Regulations, section 1735.5(c) states:

4 (c) The policy and procedure manual shall include the following:

5 (1) Procedures for notifying staff assigned to compounding duties of any
6 changes in processes or to the policy and procedures manual

7 (2) Documentation of a plan for recall of a dispensed compounded drug product
8 where subsequent verification demonstrates the potential for adverse effects with
9 continued use of a compounded drug product;

10 (3) The procedures for maintaining, storing, calibrating, cleaning, and
11 disinfecting equipment used in compounding, and for training on those procedures as
12 part of the staff training and competency evaluation process.

13 (4) Documentation of the methodology used to test integrity, potency, quality,
14 and labeled strength of compounded drug products.

15 (5) Documentation of the methodology used to determine appropriate
16 expiration dates for compounded drug products.

17 21. Title 16, California Code of Regulations, section 1735.7(a) states:

18 Any pharmacy engaged in compounding shall maintain written documentation
19 sufficient to demonstrate that the pharmacy personnel have the skills and training
20 required to properly and accurately perform their assigned responsibilities relating to
21 compounding.

22 22. Title 16, California Code of Regulations, section 1751.7(c) states:

23 Batch-produced sterile injectable drug products compounded from one or more
24 non-sterile ingredients shall be subject to documented end product testing for sterility
25 and pyrogens and shall be quarantined until the end product testing confirms sterility
26 and acceptable levels of pyrogens.

27 23. Title 16, California Code of Regulations, section 1793.7(b) states:

28 Pharmacy technicians must work under the direct supervision of a pharmacist
and in such a relationship that the supervising pharmacist is fully aware of all
activities involved in the preparation and dispensing of medications, including the
maintenance of appropriate records.

24 COST RECOVERY

25 24. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
26 administrative law judge to direct a licentiate found to have committed a violation or violations of
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
28 enforcement of the case.

1 **DRUGS**

2 25. Testosterone Pellets are Schedule III controlled substances pursuant to Health and
3 Safety Code section 11056(f)(30) and dangerous drugs pursuant to Business and Professions
4 Code section 4022.

5 26. Estradiol Pellets are dangerous drugs pursuant to Business and Professions Code
6 section 4022.

7 **FACTUAL ALLEGATIONS**

8 27. On or about July 19, 2010, on behalf of Respondent Harbor Compounding and Home
9 Health Care Pharmacy, Rebecca Rodriguez-Torres, Respondent Mike Shah and Respondent
10 Michael Hua submitted an application for a pharmacy permit. The application stated that “any
11 material misrepresentation in the answer of any question is grounds for refusal or subsequent
12 revocation of a license, and is a violation of the Penal Code of California.” Respondent Michael
13 Hua and Rebecca Rodriguez-Torres certified under penalty of perjury under the laws of the State
14 of California that each and all statements made in the application and supplemental statements
15 were true and that no person other than the applicants had any direct or indirect interest in the
16 applicants’ business. In the application, Respondent Mike Shah, Respondent Michael Hua and
17 Rebecca Rodriguez-Torres identified Rebecca Rodriguez-Torres as a seventy-nine percent owner
18 and Respondent Michael Hua as a twenty-one percent owner of Respondent Harbor
19 Compounding and Health Care Pharmacy. Respondent Mike Shah was not identified as an owner
20 when in fact, Mike Shah was an owner of Harbor Compounding and Home Health Care
21 Pharmacy and has been operating that pharmacy in his capacity as an owner.

22 28. On or about April 11, 2011, Rebecca Rodriguez-Torres, Respondent Mike Shah and
23 Respondent Michael Hua submitted an application for a sterile compounding license in
24 connection with their pharmacy permit. The application stated that “any material
25 misrepresentation in the answer of any question is grounds for refusal or subsequent revocation of
26 a license, and is a violation of the Penal Code of California.” Respondent Michael Hua certified
27 under penalty of perjury under the laws of the State of California that each and all statements
28 made in the application and supplemental statements were true and that no person other than the

1 applicant has any direct or indirect interest in the applicant's business. He also acknowledged
2 that any falsification of any information in this application may constitute grounds for denial or
3 subsequent revocation of license. Respondent Mike Shah was not identified as an owner of
4 Respondent Harbor Compounding Pharmacy.

5 29. Since August 25, 2010, Respondent Michael Hua has been the Pharmacist-in-Charge
6 of Respondent Harbor Compounding and Home Health Care Pharmacy. Since July 15, 2011,
7 Respondent Michael Hua has been the Pharmacist-in-Charge of Respondent Harbor
8 Compounding Pharmacy.

9 30. In 2012 and 2013, Respondents compounded and sold testosterone pellets and
10 estradiol pellets, among other sterile and non-sterile injectable drug products.

11 31. In August 2012, Respondents tested compounded sample numbers W-1-136, W-1-
12 150 and W-1-151 of testosterone pellets for potency, but not for sterility and endotoxins. In
13 November 2012, Respondents tested compounded sample W-1-193 of estradiol pellets for
14 potency and sterility but not for endotoxins.

15 32. In or about June 2013, Respondents' pharmacists dispensed prescriptions in the retail
16 section of the premises while Respondents' multiple pharmacy technicians and one intern
17 pharmacist compound sterile injectable drug products in the rear of the premises without any
18 pharmacists being present and supervising the compounding being done, including the weighing,
19 mixing, pouring, compounding, and labeling of finished drug products. Respondents also did not
20 provide training to the newly hired pharmacy technician and pharmacist intern or ascertain if they
21 possessed the skills necessary to compound.

22 33. Respondents did not maintain written policies and procedures for maintaining,
23 storing, calibrating, cleaning and disinfecting their compounding equipment, including the new
24 capsule machine, the ungunators, the Mills for creams/ointments, the V-blender or the pellet
25 presses. Respondents did not possess the records to show that they had cleaned them.

26 34. Respondents refilled stock bottle containers of cream from the barrels of over stock
27 cream bases without cleaning the stock bottle containers, thereby increasing the possibility of
28 contamination.

1 35. Respondents compounded drug products with expired chemical ingredients in June
2 2013 and assigned beyond use dates which exceeded the shortest expiration date of components
3 used to compound drugs.

4 36. Respondents compounded sterile injectable products, namely testosterone and
5 estradiol pellets, but failed to perform the compounding in either: (a) an ISO class 5 laminar
6 airflow hood within an ISO class 7 cleanroom with a positive air pressure differential relative to
7 the adjacent areas; (b) an ISO class 5 cleanroom or (c) a barrier isolator that provides an ISO class
8 5 environment for compounding.

9 **FIRST CAUSE FOR DISCIPLINE**

10 **(Allowing Pharmacy Technicians to Compound Without Direct Supervision of Pharmacist**
11 **against Respondents Harbor Compounding and Home Health Care Compounding**
12 **Pharmacy, Harbor Compounding Pharmacy and Michael Hua)**

13 37. Respondents are subject to disciplinary action under Code section 4301(o), for
14 violating title 16, California Code of Regulations, section 1793.7(b), in that they allowed
15 pharmacy technicians to compound drug products when they were not under the direct
16 supervision of a pharmacist, as set forth in paragraphs 26 through 36, which are incorporated
17 herein by reference.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Allowing Untrained Staff to Perform Compounding against Respondents Harbor**
20 **Compounding and Home Health Care Compounding Pharmacy, Harbor Compounding**
21 **Pharmacy and Michael Hua)**

22 38. Respondents are subject to disciplinary action under Code section 4301(o), for
23 violating title 16, California Code of Regulations, section 1735.7(a), in that they allowed an
24 untrained pharmacy technician and an intern pharmacist to compound drug products and did not
25 possess the records necessary to demonstrate that this untrained staff had the skills and training
26 necessary to compound drug products, as set forth in paragraphs 26 through 36, which are
27 incorporated herein by reference.

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THIRD CAUSE FOR DISCIPLINE

(Failure to Clean Compounding Equipment and Maintain Cleaning Records against Respondents Harbor Compounding and Home Health Care Compounding Pharmacy, Harbor Compounding Pharmacy and Michael Hua)

39. Respondents are subject to disciplinary action under Code section 4301(o), for violating title 16, California Code of Regulations, section 1735.5(e), in that they did not document the cleaning, maintenance, storing, calibrating and disinfecting of the compounding equipment and maintain the records necessary to show that they cleaned such equipment, as set forth in paragraphs 26 through 36, which are incorporated herein by reference.

FOURTH CAUSE FOR DISCIPLINE

(Using Expired Chemical Ingredients to Compound Drug Products and Assigning Improper Beyond Use Dates against Respondents Harbor Compounding and Home Health Care Compounding Pharmacy, Harbor Compounding Pharmacy and Michael Hua)

40. Respondents are subject to disciplinary action under Code section 4301(o), for violating title 16, California Code of Regulations, section 1735.2(h), in that they used expired chemical ingredients to compound drug products and assigned beyond use dates which exceeded the shortest expiration date of components in the compounded drugs, as set forth in paragraphs 26 through 36, which are incorporated herein by reference.

FIFTH CAUSE FOR DISCIPLINE

(Failure to Compound Sterile Injectable Drugs in Authorized Environment against Respondents Harbor Compounding and Home Health Care Compounding Pharmacy, Harbor Compounding Pharmacy and Michael Hua)

41. Respondents are subject to disciplinary action under Code section 4301(o), for violating Business and Professions Code section 4127.7, in that on or about June 2013, they compounded sterile injectable drugs from non-sterile ingredients, in an environment which was not authorized by law, as set forth in paragraphs 26 through 36, which are incorporated herein by reference.

1 **SIXTH CAUSE FOR DISCIPLINE**

2 **(Failure to Properly Test Sterile Injectable Drug Products against Respondents Harbor**
3 **Compounding and Home Health Care Compounding Pharmacy, Harbor Compounding**
4 **Pharmacy and Michael Hua)**

5 42. Respondents are subject to disciplinary action under Code section 4301(o), for
6 violating title 16, California Code of Regulations, section 1751.7(c), in that they failed to properly
7 test certain samples of testosterone and estradiol pellets, as set forth in paragraphs 26 through 36,
8 which are incorporated herein by reference.

9 **SEVENTH CAUSE FOR DISCIPLINE**

10 **(Commission of Act Involving Dishonesty, Fraud, Deceit or Corruption against**
11 **Respondents Mike Shah and Michael Hua)**

12 43. Respondents Mike Shah and Michael Hua are subject to disciplinary action under
13 Code section 4301(f), for committing acts involving dishonesty, fraud, deceit or corruption, as set
14 forth in paragraphs 26 through 36, which are incorporated herein by reference.

15 **EIGHTH CAUSE FOR DISCIPLINE**

16 **(Operating a Pharmacy Without a License Against Respondent Mike Shah)**

17 44. Respondent Mike Shah is subject to disciplinary action under Code section 4301(o),
18 for violating Business and Professions Code section 4110(a), in that he operated a pharmacy
19 without a permit, as set forth in paragraphs 26 through 36, which are incorporated herein by
20 reference.

21 **NINTH CAUSE FOR DISCIPLINE**

22 **(Failure to Disclose All Owners on Applications Against Respondents)**

23 45. Respondents are subject to disciplinary action under Code section 4301(o), for
24 violating Business and Professions Code section 4201(b)(2), in that they hid the true ownership of
25 Respondents Harbor Compounding and Home Health Care Pharmacy and Harbor Compounding
26 Pharmacy by failing to disclose that Respondent Mike Shah was an owner and by representing
27 that Rebecca Rodriguez-Torres was the majority owner, as set forth in paragraphs 26 through 36,
28 which are incorporated herein by reference.

1 **TENTH CAUSE FOR DISCIPLINE**

2 **(Misconduct by Owners and/or Corporate Officers Against Respondents Harbor**
3 **Compounding and Home Health Care Pharmacy and Harbor Compounding Pharmacy)**

4 46. Respondents Harbor Compounding and Home Health Care Pharmacy and Harbor
5 Compounding Pharmacy are subject to disciplinary action under Code sections 4301(o) and 4302,
6 in that a person holding more than ten percent of the stock of those corporations and corporate
7 officers and directors engaged in conduct that constitutes grounds for disciplinary action, as set
8 forth in paragraphs 26 through 36, which are incorporated herein by reference.

9 **ELEVENTH CAUSE FOR DISCIPLINE**

10 **(Unprofessional Conduct)**

11 47. Respondents are subject to disciplinary action under Code section 4301 for
12 unprofessional conduct in that they engaged in the activities described in paragraphs 26 through
13 36 above, which are incorporated herein by reference.

14 **OTHER MATTERS**

15 48. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
16 PHY 50397 and Sterile Compounding License Number LSC 99688 issued to Creative
17 Compounds Inc., dba Harbor Compounding and Home Health Care Pharmacy and Harbor
18 Compounding Pharmacy, they shall be prohibited from serving as a manager, administrator,
19 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
20 Permit Number PHY 50397 and Sterile Compounding License Number LSC 99688 are placed
21 on probation or until Pharmacy Permit Number PHY 50397 and Sterile Compounding License
22 Number LSC 99688 are reinstated if they are revoked.

23 49. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit
24 Number PHY 50397 and Sterile Compounding License Number LSC 99688 issued to Creative
25 Compounds Inc., dba Harbor Compounding and Home Health Care Pharmacy and Harbor
26 Compounding Pharmacy, while Mayank Parimal Shah has been an officer and owner and had
27 knowledge of or knowingly participated in any conduct for which the licensee was disciplined,
28 Mayank Parimal Shah shall be prohibited from serving as a manager, administrator, owner,

1 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
2 Number PHY 50397 and Sterile Compounding License Number LSC 99688 are placed on
3 probation or until Pharmacy Permit Number PHY 50397 and Sterile Compounding License
4 Number LSC 99688 are reinstated if they are revoked.

5 50. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit
6 Number PHY 50397 and Sterile Compounding License Number LSC 99688 issued to Creative
7 Compounds Inc., dba Harbor Compounding and Home Health Care Pharmacy and Harbor
8 Compounding Pharmacy, while Michael Can Hua has been an officer and owner and had
9 knowledge of or knowingly participated in any conduct for which the licensee was disciplined,
10 Michael Can Hua shall be prohibited from serving as a manager, administrator, owner, member,
11 officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number
12 PHY 50397 and Sterile Compounding License Number LSC 99688 are placed on probation or
13 until Pharmacy Permit Number PHY 50397 and Sterile Compounding License Number LSC
14 99688 are reinstated if they are revoked.

15 51. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License
16 No. RPH 57834 issued to Mayank Parimal Shah, Mayank Parimal Shah shall be prohibited from
17 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a
18 licensee for five years if Pharmacist License Number RPH 57834 is placed on probation or until
19 Pharmacist License Number RPH 57834 is reinstated if it is revoked.

20 52. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License
21 No. RPH 61291 issued to Michael Can Hua, Michael Can Hua shall be prohibited from serving
22 as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee
23 for five years if Pharmacist License Number RPH 61291 is placed on probation or until
24 Pharmacist License Number RPH 61291 is reinstated if it is revoked.

25 **DISCIPLINARY CONSIDERATIONS**

26 53. To determine the degree of discipline, if any, to be imposed on Respondents,
27 Complainant alleges:
28

1 a. On July 5, 2013, the Board issued Citation number CI 2012 54273 against
2 Respondent Harbor Compounding and Home Health Care for violating title 16, California Code
3 of Regulations, sections 1735.4(d), 1751.7(c) and 1735.3(a) for improper compounding. The
4 Board issued a fine which Respondent has paid.

5 b. On July 5, 2013, the Board issued Citation number CI 2012 57447 against
6 Respondent Michael Hua for violating title 16, California Code of Regulations, sections
7 1735.4(d), 1751.7(c) and 1735.3(a) for improper compounding. The Board issued a fine which
8 Respondent has paid.

9 **PRAYER**

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

12 1. Revoking or suspending Pharmacy Permit Number PHY 50397, issued to Creative
13 Compounds Inc., dba Harbor Compounding and Home Health Care Pharmacy;

14 2. Revoking or suspending Licensed Sterile Compounding Permit Number 99688,
15 issued to Creative Compounds Inc., doing business as Harbor Compounding Pharmacy;

16 3. Revoking or suspending Pharmacist License Number RPH 57834, issued to Mayank
17 Parimal Shah;

18 4. Revoking or suspending Pharmacist License Number RPH 61291, issued to Michael
19 Can Hua;

20 5. Prohibiting Creative Compounds Inc., dba as Harbor Compounding and Home
21 Health Care Pharmacy and Harbor Compounding Pharmacy from serving as a manager,
22 administrator, owner, member, officer, director, associate, or partner of a licensee for five years
23 if Pharmacy Permit Number PHY 50397 and Sterile Compounding License Number LSC 99688
24 are placed on probation or until Pharmacy Permit Number PHY 50397 and Sterile Compounding
25 License Number LSC 99688 are reinstated if Pharmacy Permit Number PHY 50397 and Sterile
26 Compounding License Number LSC 99688 issued to Creative Compounds Inc., dba as Harbor
27 Compounding and Home Health Care Pharmacy and Harbor Compounding Pharmacy are
28 revoked;

1 6. Prohibiting Mayank Parimal Shah from serving as a manager, administrator, owner,
2 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
3 Number PHY 50397 and Sterile Compounding License Number LSC 99688 are placed on
4 probation or until Pharmacy Permit Numbers PHY 50397 and Sterile Compounding License
5 Number LSC 99688 are reinstated if Pharmacy Permit Number PHY 50397 and Sterile
6 Compounding License Number LSC 99688 issued to Creative Compounds Inc., dba as Harbor
7 Compounding and Home Health Care Pharmacy and Harbor Compounding Pharmacy are
8 revoked;

9 7. Prohibiting Michael Can Hua from serving as a manager, administrator, owner,
10 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
11 Number PHY 50397 and Sterile Compounding License Number LSC 99688 are placed on
12 probation or until Pharmacy Permit Number PHY 50397 and Sterile Compounding License
13 Number LSC 99688 are reinstated if Pharmacy Permit Number PHY 50397 and Sterile
14 Compounding License Number LSC 99688 issued to Creative Compounds Inc., dba as Harbor
15 Compounding and Home Health Care Pharmacy and Harbor Compounding Pharmacy are
16 revoked;

17 8. Prohibiting Mayank Parimal Shah from serving as a manager, administrator, owner,
18 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
19 Number RPH 57834 is placed on probation or until Pharmacist License Number RPH 44796 is
20 reinstated if Pharmacist License Number RPH 57834 issued to Mayank Parmil Shah is revoked;

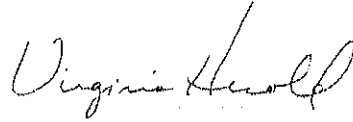
21 9. Prohibiting Michael Can Hua from serving as a manager, administrator, owner,
22 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
23 Number RPH 61291 is placed on probation or until Pharmacist License Number RPH 44796 is
24 reinstated if Pharmacist License Number RPH 61291 issued to Michael Can Hua Shah is
25 revoked;

26 10. Ordering Creative Compounds Inc., dba Harbor Compounding and Home Health
27 Care Pharmacy, Creative Compounds Inc., doing business as Harbor Compounding Pharmacy,
28 Mayank Parimal Shah and Michael Can Hua to pay the Board of Pharmacy the reasonable costs

1 of the investigation and enforcement of this case, pursuant to Business and Professions Code
2 section 125.3;

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

4 DATED: April 28, 2015

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7
8 VIRGINIA HEROLD
9 Executive Officer
10 Board of Pharmacy
11 Department of Consumer Affairs
12 State of California
13 *Complainant*

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