

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

**In the Matter of the Accusation Against:**

**AUGUSTO BLANCO SIOSON, Respondent**

**Pharmacist License No. RPH 50095**

**Agency Case No. 6915**

**OAH No. 2020050324**

**DECISION AND ORDER**

The attached Stipulated Surrender of License 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 20, 2021.

It is so ORDERED on December 21, 2020.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

Greg Lippe  
Board President

1 XAVIER BECERRA  
Attorney General of California  
2 THEODORE S. DRCAR  
Supervising Deputy Attorney General  
3 DESIREE I. KELLOGG  
Deputy Attorney General  
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*Attorneys for Complainant*  
8

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

13 In the Matter of the Accusation Against:

14 **AUGUSTO BLANCO SIOSON**  
15 **1256 Stagecoach Trail Loop**  
16 **Chula Vista, CA 91915**

17 **Registered Pharmacist License No. RPH**  
18 **50095**

19 Respondent.

Case No. 6915

OAH No. 2020050324

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

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

22 **PARTIES**

23 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
24 (Board). She brought this action solely in her official capacity and is represented in this matter by  
25 Xavier Becerra, Attorney General of the State of California, by Desiree I. Kellogg, Deputy  
26 Attorney General.

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1 **CULPABILITY**

2 8. Respondent understands that the charges and allegations in Accusation No. 6915, if  
3 proven at a hearing, constitute cause for imposing discipline upon his Registered Pharmacist  
4 License.

5 9. For the purpose of resolving the Accusation without the expense and uncertainty of  
6 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual  
7 basis for the charges in the Accusation and that those charges constitute cause for discipline.  
8 Respondent hereby gives up his right to contest that cause for discipline exists based on those  
9 charges.

10 10. Respondent understands that by signing this stipulation, he enables the Board to issue  
11 an order accepting the surrender of his Registered Pharmacist License without further process.

12 **RESERVATION**

13 11. The admissions made by Respondent herein are only for the purposes of this  
14 proceeding, or any other proceedings in which the Board of Pharmacy or other professional  
15 licensing agency is involved, and shall not be admissible in any other criminal or civil  
16 proceeding.

17 **CONTINGENCY**

18 12. This stipulation shall be subject to approval by the Board. Respondent understands  
19 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
20 with the Board regarding this stipulation and surrender, without notice to or participation by  
21 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he  
22 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board  
23 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,  
24 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this  
25 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
26 be disqualified from further action by having considered this matter.

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1 deemed to be true, correct, and admitted by Respondent when the Board determines whether to  
2 grant or deny the application or petition.

3 6. Respondent shall pay the agency its costs of investigation and enforcement in the  
4 amount of \$15,000.00 prior to issuance of a new or reinstated license.

5 7. If Respondent should ever apply or reapply for a new license or certification, or  
6 petition for reinstatement of a license, by any other health care licensing agency in the State of  
7 California, all of the charges and allegations contained in Accusation, No. 6915 shall be deemed  
8 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any  
9 other proceeding seeking to deny or restrict licensure.

10 **ACCEPTANCE**

11 I have carefully read the above Stipulated Surrender of License and Order and have fully  
12 discussed it with my attorneys, Kevin C. Murphy and Heather A. Melone. I understand the  
13 stipulation and the effect it will have on my Registered Pharmacist License. I enter into this  
14 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
15 be bound by the Decision and Order of the Board of Pharmacy.

16  
17 DATED: \_\_\_\_\_

18 AUGUSTO BLANCO SIOSON  
19 *Respondent*

20 I have read and fully discussed with Respondent Augusto Blanco Sioson the terms and  
21 conditions and other matters contained in this Stipulated Surrender of License and Order. I  
22 approve its form and content.

23  
24 DATED: \_\_\_\_\_

25 KEVIN C. MURPHY  
26 *Attorney for Respondent*

27 ///

28 ///

///

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14 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
15 be bound by the Decision and Order of the Board of Pharmacy.

16  
17 DATED: 21 Oct 2020

  
AUGUSTO BLANCO SIOSON  
Respondent

18  
19  
20 I have read and fully discussed with Respondent Augusto Blanco Sioson the terms and  
21 conditions and other matters contained in this Stipulated Surrender of License and Order. I  
22 approve its form and content.

23  
24 DATED: 10/21/20

  
KEVIN C. MURPHY  
Attorney for Respondent

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**ENDORSEMENT**

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

DATED: \_\_\_\_\_

Respectfully submitted,  
XAVIER BECERRA  
Attorney General of California  
THEODORE S. DRGAR  
Supervising Deputy Attorney General

DESIREE I. KELLOGG  
Deputy Attorney General  
*Attorneys for Complainant*

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**ENDORSEMENT**

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DATED: 10/21/20

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
~~THEODORE S. DRGAR~~  
Supervising Deputy Attorney General

DESIREE J. KELLOGG  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 6915**

1 XAVIER BECERRA  
Attorney General of California  
2 GREGORY J. SALUTE  
Supervising Deputy Attorney General  
3 DESIREE I. KELLOGG  
Deputy Attorney General  
4 State Bar No. 126461  
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6 San Diego, CA 92186-5266  
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9 **BEFORE THE**  
10 **BOARD OF PHARMACY**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 6915

14 **AUGUSTO BLANCO SIOSON**  
15 **3020 Childrens Way Mail Code 5076**  
**San Diego, CA 92123**

**ACCUSATION**

16 **Pharmacist License No. RPH 50095**

17 Respondent.

18  
19  
20 **PARTIES**

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

23 2. On or about June 2, 1998, the Board of Pharmacy issued Pharmacist License Number  
24 RPH 50095 to Augusto Blanco Sioson (Respondent). The Pharmacist License was in full force  
25 and effect at all times relevant to the charges brought herein and will expire on August 31, 2021,  
26 unless renewed. The license was suspended pursuant to the Decision and Order issued in *In the*  
27

1 *Matter of the Petition for an Interim Suspension Order Against Augusto Blanco Sioson*, Board of  
2 Pharmacy Case No. 6915.

3 **JURISDICTION**

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

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

10 5. Section 4300, subdivision (a) of the Code provides that every license issued by the  
11 Board may be suspended or revoked.

12 6. Section 4300.1 of the Code states:

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

17 **STATUTORY PROVISIONS**

18 7. Section 4301 of the Code states in pertinent part:

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

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

25 ...

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

...  
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1 8. Section 4307, subdivision (a) of the Code states:

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

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

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

### 17 **REGULATORY PROVISION**

18 9. California Code of Regulations, title 16, section 1764, states:

19 No pharmacist shall exhibit, discuss, or reveal the contents of any prescription,  
20 the therapeutic effect thereof, the nature, extent, or degree of illness suffered by any  
21 patient or any medical information furnished by the prescriber with any person other  
22 than the patient or his or her authorized representative, the prescriber or other licensed  
23 practitioner then caring for the patient, another licensed pharmacist serving the  
24 patient, or a person duly authorized by law to received such information.

### 25 **COST RECOVERY**

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

### 29 **FACTUAL ALLEGATIONS**

30 11. At all relevant times herein, Respondent was a staff pharmacist at Children's Medical  
31 Center Pharmacy, the outpatient pharmacy of Rady Children's Hospital in San Diego, California.

32 12. Respondent was an avid shooter who possessed thirteen weapons (six of which were  
33 not registered) with 136,000 rounds of ammunition.

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35 ///

1           13. In January and February 2020 and while on duty as a pharmacist at Children’s  
2 Medical Center Pharmacy, Respondent made such threats as “he was just going to come in here  
3 and shoot the place up and kill us all,” “if I go away, I’m going to take you away with me, “I am  
4 going to bring this pharmacy down,” “I am going to light up the [Pharmacist-in-Charge] on fire,”  
5 “I am going to burn down this pharmacy and take you all with me,” and “I am going to set the  
6 place on fire.”

7           14. Respondent’s co-workers described Respondent as “mentally unstable,” and that they  
8 were “scared” and “concerned” by his “unpredictable behavior.” One co-worker believed that  
9 Respondent made Children’s Medical Center Pharmacy a “very hostile work environment.”  
10 Various pharmacy personnel interviewed by law enforcement described Respondent’s propensity  
11 for violent behavior, including the Pharmacist-in-Charge, the former pharmacy manager, fellow  
12 employees, among others.

13           15. When Respondent became angry, his colleagues described physical changes in his  
14 demeanor; his face became “red” and “contorted,” he had “wild eyes,” his “voice changed,” his  
15 fists became “clenched,” and his physical demeanor became “menacing.” Respondent engaged in  
16 “verbal outbursts” and cursed at his fellow employees, including calling them “f\_\_king idiots,”  
17 and morons.

18           16. During outbursts, Respondent has engaged in violent behavior at Rady Children’s  
19 Hospital, including “throwing objects,” “hitting items,” “slamming things down on the  
20 countertop,” “throwing a bottle of medicine on the floor,” “kicking toilets,” “breaking things,”  
21 “flinging items off the shelves,” and “punching walls.” A San Diego Police Officer wrote in her  
22 report that Respondent had “a reputation for having violent outbursts at work when angry.” His  
23 employer previously disciplined Respondent for his prior angry outbursts and placed him on  
24 administrative leave.

25           17. On February 7, 2020, the Honorable Ronald L. Styn of the San Diego Superior Court  
26 granted a Gun Violence Emergency Protective Order. The Honorable Daniel F. Link of the San  
27 Diego Superior Court continued this Order until May 5, 2020. On February 10, 2020, Judge Link  
28

1 granted Rady Children's Hospital's Petition for a Workplace Violence Temporary Restraining  
2 Order against Respondent and subsequently extended it until May 5, 2020.

3 18. Respondent disclosed the contents of two minor patients' prescriptions dispensed at  
4 Children's Medical Center Pharmacy. He also disclosed them to the public by attaching the  
5 prescription records to filings made at the Office of Administrative Hearings.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Acts of Moral Turpitude)**

8 19. Respondent is subject to disciplinary action under Code section 4301, subdivision (f),  
9 for his acts of moral turpitude, as set forth in paragraphs 11 through 18 above, which are  
10 incorporated herein by reference.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(Unauthorized Disclosure of Prescriptions)**

13 20. Respondent is subject to disciplinary action under Code section 4301, subdivision (o),  
14 for violating title 16, California Code of Regulations, section 1764, in that he exhibited, discussed  
15 or revealed the contents of two minor patients' prescriptions, as set forth in paragraphs 11 through  
16 18 above, which are incorporated herein by reference.

17 **THIRD CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct)**

19 21. Respondent is subject to disciplinary action under Code section 4301 for  
20 unprofessional conduct in that he engaged in the activities described in paragraphs 11 through 18  
21 above, which are incorporated herein by reference.

22 **OTHER MATTERS**

23 22. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.  
24 RPH 50095 issued to Augusto Blanco Sioson, Augusto Blanco Sioson shall be prohibited from  
25 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a  
26 licensee for five years if Pharmacist License Number RPH 50095 is placed on probation or until  
27 Pharmacist License Number RPH 50095 is reinstated if it is revoked.

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1 **DISCIPLINE CONSIDERATIONS**


2 23. To determine the degree of discipline, if any, to be imposed on Respondent,  
3 Complainant alleges that on or about April 16, 2020, in a prior disciplinary action titled *In the*  
4 *Matter of the Petition for an Interim Suspension Order Against Augusto Blanco Sioson* before the  
5 Board of Pharmacy, in Case Number 6915, Respondent's license was suspended because  
6 permitting him to engage in the practice of pharmacy or permitting him to continue in the practice  
7 of pharmacy without restrictions would endanger the public health, safety, or welfare.

8 **PRAYER**

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

- 11 1. Revoking or suspending Pharmacist License Number RPH 50095, issued to Augusto  
12 Blanco Sioson;
- 13 2. Prohibiting Augusto Blanco Sioson from serving as a manager, administrator, owner,  
14 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License  
15 Number RPH 50095 is placed on probation or until Pharmacist License Number RPH 50095 is  
16 reinstated if Pharmacist License Number RPH 50095 issued to Augusto Blanco Sioson is  
17 revoked;
- 18 3. Ordering Augusto Blanco Sioson to pay the Board of Pharmacy the reasonable costs  
19 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
20 section 125.3; and,
- 21 4. Taking such other and further action as deemed necessary and proper.

22  
23 DATED: April 28, 2020 \_\_\_\_\_

23   
24 \_\_\_\_\_  
25 ANNE SODERGREN  
26 Executive Officer  
27 Board of Pharmacy  
28 Department of Consumer Affairs  
State of California  
*Complainant*