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

In the Matter of the Accusation Against:

**UNIVERSITY OF SOUTHERN
CALIFORNIA DBA USC MEDICAL
PLAZA PHARMACY
EDWARD ROSKI, Chairman,
C.L. MAX NIKIAS, President,
ALBERT CHECCIO, SVP
ELIZABETH GARRETT, SVP
TODD DICKEY, SVP
THOMAS SAYLES, SVP
THOMAS JACKIEWICZ, SVP
JAMES STATEN, VP/Treas./CFO
CAROL AMIR, Secretary
1510 San Pablo St, Ste 144
Los Angeles, CA 90033**

Pharmacy Permit No. PHY 37195

**SHARON KAY COCHRAN
710 S. Myrtle Ave., #219
Monrovia, CA 91016**

Pharmacist License No. RPH 30753

**ERIC ISRAEL MONTERO
2665 Marengo St.
Los Angeles, CA 90033**

**Pharmacy Technician Registration No. TCH
139367**

and

**MICHAEL SALDANA
11041 Biella Way
Whittier, CA 90604**

**Pharmacy Technician Registration No. TCH
107278**

Respondents.

Case No. 6584

DEFAULT DECISION AND ORDER

[AS TO RESPONDENT
MICHAEL SALDANA ONLY]

[Gov. Code, §11520]

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FINDINGS OF FACT

1. On or about August 12, 2019, Complainant Anne Sodergren, in her official capacity as the Interim Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 6584 before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about October 1, 2010, the Board of Pharmacy issued Pharmacy Technician Registration Number TCH 107278 to Michael Saldana (Respondent Saldana). The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2020, unless renewed.

3. On or about August 15, 2019, Respondent Saldana was served by Certified and First Class Mail copies of the Accusation No. 6584, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code section 4100, is required to be reported and maintained with the Board. Respondent's address of record was and is: 11041 Biella Way, Whittier, CA 90604.

4. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505(c) and/or Business and Professions Code section 124.

5. Government Code section 11506(c) states, in pertinent part:

(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense . . . and the notice shall be deemed a specific denial of all parts of the accusation . . . not expressly admitted. Failure to file a notice of defense . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

6. The Board takes official notice of its records and the fact that Respondent failed to file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 6584.

7. California Government Code section 11520(a) states, in pertinent part:

(a) If the respondent either fails to file a notice of defense . . . or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent

///

8. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on the relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter, as well as taking official notice of all the investigatory reports, exhibits and statements contained therein on file at the Board's offices regarding the allegations contained in Accusation No. 6584, finds that the charges and allegations in Accusation No. 6584, are separately and severally, found to be true and correct by clear and convincing evidence.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Michael Saldana has subjected his Pharmacy Technician Registration No. TCH 107278 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician Registration based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case:

a. Business and Professions Code section 4301, subdivision (f), acts involving moral turpitude, dishonesty, fraud, deceit, or corruption. The circumstances are explained below.

b. Business and Professions Code section 4301, subdivision (j), for violations of Business and Professions Code section 4059 and 4060, and Health and Safety Code section 11375, subdivision (b), the circumstances are explained below.

The circumstances of both charges, above, are that Respondent ordered and removed approximately 3,000 tablets of alprazolam, and 323,059 milliliters of promethazine with codeine from USC Pharmacy by exploiting an unknown flaw in the computer operating system.

The scheme was that when Respondent Saldana or his co-conspirator Respondent Montero knew that one of them would be working at the right time to divert incoming shipments of drugs, one of them would submit a purchase order to the wholesaler contracted by USC pharmacy and then delete the purchase order from the USC pharmacy system. USC pharmacy management believed that those purchase orders could not be deleted once submitted to the wholesaler.

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1 Since Respondents Saldana or Montero would then receive and divert the drugs before they
2 were entered into USC pharmacy's inventory system and destroy the hard copy of the purchase
3 order that was shipped with the drugs, USC pharmacy had no idea that these drugs were ever
4 received in the facility.

5 The scheme was discovered when USC pharmacy's wholesaler changed their quarterly
6 report to USC pharmacy in such a way that USC pharmacy could compare the amount of drugs
7 the wholesaler had delivered with the amount of drugs entered into USC pharmacy's inventory.

8 **ORDER**

9 IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 107278 issued to
10 Respondent Michael Saldana is revoked.

11 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
12 written motion requesting that the Decision be vacated and stating the grounds relied on within
13 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
14 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

15 This Decision shall become effective on March 26, 2020.

16 It is so ORDERED on February 25, 2020.

17 

18 _____
19 Greg Lippe
20 Board President
21 FOR THE BOARD OF PHARMACY
22 DEPARTMENT OF CONSUMER AFFAIRS
23
24
25

26 14353719.DOCX
27 DOJ Matter ID:LA2018602583

28 Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

1 XAVIER BECERRA
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KRISTINA T. JARVIS
Deputy Attorney General
4 State Bar No. 258229
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-6088
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 6584

12 **UNIVERSITY OF SOUTHERN**
13 **CALIFORNIA DBA USC MEDICAL**
PLAZA PHARMACY
14 **EDWARD ROSKI, Chairman,**
C.L. MAX NIKIAS, President,
15 **ALBERT CHECCIO, SVP**
ELIZABETH GARRETT, SVP
16 **TODD DICKEY, SVP**
THOMAS SAYLES, SVP
17 **THOMAS JACKIEWICZ, SVP**
JAMES STATEN, VP/Treas./CFO
18 **CAROL AMIR, Secretary**
1510 San Pablo St, Ste 144
19 **Los Angeles, CA 90033**

A C C U S A T I O N

20 **Pharmacy Permit No. PHY 37195**

21 **SHARON KAY COCHRAN**
1510 San Pablo St., #144
22 **San Diego, CA 90033**

23 **Pharmacist License No. RPH 30753**

24 **ERIC ISRAEL MONTERO**
2665 Marengo St.
25 **Los Angeles, CA 90033**

26 **Pharmacy Technician Registration No. TCH**
139367

27 **and**
28

MICHAEL SALDANA
11041 Biella Way
Whittier, CA 90604

Pharmacy Technician Registration No. TCH
107278

Respondents.

Complainant alleges:

PARTIES

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

2. On or about May 20, 1991, the Board of Pharmacy issued Pharmacy Permit Number PHY 37195 to University of Southern California doing business as (dba) USC Medical Plaza Pharmacy (Respondent Pharmacy). At all times relevant to the charges brought herein, Edward Roski was the chairman, C.L. Max Nikias was the president, Albert Checcio, Elizabeth Garrett, Todd Dickey, Thomas Sayles, and Thomas Jackiewicz, were senior vice-presidents (SVP), James Staten was the vice-president (VP) and treasurer/chief financial officer, Carol Amir was the secretary, and Sharon Kay Cochran was the Pharmacist-In-Charge (PIC) of Respondent Pharmacy. The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on May 1, 2020, unless renewed.

3. On or about December 20, 1976, the Board of Pharmacy issued Pharmacist License Number RPH 30753 to Sharon Kay Cochran (Respondent Cochran). From approximately October 1, 1997, through September 1, 2018, Respondent Cochran was the Pharmacist in Charge (PIC) for Respondent Pharmacy. The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on February 29, 2020, unless renewed.

4. On or about March 21, 2014, the Board of Pharmacy issued Pharmacy Technician Registration Number TCH 139367 to Eric Israel Montero (Respondent Montero). The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2019, unless renewed.

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5. On or about October 1, 2010, the Board of Pharmacy issued Pharmacy Technician Registration Number TCH 107278 to Michael Saldana (Respondent Saldana). The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought herein and will expire on March 31, 2020, unless renewed.

JURISDICTION

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

7. Section 4300 of the Code states in pertinent part:

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

“ . . .

“(e) The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board shall have all the powers granted therein. The action shall be final, except that the propriety of the action is subject to review by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure.”

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.”

BUSINESS AND PROFESSIONS CODE

9. 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 issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

“ . . .

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

4 “...

5 “(j) The violation of any of the statutes of this state, of any other state, or of the United
6 States regulating controlled substances and dangerous drugs.

7 “...

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

12 10. Section 4307 of the Code states:

13 “(a) Any person who has been denied a license or whose license has been revoked
14 or is under suspension, or who has failed to renew his or her license while it was under
15 suspension, or who has been a manager, administrator, owner, member, officer,
16 director, associate, partner, or any other person with management or control of any
17 partnership, corporation, trust, firm, or association whose application for a license has
18 been denied or revoked, is under suspension or has been placed on probation, and while
19 acting as the manager, administrator, owner, member, officer, director, associate,
20 partner, or any other person with management or control had knowledge of or
21 knowingly participated in any conduct for which the license was denied, revoked,
22 suspended, or placed on probation, shall be prohibited from serving as a manager,
23 administrator, owner, member, officer, director, associate, partner, or in any other
24 position with management or control of a licensee as follows:

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

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

(b) “Manager, administrator, owner, member, officer, director, associate, partner,
or any other person with management or control of a license” as used in this section and
Section 4308, may refer to a pharmacist or to any other person who serves in such
capacity in or for a licensee.

(c) The provisions of subdivision (a) may be alleged in any pleading filed
pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the
Government Code. However, no order may be issued in that case except as to a person
who is named in the caption, as to whom the pleading alleges the applicability of this
section, and where the person has been given notice of the proceeding as required by
Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government

Code. The authority to proceed as provided by this subdivision shall be in addition to the board's authority to proceed under Section 4339 or any other provision of law."

11. Section 4022 of the Code states in pertinent part:

"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..."

12. Section 4059 of the Code states in pertinent part:

"(a) A person may not furnish any dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7. A person may not furnish any dangerous device, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7..."

13. Section 4060 of the Code states in pertinent part:

"No person shall possess any controlled substance, except that furnished to a person upon the prescription of a physician..."

14. Section 4113 of the Code states in pertinent part:

"(a) Every pharmacy shall designate a pharmacist-in-charge..."

"..."

"(c) 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..."

15. California Code of Regulations, title 16 (Regulations) Code section 1714, subdivision (b), states:

"(b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and equipment so that drugs are safely and properly prepared, maintained, secured and distributed. The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice of pharmacy."

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1 **HEALTH AND SAFETY CODE**

2 16. Health and Safety Code section 11375 states in pertinent part:

3 “...

4 “(b)...“(2) Every person who possesses any controlled substance specified in subdivision
5 (c), unless upon the prescription of a physician, dentist, podiatrist, or veterinarian, licensed to
6 practice in this state, shall be guilty of an infraction or a misdemeanor.

7 “(c) This section shall apply to any material, compound, mixture, or preparation containing
8 any of the following substances:

9 “...

10 “(12) Alprazolam...”

11 **DRUGS**

12 17. Alprazolam is the generic name for Xanax, and is a dangerous drug pursuant to
13 Business and Professions Code section 4022, and a schedule IV controlled substance pursuant to
14 Health and Safety Code section 11057, subdivision (d)(1).

15 18. Promethazine with codeine syrup is the generic name for Phenergan with Codeine
16 Syrup and is a dangerous drug pursuant to Business and Professions Code section 4022, and a
17 schedule V controlled substance pursuant to Health and Safety Code section 11058, subdivision
18 (c)(1).

19 **COST RECOVERY**

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

24 **FIRST CAUSE FOR DISCIPLINE**

25 **(Violation of Regulations Governing Pharmacy)**

26 20. Respondent Pharmacy is subject to disciplinary action for unprofessional conduct
27 pursuant to section 4301, subdivision (o), for failing to comply with Regulations section 1714,
28 subdivision (b). The circumstances are that between approximately July 1, 2015, and August 6,

1 2018, Respondent Pharmacy failed to maintain operational standards and security to the extent
2 that approximately 31,456 tablets of alprazolam and 587,684 milliliters of promethazine with
3 codeine were lost due to employee theft or other unknown reasons.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Violation of Regulations Governing Pharmacy)**

6 21. Respondent Cochran is subject to disciplinary action for unprofessional conduct
7 pursuant to section 4301, subdivision (o), for failing to comply with Regulations section 1714,
8 subdivision (b). The circumstances are that between approximately July 1, 2015, and August 6,
9 2018, Respondent Cochran failed to maintain operational standards and security to the extent that
10 approximately 31,456 tablets of alprazolam and 587,684 milliliters of promethazine with codeine
11 were lost due to employee theft or other unknown reasons.

12 **THIRD CAUSE FOR DISCIPLINE**

13 **(Acts of Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

14 22. Respondent Montero is subject to disciplinary action for unprofessional conduct
15 pursuant to section 4301, subdivision (f), for committing acts involving moral turpitude,
16 dishonesty, fraud, deceit, or corruption. The circumstances are that between August 1, 2016, and
17 July 1, 2018, Respondent Montero ordered and removed approximately 21,000 tablets of
18 alprazolam and 13,244 milliliters of promethazine with codeine from Respondent Pharmacy
19 without a prescription.

20 **FOURTH CAUSE FOR DISCIPLINE**

21 **(Violation of Statutes Regulating Controlled Substances and Dangerous Drugs)**

22 23. Respondent Montero is subject to disciplinary action for unprofessional conduct
23 pursuant to section 4301, subdivision (j), for violating Code sections 4059 and 4060, and Health
24 and Safety Code section 11375, subdivision (b), when he furnished to himself and possessed
25 dangerous drugs and controlled substances without a prescription. The circumstances are that
26 between August 1, 2016, and July 1, 2018, Respondent Montero ordered and removed
27 approximately 21,000 tablets of alprazolam and 13,244 milliliters of promethazine with codeine
28 from Respondent Pharmacy without a prescription.

1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Violation of Laws Governing Pharmacy)**

3 24. Respondent Montero is subject to disciplinary action for unprofessional conduct
4 pursuant to section 4301, subdivision (o), for violating Code sections 4059 and 4060, which
5 govern the practice of pharmacy. The circumstances are that between August 1, 2016, and July 1,
6 2018, Respondent Montero ordered and removed approximately 21,000 tablets of alprazolam and
7 13,244 milliliters of promethazine with codeine from Respondent Pharmacy without a
8 prescription.

9 **SIXTH CAUSE FOR DISCIPLINE**

10 **(Acts of Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

11 25. Respondent Saldana is subject to disciplinary action for unprofessional conduct
12 pursuant to section 4301, subdivision (f), for committing acts involving moral turpitude,
13 dishonesty, fraud, deceit, or corruption. The circumstances are that between August 1, 2016, and
14 July 1, 2018, Respondent Saldana ordered and removed approximately 3,000 tablets of
15 alprazolam and 323,059 milliliters of promethazine with codeine from Respondent Pharmacy
16 without a prescription.

17 **SEVENTH CAUSE FOR DISCIPLINE**

18 **(Violation of Statutes Regulating Controlled Substances and Dangerous Drugs)**

19 26. Respondent Saldana is subject to disciplinary action for unprofessional conduct
20 pursuant to section 4301, subdivision (j), for violating Code sections 4059 and 4060, and Health
21 and Safety Code section 11375, subdivision (b), when he furnished to himself and possessed
22 dangerous drugs and controlled substances without a prescription. The circumstances are that
23 between August 1, 2016, and July 1, 2018, Respondent Saldana ordered and removed
24 approximately 3,000 tablets of alprazolam and 323,059 milliliters of promethazine with codeine
25 from Respondent Pharmacy without a prescription.

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1 **EIGHTH CAUSE FOR DISCIPLINE**

2 **(Violation of Laws Governing Pharmacy)**

3 27. Respondent Saldana is subject to disciplinary action for unprofessional conduct
4 pursuant to section 4301, subdivision (o), for violating Code sections 4059 and 4060, which
5 govern the practice of pharmacy. The circumstances are that between August 1, 2016, and July 1,
6 2018, Respondent Saldana ordered and removed approximately 3,000 tablets of alprazolam and
7 323,059 milliliters of promethazine with codeine from Respondent Pharmacy without a
8 prescription.

9 **DISCIPLINE CONSIDERATIONS**

10 28. To determine the degree of discipline, if any, to be imposed on Respondent Montero,
11 Complainant alleges that on or about August 19, 2015, in a prior action, the Board of Pharmacy
12 issued Citation Number CI 2014 65512 for violating Section 4301, subdivisions (g), (h), and (l).
13 Respondent was ordered to pay a fine in the amount of \$900, and Respondent complied. That
14 Citation is now final and is incorporated by reference as if fully set forth.

15 **OTHER MATTERS**

16 29. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
17 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
18 Pharmacy, then the University of Southern California, shall be prohibited from serving as a
19 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for 1)
20 a period not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on
21 probation; or, 2) if the pharmacy permit is revoked, the prohibition shall continue until the
22 pharmacy permit is reinstated.

23 30. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
24 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
25 Pharmacy, then Edward Roski, Chairman, shall be prohibited from serving as a manager,
26 administrator, owner, member, officer, director, associate, or partner of a licensee for 1) a period
27 not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on probation; or, 2)

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1 if the pharmacy permit is revoked, the prohibition shall continue until the pharmacy permit is
2 reinstated.

3 31. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
4 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
5 Pharmacy, then C.L. Max Nikias, President, shall be prohibited from serving as a manager,
6 administrator, owner, member, officer, director, associate, or partner of a licensee for 1) a period
7 not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on probation; or, 2)
8 if the pharmacy permit is revoked, the prohibition shall continue until the pharmacy permit is
9 reinstated.

10 32. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
11 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
12 Pharmacy, then Albert Checcio, Senior Vice-President, shall be prohibited from serving as a
13 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for 1)
14 a period not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on
15 probation; or, 2) if the pharmacy permit is revoked, the prohibition shall continue until the
16 pharmacy permit is reinstated.

17 33. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
18 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
19 Pharmacy, then Elizabeth Garrett, Senior Vice-President, shall be prohibited from serving as a
20 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for 1)
21 a period not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on
22 probation; or, 2) if the pharmacy permit is revoked, the prohibition shall continue until the
23 pharmacy permit is reinstated.

24 34. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
25 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
26 Pharmacy, then Todd Dickey, Senior Vice-President, shall be prohibited from serving as a
27 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for 1)
28 a period not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on

1 probation; or, 2) if the pharmacy permit is revoked, the prohibition shall continue until the
2 pharmacy permit is reinstated.

3 35. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
4 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
5 Pharmacy, then Thomas Sayles, Senior Vice-President, shall be prohibited from serving as a
6 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for 1)
7 a period not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on
8 probation; or, 2) if the pharmacy permit is revoked, the prohibition shall continue until the
9 pharmacy permit is reinstated.

10 36. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
11 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
12 Pharmacy, then Thomas Jackiewicz, Senior Vice-President, shall be prohibited from serving as a
13 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for 1)
14 a period not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on
15 probation; or, 2) if the pharmacy permit is revoked, the prohibition shall continue until the
16 pharmacy permit is reinstated.

17 37. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
18 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
19 Pharmacy, then James Staten, Vice-President and Treasurer/Chief Financial Officer, shall be
20 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,
21 or partner of a licensee for 1) a period not to exceed five (5) years if Pharmacy Permit number
22 PHY 37195 is placed on probation; or, 2) if the pharmacy permit is revoked, the prohibition shall
23 continue until the pharmacy permit is reinstated.

24 38. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacy License
25 number PHY 37195 issued to University of Southern California dba USC Medical Plaza
26 Pharmacy, then Carol Amir, Secretary, shall be prohibited from serving as a manager,
27 administrator, owner, member, officer, director, associate, or partner of a licensee for 1) a period
28 not to exceed five (5) years if Pharmacy Permit number PHY 37195 is placed on probation; or, 2)

1 if the pharmacy permit is revoked, the prohibition shall continue until the pharmacy permit is
2 reinstated.

3 **PRAYER**

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

6 1. Revoking or suspending Pharmacy Permit Number PHY 37195, issued to University
7 of Southern California dba USC Medical Plaza Pharmacy;

8 2. Prohibiting University of Southern California from serving as a manager,
9 administrator, owner, member, officer, director, associate, partner, or in any other position with
10 management or control of any Pharmacy licensee;

11 3. Prohibiting Edward Roski from serving as a manager, administrator, owner, member,
12 officer, director, associate, partner, or in any other position with management or control of any
13 Pharmacy licensee;

14 4. Prohibiting C.L. Max Nikias from serving as a manager, administrator, owner,
15 member, officer, director, associate, partner, or in any other position with management or control
16 of any Pharmacy licensee;

17 5. Prohibiting Albert Checcio from serving as a manager, administrator, owner,
18 member, officer, director, associate, partner, or in any other position with management or control
19 of any Pharmacy licensee;

20 6. Prohibiting Elizabeth Garrett from serving as a manager, administrator, owner,
21 member, officer, director, associate, partner, or in any other position with management or control
22 of any Pharmacy licensee;

23 7. Prohibiting Todd Dickey from serving as a manager, administrator, owner, member,
24 officer, director, associate, partner, or in any other position with management or control of any
25 Pharmacy licensee;

26 8. Prohibiting Thomas Sayles from serving as a manager, administrator, owner,
27 member, officer, director, associate, partner, or in any other position with management or control
28 of any Pharmacy licensee;

1 9. Prohibiting Thomas Jackiewicz from serving as a manager, administrator, owner,
2 member, officer, director, associate, partner, or in any other position with management or control
3 of any Pharmacy licensee;

4 10. Prohibiting James Staten from serving as a manager, administrator, owner, member,
5 officer, director, associate, partner, or in any other position with management or control of any
6 Pharmacy licensee;

7 11. Prohibiting Carol Amir from serving as a manager, administrator, owner, member,
8 officer, director, associate, partner, or in any other position with management or control of any
9 Pharmacy licensee;

10 12. Revoking or suspending Pharmacist License Number RPH 30753, issued to Sharon
11 Kay Cochran;

12 13. Revoking or suspending Pharmacy Technician Registration Number TCH 139367,
13 issued to Eric Israel Montero;

14 14. Revoking or suspending Pharmacy Technician Registration Number TCH 107278,
15 issued to Michael Saldana;

16 15. Ordering USC Medical Plaza Pharmacy, Sharon Kay Cochran, Eric Israel Montero,
17 and Michael Saldana to pay the Board of Pharmacy the reasonable costs of the investigation and
18 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

19 16. Taking such other and further action as deemed necessary and proper.

20 DATED: August 12, 2019



21 ANNE SODERGREN
22 Interim Executive Officer
23 Board of Pharmacy
24 Department of Consumer Affairs
25 State of California
26 Complainant

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