

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

In the Matter of the Accusation Against:

**SAMUEL ISOKEN OMOREGIE**  
6433 Topanga Canyon Boulevard, #540  
Canoga Park, CA 91303

**Pharmacist License No. RPH 42951**

Respondent.

Case No. 6607

OAH 2019030989

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on January 23, 2020.

It is so ORDERED on December 24, 2019.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

Greg Lippe  
Board President

1 XAVIER BECERRA  
Attorney General of California  
2 LINDA L. SUN  
Supervising Deputy Attorney General  
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*Attorneys for Complainant*  
7

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

12 In the Matter of the Accusation Against:

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15 Pharmacist License No. RPH 42951

16 Respondent.  
17

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18 **STIPULATED SETTLEMENT AND**  
19 **DISCIPLINARY ORDER**

20 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
21 interest and the responsibility of the Board of Pharmacy (Board) of the Department of Consumer  
22 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order  
23 which will be submitted to the Board for approval and adoption as the final disposition of the  
24 Accusation.

25 **PARTIES**

26 1. Anne Sodergren (Complainant) is the Interim Executive Officer of the Board. She  
27 brought this action solely in her official capacity and is represented in this matter by Xavier  
28 Becerra, Attorney General of the State of California, by Katherine Messana Beck, Deputy  
Attorney General.





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**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 contendere, no contest, or similar, in any state or federal criminal proceeding to any criminal complaint, information or indictment
- a conviction of any crime
- the filing of a disciplinary pleading, issuance of a citation, or initiation of another

administrative action filed by any state or federal agency which involves respondent’s license 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.

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1           **3. Interview with the Board**

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

7           **4. Cooperate with Board Staff**

8           Respondent shall timely cooperate with the board's inspection program and with the board's  
9 monitoring and investigation of respondent's compliance with the terms and conditions of his  
10 probation, including but not limited to: timely responses to requests for information by board  
11 staff; timely compliance with directives from board staff regarding requirements of any term or  
12 condition of probation; and timely completion of documentation pertaining to a term or condition  
13 of probation. Failure to timely cooperate shall be considered a violation of probation.

14           **5. Continuing Education**

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

17           **6. Reporting of Employment and Notice to Employers**

18           During the period of probation, respondent shall notify all present and prospective  
19 employers of the decision in case number 6607 and the terms, conditions and restrictions imposed  
20 on respondent by the decision, as follows:

21           Within thirty (30) days of the effective date of this decision, and within ten (10) days of  
22 undertaking any new employment, respondent shall report to the board in writing the name,  
23 physical address, and mailing address of each of his employer(s), and the name(s) and telephone  
24 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in-charge, designated  
25 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work  
26 schedule, if known. Respondent shall also include the reason(s) for leaving the prior  
27 employment. Respondent shall sign and return to the board a written consent authorizing the  
28 board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and

1 authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,  
2 concerning respondent's work status, performance, and monitoring. Failure to comply with the  
3 requirements or deadlines of this condition shall be considered a violation of probation.

4       Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
5 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)  
6 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other  
7 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the  
8 board in writing acknowledging that the listed individual(s) has/have read the decision in case  
9 number 6607, and terms and conditions imposed thereby. If one person serves in more than one  
10 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's  
11 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the  
12 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term  
13 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in  
14 writing within fifteen (15) days of the change acknowledging that he or she has read the decision  
15 in case number 6607, and the terms and conditions imposed thereby.

16       If respondent works for or is employed by or through an employment service, respondent  
17 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board  
18 of the decision in case number 6607, and the terms and conditions imposed thereby in advance of  
19 respondent commencing work at such licensed entity. A record of this notification must be  
20 provided to the board upon request.

21       Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
22 (15) days of respondent undertaking any new employment by or through an employment service,  
23 respondent shall cause the person(s) described in (a), (b), and (c) above at the employment service  
24 to report to the board in writing acknowledging that he or she has read the decision in case  
25 number, and the terms and conditions imposed thereby. It shall be respondent's responsibility to  
26 ensure that these acknowledgment(s) are timely submitted to the board.

27       Failure to timely notify present or prospective employer(s) or failure to cause the identified  
28 person(s) with that/those employer(s) to submit timely written acknowledgments to the board

1 shall be considered a violation of probation.

2 "Employment" within the meaning of this provision includes any full-time, part-time,  
3 temporary, relief, or employment/management service position as a pharmacist, or any position  
4 for which a pharmacist is a requirement or criterion for employment, whether the respondent is an  
5 employee, independent contractor or volunteer.

6 **7. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

7 Respondent shall further notify the board in writing within ten (10) days of any change in  
8 name, residence address, mailing address, e-mail address or phone number.

9 Failure to timely notify the board of any change in employer, name, address, or phone  
10 number shall be considered a violation of probation.

11 **8. Restrictions on Supervision and Oversight of Licensed Facilities**

12 During the period of probation, respondent shall not supervise any intern pharmacist, be the  
13 pharmacist-in-charge, designated representative-in-charge, responsible manager or other  
14 compliance supervisor of any entity licensed by the board, nor serve as a consultant. Assumption  
15 of any such unauthorized supervision responsibilities shall be considered a violation of probation.

16 **9. Reimbursement of Board Costs**

17 As a condition precedent to successful completion of probation, respondent shall pay to the  
18 board its costs of investigation and prosecution in the amount of \$2,395.00. Respondent shall  
19 make said payments as follows:

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

23 Respondent shall be permitted to pay these costs in a payment plan approved by the board  
24 or its designee, so long as full payment is completed no later than one (1) year prior to the end  
25 date of probation.

26 **10. Probation Monitoring Costs**

27 Respondent shall pay any costs associated with probation monitoring as determined by the  
28 board each and every year of probation. Such costs shall be payable to the board on a schedule as

1 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall  
2 be considered a violation of probation.

3 **11. Status of License**

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

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

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

13 Following the effective date of this decision, should respondent cease practice due to  
14 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
15 respondent may relinquish his license, including any indicia of licensure issued by the board,  
16 along with a request to surrender the license. The board or its designee shall have the discretion  
17 whether to accept the surrender or take any other action it deems appropriate and reasonable.  
18 Upon formal acceptance of the surrender of the license, respondent will no longer be subject to  
19 the terms and conditions of probation. This surrender constitutes a record of discipline and shall  
20 become a part of the respondent's license history with the board.

21 Upon acceptance of the surrender, respondent shall relinquish his pocket and/or wall  
22 license, including any indicia of licensure not previously provided to the board within ten (10)  
23 days of notification by the board that the surrender is accepted if not already provided.  
24 Respondent may not reapply for any license from the board for three (3) years from the effective  
25 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
26 of the date the application for that license is submitted to the board, including any outstanding  
27 costs.

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1           **13. Practice Requirement – Extension of Probation**

2           Except during periods of suspension, respondent shall, at all times while on probation, be  
3 employed as a pharmacist in California for a minimum of 40 hours per calendar month. Any  
4 month during which this minimum is not met shall extend the period of probation by one month.  
5 During any such period of insufficient employment, respondent must nonetheless comply with all  
6 terms and conditions of probation, unless respondent receives a waiver in writing from the board  
7 or its designee.

8           If respondent does not practice as a pharmacist in California for the minimum number of  
9 hours in any calendar month, for any reason (including vacation), respondent shall notify the  
10 board in writing within ten (10) days of the conclusion of that calendar month. This notification  
11 shall include at least: the date(s), location(s), and hours of last practice; the reason(s) for the  
12 interruption or reduction in practice; and the anticipated date(s) on which respondent will resume  
13 practice at the required level. Respondent shall further notify the board in writing within ten (10)  
14 days following the next calendar month during which respondent practices as a pharmacist in  
15 California for the minimum of hours. Any failure to timely provide such notification(s) shall be  
16 considered a violation of probation.

17           It is a violation of probation for respondent's probation to be extended pursuant to the  
18 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
19 exceeding thirty-six (36) months. The board or its designee may post a notice of the extended  
20 probation period on its website.

21           **14. Violation of Probation**

22           If respondent has not complied with any term or condition of probation, the board shall  
23 have continuing jurisdiction over respondent, and the board shall provide notice to respondent  
24 that probation shall automatically be extended, until all terms and conditions have been satisfied  
25 or the board has taken other action as deemed appropriate to treat the failure to comply as a  
26 violation of probation, to terminate probation, and to impose the penalty that was stayed. The  
27 board or its designee may post a notice of the extended probation period on its website.

28           If respondent violates probation in any respect, the board, after giving respondent notice

1 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
2 was stayed. If a petition to revoke probation or an accusation is filed against respondent during  
3 probation, or the preparation of an accusation or petition to revoke probation is requested from  
4 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of  
5 probation shall be automatically extended until the petition to revoke probation or accusation is  
6 heard and decided.

7 **15. Completion of Probation**

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

10 **16. Remedial Education**

11 Within sixty (60) days of the effective date of this decision, respondent shall submit to the  
12 board or its designee, for prior approval, an appropriate program of remedial education related to  
13 [the grounds for discipline]. The program of remedial education shall consist of at least 10 hours,  
14 each year of probation (50% of which is in person or live online) at respondent's own expense.  
15 All remedial education shall be in addition to, and shall not be credited toward, continuing  
16 education (CE) courses used for license renewal purposes for pharmacists.

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

21 Following the completion of each course, the board or its designee may require the  
22 respondent, at his own expense, to take an approved examination to test the respondent's  
23 knowledge of the course. If the respondent does not achieve a passing score on the examination  
24 that course shall not count towards satisfaction of this term. Respondent shall take another course  
25 approved by the board in the same subject area.

26 **17. Ethics Course**

27 Within 6 months of the effective date of this decision, respondent shall enroll in a course in  
28 ethics, at respondent's expense, approved in advance by the board or its designee that complies

1 with Title 16 California Code of Regulations section 1773.5. Respondent shall provide proof of  
2 enrollment upon request. Within five (5) days of completion, respondent shall submit a copy of  
3 the certificate of completion to the board or its designee. Failure to timely enroll in an approved  
4 ethics course, to initiate the course during the first year of probation, to successfully complete it  
5 before the end of the second year of probation, or to timely submit proof of completion to the  
6 board or its designee, shall be considered a violation of probation.

7 **18. No Ownership or Management of Licensed Premises**

8 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,  
9 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
10 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell  
11 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)  
12 days following the effective date of this decision and shall immediately thereafter provide written  
13 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide  
14 documentation thereof shall be considered a violation of probation.

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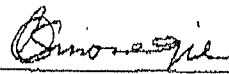
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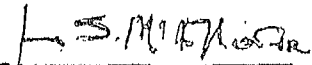
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ACCEPTANCE

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

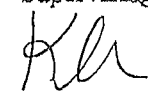
DATED: 8/23/19   
SAMUEL ISOKEN OMOREGIE  
*Respondent*

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

DATED: 8/23/2019   
LUCY S. McALLISTER  
*Attorney for Respondent*

ENDORSEMENT

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

DATED: 8/23/19 Respectfully submitted,  
XAVIER BECERRA  
Attorney General of California  
LINDA L. SUN  
Supervising Deputy Attorney General  
  
KATHERINE MESSANA BECK  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 6607**

1 XAVIER BECERRA  
Attorney General of California  
2 LINDA L. SUN  
Supervising Deputy Attorney General  
3 KATHERINE MESSANA BECK  
Deputy Attorney General  
4 State Bar No. 272953  
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Case No. 6607

13 **SAMUEL ISOKEN OMOREGIE**  
14 6433 Topanga Canyon Boulevard, #540  
Canoga Park, CA 91303

**FIRST AMENDED ACCUSATION**

15 Pharmacist License No. RPH 42951

16 Respondent.  
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18  
19 Complainant alleges:

20 **PARTIES**

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

24 2. On or about August 24, 1989, the Board issued Pharmacist License Number RPH  
25 42951 to Samuel Isoken Omoregie (Respondent). The Pharmacist License was in full force and  
26 effect at all times relevant to the charges brought herein and will expire on September 30, 2020,  
27 unless renewed.

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1 **JURISDICTION AND STATUTORY PROVISIONS**

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

5 4. Section 4300 of the Code states:

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

7 (b) The board shall discipline the holder of any license issued by the  
8 board, whose default has been entered or whose case has been heard by the board and  
found guilty, by any of the following methods:

9 (1) Suspending judgment.

10 (2) Placing him or her upon probation.

11 (3) Suspending his or her right to practice for a period not exceeding one  
12 year.

13 (4) Revoking his or her license.

14 (5) Taking any other action in relation to disciplining him or her as the  
board in its discretion may deem proper.

15 (c) The board may refuse a license to any applicant guilty of  
16 unprofessional conduct. The board may, in its sole discretion, issue a probationary  
17 license to any applicant for a license who is guilty of unprofessional conduct and who  
18 has met all other requirements for licensure. The board may issue the license subject  
19 to any terms or conditions not contrary to public policy, including, but not limited to,  
20 the following:

21 (1) Medical or psychiatric evaluation.

22 (2) Continuing medical or psychiatric treatment.

23 (3) Restriction of type or circumstances of practice.

24 (4) Continuing participation in a board-approved rehabilitation program.

25 (5) Abstention from the use of alcohol or drugs.

26 (6) Random fluid testing for alcohol or drugs.

27 (7) Compliance with laws and regulations governing the practice of  
28 pharmacy.

(d) The board may initiate disciplinary proceedings to revoke or suspend  
any probationary certificate of licensure for any violation of the terms and conditions  
of probation. Upon satisfactory completion of probation, the board shall convert the  
probationary certificate to a regular certificate, free of conditions.

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

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9 5. Section 4300.1 of the Code states:

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

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19 6. Section 4301 of the Code states, in pertinent part:

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

23 ...

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

27 ...

28 (l) The conviction of a crime substantially related to the qualifications,  
functions, and duties of a licensee under this chapter. The record of conviction of a  
violation of Chapter 13 (commencing with Section 801) of Title 21 of the United  
States Code regulating controlled substances or of a violation of the statutes of this  
state regulating controlled substances or dangerous drugs shall be conclusive  
evidence of unprofessional conduct. In all other cases, the record of conviction shall  
be conclusive evidence only of the fact that the conviction occurred. The board may  
inquire into the circumstances surrounding the commission of the crime, in order to  
fix the degree of discipline or, in the case of a conviction not involving controlled  
substances or dangerous drugs, to determine if the conviction is of an offense  
substantially related to the qualifications, functions, and duties of a licensee under this  
chapter. A plea or verdict of guilty or a conviction following a plea of nolo  
contendere is deemed to be a conviction within the meaning of this provision. The  
board may take action when the time for appeal has elapsed, or the judgment of  
conviction has been affirmed on appeal or when an order granting probation is made  
suspending the imposition of sentence, irrespective of a subsequent order under  
Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of  
guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or  
dismissing the accusation, information, or indictment.

7. Section 490 of the Code states:

(a) In addition to any other action that a board is permitted to take against  
a licensee, a board may suspend or revoke a license on the ground that the licensee  
has been convicted of a crime, if the crime is substantially related to the

1 qualifications, functions, or duties of the business or profession for which the license  
2 was issued.

3 (b) Notwithstanding any other provision of law, a board may exercise any  
4 authority to discipline a licensee for conviction of a crime that is independent of the  
5 authority granted under subdivision (a) only if the crime is substantially related to the  
6 qualifications, functions, or duties of the business or profession for which the  
7 licensee's license was issued.

8 (c) A conviction within the meaning of this section means a plea or  
9 verdict of guilty or a conviction following a plea of nolo contendere. Any action that  
10 a board is permitted to take following the establishment of a conviction may be taken  
11 when the time for appeal has elapsed, or the judgment of conviction has been  
12 affirmed on appeal, or when an order granting probation is made suspending the  
13 imposition of sentence, irrespective of a subsequent order under the provisions of  
14 Section 1203.4 of the Penal Code.

15 (d) The Legislature hereby finds and declares that the application of this  
16 section has been made unclear by the holding in *Petropoulos v. Department of Real*  
17 *Estate* (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a  
18 significant number of statutes and regulations in question, resulting in potential harm  
19 to the consumers of California from licensees who have been convicted of crimes.  
20 Therefore, the Legislature finds and declares that this section establishes an  
21 independent basis for a board to impose discipline upon a licensee, and that the  
22 amendments to this section made by Senate Bill 797 of the 2007 -08 Regular Session  
23 do not constitute a change to, but rather are declaratory of, existing law.

#### 24 **REGULATORY PROVISIONS**

25 8. California Code of Regulations, title 16, section 1770, states:

26 For the purpose of denial, suspension, or revocation of a personal or  
27 facility license pursuant to Division 1.5 (commencing with Section 475) of the  
28 Business and Professions Code, a crime or act shall be considered substantially  
related to the qualifications, functions or duties of a licensee or registrant if to a  
substantial degree it evidences present or potential unfitness of a licensee or registrant  
to perform the functions authorized by his license or registration in a manner  
consistent with the public health, safety, or welfare.

#### 29 **COST RECOVERY**

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

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Substantially Related Criminal Conviction)**

3 10. Respondent is subject to disciplinary action under sections 490 and 4301, subdivision  
4 (l) of the Code, in conjunction with California Code of Regulations, title 16, section 1770, in that  
5 Respondent was convicted of a crime that is substantially related to the qualifications, functions  
6 and duties of a pharmacist. Specifically, on September 13, 2018, Respondent was convicted of  
7 one felony count of violating Unemployment Insurance Code section 2101(a) [false statement,  
8 representation or concealment] in the criminal proceeding titled, *The People of the State of*  
9 *California v. Samuel Isoken Omoregie* (Super. Ct. of California, County of Los Angeles, 2018,  
10 Case No. PA091041). On October 16, 2018, Respondent was ordered to serve 365 days in Los  
11 Angeles County Jail (imposition of sentence suspended) and was placed on formal probation for 3  
12 years, with terms and conditions. The circumstances underlying the conviction are that  
13 Respondent filed numerous State of California Disability Insurance (SDI) benefit claims with the  
14 Employment Development Department (EDD) (effective dates of 7/17/2009, 1/05/2011,  
15 1/03/2012, and 12/21/2012). Respondent was employed during this time period and he failed to  
16 report to the EDD his work and earnings from his employer CVS while receiving SDI benefits.  
17 Respondent obtained \$95,398.85 in benefits to which he was not entitled.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Commission of an Act Involving Dishonesty, Fraud, Deceit, or Corruption)**

20 11. Respondent is subject to disciplinary action under section 4301, subdivision (f) of the  
21 Code in that Respondent committed an act involving moral turpitude, dishonesty, fraud, deceit, or  
22 corruption, whether the act is committed in the course of relations as a licensee or otherwise, and  
23 whether the act is a felony or misdemeanor or not. The conduct is described in more particularity  
24 in paragraph 10 above, inclusive, and hereby incorporated by reference.


25 **PRAYER**

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

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1. Revoking or suspending Pharmacist License Number RPH 42951, issued to Samuel Isoken Omoregie;
2. Ordering Samuel Isoken Omoregie 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; and
3. Taking such other and further action as deemed necessary and proper.

DATED: August 9, 2019 

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ANNE SODERGREN  
Interim Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

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