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

In the Matter of the Accusation Against: **MEDIRATTA RX INC.** **DBA PEOPLE'S PHARMACY** **31951 Dove Canyon Drive, Suite F** **Rancho Santa Margarita, CA 92679** **Pharmacy Permit No. PHY 47303** **Sterile Compounding License No. LSC 99478** **and** **RASHIMI MEDIRATTA** **31951 Dove Canyon Drive, Suite F** **Rancho Santa Margarita, CA 92679** **Pharmacist License No. RPH 57047** Respondents.	Case No. 5942 OAH No. 2017040455 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

DECISION AND ORDER

The attached Stipulated Settlement 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 at 5:00 p.m. on November 29, 2017.

It is so ORDERED on October 30, 2017.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By _____
Amy Gutierrez, Pharm.D.
Board President

XAVIER BECERRA
Attorney General of California
ANTOINETTE B. CINCOTTA
Supervising Deputy Attorney General
MANUEL ARAMBULA
Deputy Attorney General
State Bar No. 289718
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9463
Facsimile: (619) 645-2061
Attorneys for Complainant

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

In the Matter of the Accusation Against: **MEDIRATTA RX INC.** **DBA PEOPLE'S PHARMACY** **31951 Dove Canyon Drive, Suite F** **Rancho Santa Margarita, CA 92679** **Pharmacy Permit No. PHY 47303** **Sterile Compounding License No. LSC 99478** **and** **RASHIMI MEDIRATTA** **31951 Dove Canyon Drive, Suite F** **Rancho Santa Margarita, CA 92679** **Pharmacist License No. RPH 57047** Respondents.	Case No. 5942 OAH No. 2017040455 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

///

///

///

///

PARTIES

1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy (Board). She brought this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Manuel Arambula, Deputy Attorney General.

2. Respondent Mediratta Rx Inc. dba People's Pharmacy (Respondent People's Pharmacy) and Rashimi Mediratta (Respondent Mediratta) are represented in this proceeding by attorney Tony Park, whose address is California Pharmacy Lawyers, 49 Discovery, Ste. 240, Irvine, CA 92618.

3. On or about June 6, 2005, the Board issued Pharmacist License No. RPH 57047 to Respondent Mediratta. The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2018, unless renewed.

4. On or about October 7, 2005, the Board issued Pharmacy Permit No. PHY 47303 to Respondent People's Pharmacy. The Pharmacy Permit was in full force and effect at all times relevant to the charges brought in Accusation No. 5942, and will expire on October 1, 2017, unless renewed.

5. On or about January 18, 2008, the Board issued Sterile Compounding Permit No. LSC 99478 to Respondent People's Pharmacy. The Sterile Compounding Permit was in full force and effect at all times relevant to the charges brought in Accusation No. 5942, and will expire on October 1, 2017, unless renewed.

JURISDICTION

6. Accusation No. 5942 was filed before the Board, and is currently pending against Respondents. The Accusation and all other statutorily required documents were properly served on Respondents on February 1, 2017. Respondents timely filed their Notice of Defense contesting the Accusation. A copy of Accusation No. 5942 is attached as exhibit A and incorporated herein by reference.

///

///

ADVISEMENT AND WAIVERS

7. Respondents have carefully read, fully discussed with counsel, and understood the charges and allegations in Accusation No. 5942. Respondents have also carefully read, fully discussed with counsel and understand the effects of this Stipulated Settlement and Disciplinary Order and Stipulated Surrender.

8. Respondents are fully aware of their legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondents voluntarily, knowingly, and intelligently waive and give up each and every right set forth above.

CULPABILITY

10. Respondents admit the truth of each and every charge and allegation in Accusation No. 5942 and admit that such allegations constitute cause for imposing discipline upon Pharmacist License No. RPH 57047 and Pharmacy Permit No. PHY 47303.

11. Respondent People's Pharmacy understands that the charges and allegations in Accusation No. 5942, if proven at a hearing, constitute cause for imposing discipline upon Sterile Compounding License No. LSC 99478.

12. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent People's Pharmacy agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline against Sterile Compounding License No. LSC 99478. Respondent People's Pharmacy hereby gives up its right to contest that cause for discipline against Sterile Compounding License No. LSC 99478 exists based on those charges.

///

///

13. Respondent People's Pharmacy understands that by signing this stipulation it enables the Board to issue an order accepting the surrender of Licensed Sterile Compounding Permit Number LSC 99478. Respondents Mediratta and People's Pharmacy agree that Pharmacist License No. RPH 57047 and Pharmacy Permit No. PHY 47303 are subject to discipline and agree to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

14. This stipulation and surrender shall be subject to approval by the Board of Pharmacy. Respondents understand and agree that counsel for Complainant and the staff of the Board of Pharmacy may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondents or their counsel. By signing the stipulation and surrender, Respondents understand and agree that they may not withdraw its agreement or seek to rescind the stipulation or surrender prior to the time the Board considers and acts upon them. If the Board fails to adopt the stipulation and surrender as its Decision and Order, the Stipulated Settlement and Disciplinary Order and Stipulated Surrender 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.

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

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

///

///

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Licensed Sterile Compounding Permit Number LSC 99478, issued to Respondent People's Pharmacy, is surrendered and accepted by the Board.

18. Respondent People's Pharmacy surrenders Sterile Compounding Permit Number LSC 99478 as of the effective date of this Decision. Respondent People's Pharmacy shall relinquish the premises permit to the Board within ten (10) days of the effective date of this Decision.

19. The surrender of Respondent People's Pharmacy's licensed sterile compounding permit and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent People's Pharmacy. This Decision constitutes a record of discipline and shall become a part of Respondent People's Pharmacy's license history with the Board.

20. Respondent People's Pharmacy may not reapply or petition the Board for reinstatement of her surrendered permit for three years from the effective date of this decision.

21. If Respondent People's Pharmacy ever applies for an application for a licensed sterile compounding permit or a petition for reinstatement in the State of California, the Board shall treat it as a new application for a permit. Respondent People's Pharmacy must comply with all the laws, regulations, and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 5942 shall be deemed to be true, correct and admitted by Respondent when the Board determines to grant or deny the application or petition.

///

///

///

///

///

IT IS FURTHER ORDERED that Pharmacy Permit No. PHY 47303 issued to Mediratta RX Inc., doing business as People's Pharmacy with Rashimi Mediratta as the President and Pharmacist-in-Charge are revoked. However, the revocation is stayed and the Respondent People's Pharmacy is placed on probation for three (3) years on the following terms and conditions.

1. **Obey All Laws**

Respondent People's Pharmacy shall obey all state and federal laws and regulations.

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

- an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws
- a plea of guilty or nolo contendre in any state or federal criminal proceeding to any criminal complaint, information or indictment
- a conviction of any crime
- discipline, citation, or other administrative action filed by any state or federal agency which involves Respondent's licenses or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

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

2. **Report to the Board**

Respondent People's Pharmacy shall report to the Board quarterly, on a schedule as directed by the Board or its designee. The report shall be made either in person or in writing, as directed. Among other requirements, Respondent People's Pharmacy shall state in each report under penalty of perjury whether there has been compliance with all the terms and conditions of probation. Failure to submit timely reports in a form as directed shall be considered a violation of probation. Any period(s) of delinquency in submission of reports as directed may be added to the total period of probation. Moreover, if the final probation report is not made as directed,

probation shall be automatically extended until such time as the final report is made and accepted by the Board.

3. **Interview with the Board**

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

4. **Cooperate with Board Staff**

Respondent People's Pharmacy shall cooperate with the Board's inspection program and with the Board's monitoring and investigation of Respondent People's Pharmacy's compliance with the terms and conditions of its probation. Failure to cooperate shall be considered a violation of probation.

5. **Reimbursement of Board Costs**

As a condition precedent to successful completion of probation, Respondent owner shall pay to the board its costs of investigation and prosecution in the amount of $13,500.00. Respondent People's Pharmacy may submit a payment plan, within 30 days of the effective date, for prior approval by the Board. Once approved, there shall be no deviation from the payment plan absent prior written approval by the Board or its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of probation.

The filing of bankruptcy by Respondent People's Pharmacy shall not relieve respondent of her responsibility to reimburse the board its costs of investigation and prosecution.

6. **Probation Monitoring Costs**

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

7. **Status of License**

Respondent People's Pharmacy shall, at all times while on probation, maintain current licensure with the board. If Respondent People's Pharmacy submits an application to the Board, and the application is approved, for a change of location, change of permit or change of ownership, the Board shall retain continuing jurisdiction over the license, and the respondent shall remain on probation as determined by the board. Failure to maintain current licensure 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 or otherwise, upon renewal or reapplication Respondent's license shall be subject to all terms and conditions of this probation not previously satisfied.

8. **License Surrender While on Probation/Suspension**

Following the effective date of this decision, should Respondent People's Pharmacy discontinue business, Respondent People's Pharmacy may tender the premises 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.

Upon acceptance of the surrender, Respondent owner shall relinquish the premises wall and renewal license to the board within ten (10) days of notification by the board that the surrender is accepted. Respondent People's Pharmacy shall further submit a completed Discontinuance of Business form according to board guidelines and shall notify the board of the records inventory transfer. Respondent People's Pharmacy shall also, by the effective date of this decision, arrange for the continuation of care for ongoing patients of the pharmacy by, at minimum, providing a written notice to ongoing patients that specifies the anticipated closing date of the pharmacy and that identifies one or more area pharmacies capable of taking up the patients' care, and by cooperating as may be necessary in the transfer of records or prescriptions for ongoing patients. Within five days of its provision to the pharmacy's ongoing patients, Respondent People's

Pharmacy shall provide a copy of the written notice to the board. For the purposes of this provision, "ongoing patients" means those patients for whom the pharmacy has on file a prescription with one or more refills outstanding, or for whom the pharmacy has filled a prescription within the preceding sixty (60) days.

Respondent People's Pharmacy may not apply for any new licensure from the board for three (3) years from the effective date of the surrender. Respondent People's Pharmacy shall meet all requirements applicable to the license sought as of the date the application for that license is submitted to the board.

Respondent People's Pharmacy further stipulates that he or she shall reimburse the Board for its costs of investigation and prosecution prior to the acceptance of the surrender.

9. **Notice to Employees**

Respondent People's Pharmacy shall, upon or before the effective date of this decision, ensure that all employees involved in permit operations are made aware of all the terms and conditions of probation, either by posting a notice of the terms and conditions, circulating such notice, or both. If the notice required by this provision is posted, it shall be posted in a prominent place and shall remain posted throughout the probation period. Respondent People's Pharmacy shall ensure that any employees hired or used after the effective date of this decision are made aware of the terms and conditions of probation by posting a notice, circulating a notice, or both. Additionally, Respondent People's Pharmacy shall submit written notification to the board, within fifteen (15) days of the effective date of this decision, that this term has been satisfied. Failure to submit such notification to the board shall be considered a violation of probation.

"Employees" as used in this provision includes all full-time, part-time, volunteer, temporary and relief employees and independent contractors employed or hired at any time during probation.

10. **Owners and Officers: Knowledge of the Law**

Respondent shall provide, within thirty (30) days after the effective date of this decision, signed and dated statements from its owners, including any owner or holder of ten percent (10%) or more of the interest in Respondent or Respondent's stock, and any officer, stating under

penalty of perjury that said individuals have read and are familiar with state and federal laws and regulations governing the practice of pharmacy. The failure to timely provide said statements under penalty of perjury shall be considered a violation of probation.

11. **Posted Notice of Probation**

Respondent People's Pharmacy shall prominently post a probation notice provided by the Board in a place conspicuous and readable to the public. The probation notice shall remain posted during the entire period of probation.

Respondent People's Pharmacy shall not, directly or indirectly, engage in any conduct or make any statement which is intended to mislead or is likely to have the effect of misleading any patient, customer, member of the public, or other person(s) as to the nature of and reason for the probation of the licensed entity.

Failure to post such notice shall be considered a violation of probation.

12. **Violation of Probation**

If a Respondent People's Pharmacy has not complied with any term or condition of probation, the Board shall have continuing jurisdiction over Respondent's license, and probation shall be automatically extended until all terms and conditions have been satisfied or the Board has taken other action as deemed appropriate to treat the failure to comply as a violation of probation, to terminate probation, and to impose the penalty that was stayed.

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

///

///

13. **Completion of Probation**

Upon written notice by the board or its designee indicating successful completion of probation, Respondent People's Pharmacy license will be fully restored.

14. **Consultant Pharmacist Review of Pharmacy Operations**

During the period of probation, Respondent People's Pharmacy shall retain an independent consultant at its own expense who shall be responsible for reviewing pharmacy operations on a monthly basis for compliance by Respondent with state and federal laws and regulations governing the practice of pharmacy. The consultant shall be a pharmacist licensed by and not on probation with the board and whose name shall be submitted to the Board or its designee, for prior approval, within thirty (30) days of the effective date of this decision. During the period of probation, the Board or its designee retains the discretion to reduce the frequency of the pharmacist consultant's review of Respondent pharmacy's operations. Failure to timely retain, seek approval of, or ensure timely reporting by the consultant shall be considered a violation of probation

IT IS FURTHER ORDERED that Pharmacist License No. RPH 57047 issued to Rashimi Mediratta is revoked. However, the revocation is stayed and the Respondent is placed on probation for three (3) years on the following terms and conditions.

1. **Obey All Laws**

Respondent shall obey all state and federal laws and regulations.

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

- an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws
- a plea of guilty or nolo contendre in any state or federal criminal proceeding to any criminal complaint, information or indictment
- a conviction of any crime

- discipline, citation, or other administrative action filed by any state or federal agency which involves Respondent's licenses or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

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

2. **Report to the Board**

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

3. **Interview with the Board**

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

4. **Cooperate with Board Staff**

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

5. **Continuing Education**

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

///

6. **Notice to Employers**

During the period of probation, Respondent shall notify all present and prospective employers of the decision in case number 5942 and the terms, conditions and restrictions imposed on Respondent by the decision, as follows:

Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of Respondent undertaking any new employment, Respondent shall cause her direct supervisor, pharmacist-in-charge (including each new pharmacist-in-charge employed during Respondent's tenure of employment) and owner to report to the Board in writing acknowledging that the listed individual(s) has/have read the decision in case number 5942, and terms and conditions imposed thereby. It shall be Respondent's responsibility to ensure that her employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the Board.

If Respondent works for or is employed by or through a pharmacy employment service, Respondent must notify her direct supervisor, pharmacist-in-charge, and owner at every entity licensed by the Board of the terms and conditions of the decision in case number 5942 in advance of the Respondent commencing work at each licensed entity. A record of this notification must be provided to the Board upon request.

Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen (15) days of Respondent undertaking any new employment by or through a pharmacy employment service, Respondent shall cause her direct supervisor with the pharmacy employment service to report to the Board in writing acknowledging that they have read the decision in case number 5942 and the terms and conditions imposed thereby. It shall be Respondent's responsibility to ensure that her employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the Board.

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

"Employment" within the meaning of this provision shall include any full-time, part-time, temporary, relief or pharmacy management service as a pharmacist or any

position for which a pharmacist license is a requirement or criterion for employment, whether the Respondent is an employee, independent contractor or volunteer.

7. No Supervision of Interns, 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 not designated in this settlement, or serve as a consultant. Assumption of any such unauthorized supervision responsibilities shall be considered a violation of probation. Respondent Mediratta may continue to be the pharmacist-in-charge only at People's Pharmacy.

8. Reimbursement of Board Costs

As a condition precedent to successful completion of probation, Respondent Mediratta shall pay to the Board its costs of investigation and prosecution in the amount of $13,500.00. Respondent Mediratta may submit a payment plan, within 30 days of the effective date, for prior approval by the Board. Once approved, there shall be no deviation from the payment plan absent prior written approval by the Board or its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of probation.

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

9. Probation Monitoring Costs

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

10. Status of License

Respondent shall, at all times while on probation, maintain an active, current license with the Board. Failure to maintain an active, current license shall be considered a violation of probation.

///

If Respondent's licenses expire or are 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 licenses shall be subject to all terms and conditions of this probation not previously satisfied.

11. **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.

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

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

///

13. **Tolling of Probation**

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

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

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

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

Respondent Mediratta is required to practice as a pharmacist in a licensed pharmacy setting that dispenses medication for a minimum of one year prior to the completion of probation. After the first year of probation, the Board or its designee may consider a modification of this requirement. If Respondent Mediratta fails to comply with this requirement or a subsequent modification thereto, such failure shall be considered a violation of probation.

///

///

14. **Violation of Probation**

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

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

15. **Completion of Probation**

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

16. **Restricted Practice**

Respondent's practice of pharmacy shall be restricted as follows: Respondent must complete 30 hours of remedial education in sterile compounding and at least 50% of those hours must be in-person training. Respondent may not compound sterile products until this term has been met. Respondent shall submit proof satisfactory to the Board of compliance with this term of probation and Respondent's probation shall not be successfully completed until this term has been met.

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

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

director, trustee, associate, or partner of any business, firm, partnership, or corporation currently or hereinafter licensed by the Board, Respondent may continue to serve in such capacity or hold that interest, but only to the extent of that position or interest as of the effective date of this decision. Violation of this restriction shall be considered a violation of probation.

18. **Remedial Education**

Within thirty (30) days of the effective date of this decision, Respondent Mediratta shall submit to the Board or its designee, for prior approval, an appropriate program of remedial education related to pharmacy operations and the role of the PIC. The program of remedial education shall consist of 12 hours, which shall be completed at the rate of four hours a year at Respondent Mediratta's own expense. All remedial education shall be in addition to, and shall not be credited toward, continuing education (CE) courses used for license renewal purposes.

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

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

19. **Ethics Course**

Within sixty (60) calendar days of the effective date of this decision, Respondent Mediratta shall enroll in a course in ethics, at Respondent Mediratta 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 Mediratta 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, Tony Park. I understand the stipulation and surrender and the effect it will have on my Pharmacy Permit, Pharmacist License, and Sterile Compounding Permit. I enter into this Stipulated Settlement and Disciplinary Order and Stipulated Surrender voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 09/06/2017

RASHIMI MEDIRATTA as an individual and as authorized agent on behalf of MEDIRATTA RX INC. DBA PEOPLE'S PHARMACY
Respondents

I have read and fully discussed with Respondents Rashimi Mediratta and Mediratta Rx Inc. dba People's Pharmacy the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order and Stipulated Surrender. I approve its form and content.

DATED: _____

TONY PARK
Attorney for Respondents

///
///
///
///
///
///
///
///
///

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Tony Park. I understand the stipulation and surrender and the effect it will have on my Pharmacy Permit, Pharmacist License, and Sterile Compounding Permit. I enter into this Stipulated Settlement and Disciplinary Order and Stipulated Surrender voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____

RASHIMI MEDIRATTA as an individual and as authorized agent on behalf of MEDIRATTA RX INC. DBA PEOPLE'S PHARMACY
Respondents

I have read and fully discussed with Respondents Rashimi Mediratta and Mediratta Rx Inc. dba People's Pharmacy the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order and Stipulated Surrender. I approve its form and content.

DATED: 09/06/2017

TONY PARK
Attorney for Respondents

///

///

///

///

///

///

///

///

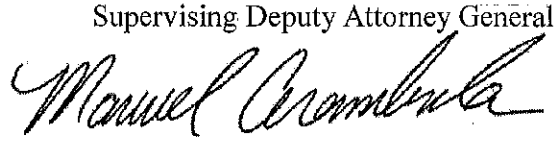
ENDORSEMENT

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

Dated: 09/06/2017

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ANTOINETTE B. CINCOTTA
Supervising Deputy Attorney General



MANUEL ARAMBULA
Deputy Attorney General
Attorneys for Complainant

SD2016702116

Exhibit A

Accusation No. 5942

XAVIER BECERRA
Attorney General of California
ANTOINETTE B. CINCOTTA
Supervising Deputy Attorney General
MANUEL ARAMBULA
Deputy Attorney General
State Bar No. 289718
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9463
Facsimile: (619) 645-2061
Attorneys for Complainant

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

In the Matter of the Accusation Against**:** **MEDIRATTA RX INC.** **DBA PEOPLE'S PHARMACY** **31951 Dove Canyon Drive, Suite F** **Rancho Santa Margarita, CA 92679** **Pharmacy Permit No. PHY 47303** **Sterile Compounding License No. LSC 99478** **and** **RASHIMI MEDIRATTA** **31951 Dove Canyon Drive, Suite F** **Rancho Santa Margarita, CA 92679** **Pharmacist License No. RPH 57047** Respondents.	Case No. 5942 **A C C U S A T I O N**

Complainant alleges:

PARTIES

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

2. On or about June 6, 2005, the Board issued Pharmacist License No. RPH 57047 to Rashimi Mediratta (Respondent Mediratta). The Pharmacist License was in full force and effect

at all times relevant to the charges brought herein and will expire on September 30, 2018, unless renewed.

3. On or about October 7, 2005, the Board issued Pharmacy Permit Number PHY 47303 to Mediratta RX Inc., doing business as People's Pharmacy (Respondent People's Pharmacy) with Rashimi Mediratta as the President and Pharmacist-in-Charge. The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on October 1, 2017, unless renewed.

4. On or about January 18, 2008, the Board issued Sterile Compounding License Number LSC 99478 to Mediratta RX Inc., doing business as People's Pharmacy (Respondent People's Pharmacy). The Sterile Compounding License was in full force and effect at all times relevant to the charges brought herein and will expire on October 1, 2017, unless renewed.

JURISDICTION

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

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

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

8. Section 4300.1 of the Code states:

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

///

///

///

STATUTORY PROVISIONS

9. Section 4022 of the Code states:

> "Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in humans or animals, and includes the following:
>
> (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without prescription," "Rx only," or words of similar import.
>
> (b) Any device that bears the statement: "Caution: federal law restricts this device to sale by or on the order of a ____," "Rx only," or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.
>
> (c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

10. Section 4033, subsection (a)(1) of the Code defines the term "manufacturer" as "every person who prepares, derives, produces, compounds, or repackages any drug or device except a pharmacy that manufactures on the immediate premises where the drug or device is sold to the ultimate consumer."

11. Section 4113, subsection (c) of the Code states: "The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all state and federal laws and regulations pertaining to the practice of pharmacy."

12. 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:
>
> . . . .
>
> (j) The violation of any of the statutes of this state, or any other state, or of the United States regulating controlled substances and dangerous drugs.
>
> . . . .
>
> (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.
>
> . . . .

13. Health and Safety Code section 11030 defines an "Ultimate user" as "a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household."

14. Health and Safety Code section 111330 provides that any drug or device is misbranded if its labeling is false or misleading in any particular.

15. Health and Safety Code section 111425 provides that a drug or device is misbranded if it was manufactured in this state in an establishment not duly licensed by the Department of Public Health.

16. Health and Safety Code section 111430 provides that a drug or device is misbranded if it was manufactured in an establishment not duly registered with the Secretary of Health, Education, and Welfare of the United States.

17. Health and Safety Code section 111440 provides that it is unlawful for any person to manufacture, sell, deliver, hold, or offer for sale any drug or device that is misbranded.

18. Health and Safety Code section 111450 provides that it is unlawful for any person to receive in commerce any drug or device that is misbranded or to deliver or proffer for delivery any drug or device.

19. Health and Safety Code section 111615 provides that no person shall manufacture any drug or device in this state unless he or she has a valid license from the Department of Public Health.

REGULATORY PROVISIONS

20. California Code of Regulations, title 16, section 1735, subsection (a): states in pertinent part:

> "Compounding" means any of the following activates occurring in a licensed pharmacy, by or under the supervision of a licensed pharmacist, pursuant to a prescription:
>
> (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
>
> …

21. California Code of Regulations, title 16, section 1735.2,:

states in pertinent part:

…

(c) Pursuant to Business and Professions Code section 4052(a)(1), a "reasonable quantity" of compounded drug product may be furnished to a prescriber for office use upon prescriber order, where "reasonable quantity" is that amount of compounded drug product that:

(1) is sufficient for administration or application to patients in the prescriber's office, or for distribution of not more than a 72-hour supply to the prescriber's patients, as estimated by the prescriber; and

(2) is reasonable considering the intended use of the compounded medication and the nature of the prescriber's practice; and

(3) for any individual prescriber and for all prescribers taken as a whole, is an amount which the pharmacy is capable of compounding in compliance with pharmaceutical standards for integrity, potency, quality and strength of the compounded drug product.

…

(h) Every compounded drug product shall be given an expiration date representing the date beyond which, in the professional judgment of the pharmacist performing or supervising the compounding, it should not be used. This "beyond use date" of the compounded drug product shall not exceed 180 days from preparation or the shortest expiration date of any component in the compounded drug product, unless a longer date is supported by stability studies of finished drugs or compounded drug products using the same components and packaging. Shorter dating than set forth in this subsection may be used if it is deemed appropriate in the professional judgment of the responsible pharmacist.

…

22. California Code of Regulations, title 16, section 1735.5, Compounding Policies and Procedures, states in pertinent part:

(a) Any pharmacy engaged in compounding shall maintain a written policy and procedure manual for compounding that establishes procurement procedures, methodologies for the formulation and compounding of drugs, facilities and equipment cleaning, maintenance, operation, and other standard operating procedures related to compounding.

(b) The policy and procedure manual shall be reviewed on an annual basis by the pharmacist-in-charge and shall be updated whenever changes in processes are implemented.

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

…

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

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

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

23. California Code of Regulations, title 16, section 1735.8, Compounding Quality Assurance, states that:

(a) Any pharmacy engaged in compounding shall maintain, as part of its written policies and procedures, a written quality assurance plan designed to monitor and ensure the integrity, potency, quality, and labeled strength of compounded drug products.

(b) The quality assurance plan shall include written procedures for verification, monitoring, and review of the adequacy of the compounding processes and shall also include written documentation of review of those processes by qualified pharmacy personnel.

(c) The quality assurance plan shall include written standards for qualitative and quantitative integrity, potency, quality, and labeled strength analysis of compounded drug products. All qualitative and quantitative analysis reports for compounded drug products shall be retained by the pharmacy and collated with the compounding record and master formula.

(d) The quality assurance plan shall include a written procedure for scheduled action in the event any compounded drug product is ever discovered to be below minimum standards for integrity, potency, quality, or labeled strength.

DRUGS

24. Tacrolimus is a dangerous drug pursuant to Code section 4022.

25. Cyclosporine is a dangerous drug pursuant to Code section 4022.

26. Idoxuridine is a dangerous drug pursuant to Code section 4022.

27. Demecarium is a dangerous drug pursuant to Code section 4022.

COST RECOVERY

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

///

///

///

FACTUAL ALLEGATIONS

29. From January 18, 2008, to the present, Respondent Rashimi Mediratta has been and is the Pharmacist-in-Charge (PIC) of Respondent People's Pharmacy. Respondent People's Pharmacy is not, and has never been, an establishment duly registered as a manufacturer with the Secretary of Health, Education and Welfare of the United States or licensed with the California Department of Public Health as a manufacturer.

30. On or about March 6, 2015, the Board conducted an annual inspection of Respondent People's Pharmacy. The inspector found the following medications in large quantities: tacrolimus, EDTA, dexamethasone, and clyclosporine.[1] Respondent Mediratta stated to the inspector that she compounds these large quantities of eye drops in anticipation of sending them to doctor's offices. These eye drops were, however, compounded without a patient specific prescriptions and outside of the compounding limits permitted under pharmacy law. The investigator also reviewed the Respondent's policies and procedures for compounding. Pharmacists are required, under California Code of Regulations, title 16 (CCR), section 1735.5, to keep "a written quality assurance plan designed to monitor and ensure the integrity, potency, quality, and labeled strength of compounded drug products." After reviewing Respondents' policies and procedures, the investigator noted that Respondents did not have a written quality assurance plan for compounding. The investigator also requested copies of Respondents' compounding logs, dispensing records, master formulas, other and documents related to Respondents' compounding practices.

31. After reviewing the documents provided by Respondents, several other violations by Respondents were noted in these records. Respondents' compounding records stated that Respondent Mediratta used sterile water for irrigation, as opposed to sterile water for injection, in compounding tacrolimus ophthalmic solution on five separate occasions. The United States Pharmacopeial Convention (USP) — a scientific nonprofit organization that sets standards for the identity, strength, quality, and purity of medicines manufactured, distributed, and consumed

[1] The named ophthalmic solutions are commonly used in veterinary medicine for the treatment of Keratoconjunctivitis Sicca (dry eye) and other diseases of the eye in dogs.

worldwide — has standardized the use of sterile water in drug compounding so that sterile water for irrigation is below the acceptable standard for use in the compounding of ophtalmic solutions and sterile water for injection is accepted. Respondents' compounding records from six separate dates show that Respondent Mediratta used sterile water for irrigation for compounding tacrolimus opthalmic solution. These dates are: December 9, 2014; December 22, 2014; January 19, 2015; February 4, 2015; February 24, 2015; and March 4, 2015.

32. Respondent People's Pharmacy compounding records show that on March 4, 2015, Respondent Mediratta compounded 200 bottles of tacrolimus ophthalmic solution with a beyond use date — a date after which a compounded drug product should not be used — that was after the expiration date of one of its components. Under CCR section 1735.2, subsection (h), Respondent Mediratta cannot label a drug product with a beyond use date that exceeds an "expiration date of any component in the compounded drug product." The expiration date of the benalkonium chloride used in compounding the tacrolimus ophthalmic solution was August 25, 2015. The beyond use date used by Respondent Mediratta for the 200 compounded tacrolimus ophthalmic solution bottles was August 31, 2015, six days after the expiration date of the benalkonium chloride.

33. From December 1, 2014, through February 28, 2015, Respondents' compounding records show that Respondent Meditratta compounded and sold approximately 5,700 opthalmic drops or ointments which were not sold to an ultimate user. Such compounding is considered manufacturing under Code section 4033, subsection (a)(1). Respondents, who are not licensed to manufacture in California, sold these 5,700 opthalmic drops or ointments to veterinary clinics without an existing prescription and outside of the "reasonable quantity" exceptions found in CCR 1735.2, subsection (c). Furthermore, the 5,700 opthalmic drops or ointments manufactured by Respondents are misbranded as a result of being manufactured in an unlicensed facility, as defined in Health and Safety Code section 111425. As an unlicensed manufacturer, Respondents were also prohibited from manufacturing or selling these misbranded opthalmic drops and ointments under Health and Safety Code section 111440.

///

FIRST CAUSE FOR DISCIPLINE

(Failure to Maintain Quality Assurance)

34. Respondents are subject to disciplinary action under Code sections 4301(j) and (o), for violating regulations requiring pharmacies to maintain a written policy and procedure manual for compounding that establishes methodologies for the formulation and compounding of drugs and other standard operating procedures related to compounding, as defined under CCR section 1735, subsection (a). Respondents failed to maintain documentation of the methodology used to test the integrity, potency, quality, and labeled strength of compounded drug products, as set forth in paragraphs 29 through 33, which are incorporated herein by reference.

SECOND CAUSE FOR DISCIPLINE

(Sale of Adulterated Drugs)

35. Respondents are subject to disciplinary action under Code sections 4301(j) and (o), for violating statutes regulating the adulteration of drugs as stated in the Sherman Food, Drug, and Cosmetic Act, and as defined under Health and Safety Code sections 111255 and 111260. Respondents offered for sale adulterated drugs in violation of Health and Safety Code section 111295, as set forth in paragraphs 29 through 33, which are incorporated herein by reference.

THIRD CAUSE FOR DISCIPLINE

(Compounding Limitation Requirements)

36. Respondents are subject to disciplinary action under Code sections 4301(j) and (o), for violating regulations regulating the expiration date of compounded drug products in that they compounded or manufactured drugs with a beyond use date exceeding the expiration date of a component of a the compounded drug product in violation of CCR section 1735.2, subsection (h), as set forth in paragraphs 29 through 33, which are incorporated herein by reference.

FOURTH CAUSE FOR DISCIPLINE

(Manufacturing Compounded Drugs)

37. Respondents are subject to disciplinary action under Code sections 4301(j) and (o), for violating statutes regulating controlled substances and dangerous drugs and state laws governing pharmacy, in that they compounded or manufactured drugs as defined by Code section

4033(a)(1), non-patient specific drugs without being licensed by the California Department of Public Health, in violation of Health and Safety Code section 111615, as set forth in paragraphs 29 through 33, which are incorporated herein by reference.

FIFTH CAUSE FOR DISCIPLINE

(Sold Misbranded Drugs)

38. Respondents are subject to disciplinary action under Code sections 4301(j) and (o), for violating statutes regulating controlled substances and dangerous drugs and state laws governing pharmacy, in that Respondents sold misbranded drugs, as defined by Health & Safety Code sections 111330 and 111430, in violation of Health and Safety Code section 111440, as set forth in paragraphs 29 through 33, which are incorporated herein by reference.

SIXTH CAUSE FOR DISCIPLINE

(Delivery or Proffering of Misbranded Drugs)

39. Respondents are subject to disciplinary action under Code sections 4301(j) and (o), for violating statutes regulating controlled substances and dangerous drugs and state laws governing pharmacy, in that Respondents delivered or proffered for delivery misbranded drugs, as defined by Health & Safety Code sections 111330 and 111430 in violation of Health and Safety Code section 111450, as set forth in paragraphs 29 through 33, which are incorporated herein by reference.

PRAYER

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

1. Revoking or suspending Pharmacy Permit Number PHY 47303, issued to Mediratta RX Inc., doing business as People's Pharmacy;

2. Revoking or suspending Sterile Compounding License Number LSC 99478, issued to Mediratta RX Inc., doing business as People's Pharmacy;

3. Revoking or suspending Pharmacist License Number RPH 57047, issued to Rashimi Mediratta;

///

4. Ordering Mediratta RX Inc., doing business as People's Pharmacy, and Rashimi Mediratta to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

5. Taking such other and further action as deemed necessary and proper.

DATED: 1/31/17

Virginia Herold

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

SD2016702116
81571511.docx