

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

In the Matter of the Accusation Against:

**GLENCO MED INC., DBA REMEDY DRUGS, MELINA KHALAJ,
PRESIDENT,**

Pharmacy Permit No. PHY 42129;

and

MELINA ISSAKHANIAN, AKA MELINA KHALAJ,

Pharmacy Technician License No. TCH 14187;

Respondents.

Agency Case No. 6951

OAH No. 2021050361

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 5, 2022.

It is so ORDERED on December 6, 2021.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is fluid and cursive, with a large initial "S" and "O".

Seung W. Oh, Pharm D.
Board President

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
Supervising Deputy Attorney General
3 MELISSA TYNER
Deputy Attorney General
4 State Bar No. 269649
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6314
6 Facsimile: (916) 731-2126
E-mail: Melissa.Tyner@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

13 **LENCO MED INC., DBA REMEDY**
14 **DRUGS, MELINA KHALAJ, PRESIDENT**
15 **1700 W. Glenoaks Blvd.**
16 **Glendale, CA 91201**

17 **Pharmacy Permit No. PHY 42129,**

18 **and**

19 **MELINA ISSAKHANIAN, AKA MELINA**
20 **KHALAJ**
21 **1812 Foothill Drive**
22 **Glendale, CA 91201**

23 **Pharmacy Technician License No. TCH**
24 **14187,**

25 Respondents.

Case No. 6951

OAH No. 2021050361

STIPULATED SURRENDER OF
LICENSE AND ORDER OF LENCO
MED INC., DBA REMEDY DRUGS
ONLY

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

28 **PARTIES**

1. Anne Sodergren (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

1 Rob Bonta, Attorney General of the State of California, by Melissa Tyner, Deputy Attorney
2 General.

3 2. Glenco Med Inc., dba Remedy Drugs, Melina Khalaj, President (Respondent) is
4 represented in this proceeding by attorney Herb Weinburg, whose address is: 1990 S Bundy
5 Drive, Suite 777, Los Angeles, CA 90025.

6 3. On or about September 8, 2003, the Board issued Pharmacy Permit No. PHY 42129
7 to Glenco Med Inc., dba Remedy Drugs, Melina Khalaj, President (Respondent). The Pharmacy
8 Permit was in full force and effect at all times relevant to the charges brought in Accusation No.
9 6951 and will expire on September 1, 2022, unless renewed.

10 **JURISDICTION**

11 4. Accusation No. 6951 was filed before the Board, and is currently pending against
12 Respondent. The Accusation and all other statutorily required documents were properly served
13 on Respondent on March 16, 2021. Respondent timely filed its Notice of Defense contesting the
14 Accusation. A copy of Accusation No. 6951 is attached as Exhibit A and incorporated by
15 reference.

16 **ADVISEMENT AND WAIVERS**

17 5. Respondent has carefully read, fully discussed with counsel, and understands the
18 charges and allegations in Accusation No. 6951. Respondent also has carefully read, fully
19 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
20 Order.

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

27 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
28 every right set forth above.

1 **CULPABILITY**

2 8. Respondent understands that the charges and allegations in Accusation No. 6951, if
3 proven at a hearing, constitute cause for imposing discipline upon its Pharmacy Permit.

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

9 10. Respondent understands that by signing this stipulation Respondent enables the Board
10 to issue an order accepting the surrender of its Pharmacy Permit without further process.

11 **CONTINGENCY**

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

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

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

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

5
6 **ORDER**

7 IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 42129, issued to Respondent
8 Glenco Med Inc., dba Remedy Drugs, Melina Khalaj, President, is surrendered and accepted by
9 the Board. The effective date of the Decision shall be stayed 120 days after the effective date of
10 Order adopting this Stipulated Surrender, at which time the pharmacy shall be sold or closed.

11 1. The surrender of Respondent's Pharmacy Permit and the acceptance of the
12 surrendered permit by the Board shall constitute the imposition of discipline against Respondent.
13 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
14 license history with the Board.

15 2. Respondent shall lose all rights and privileges as a pharmacy in California as of the
16 effective date of the Board's Decision and Order.

17 3. Respondent shall cause to be delivered to the Board its wall certificate on or before
18 the effective date of the Decision and Order.

19 4. If it ever applies for licensure or petitions for reinstatement in the State of California,
20 the Board shall treat it as a new application for licensure. Respondent must comply with all the
21 laws, regulations and procedures for licensure in effect at the time the application or petition is
22 filed, and all of the charges and allegations contained in Accusation No. 6951 shall be deemed to
23 be true, correct and admitted by Respondent when the Board determines whether to grant or deny
24 the application or petition. Respondent is required to report this surrender as disciplinary action.
25 Respondent may not apply for any license, permit, or registration from the Board for three years
26 from the effective date of this decision.

27 5. Respondent shall pay the agency its costs of investigation and enforcement in the
28 amount of \$35,000.00. Respondent shall pay \$17,500.00 in costs within thirty (30) days of the

1 effective date of the Decision and Order. Respondent shall pay the remaining \$17,500.00 in costs
2 prior to issuance of a new or reinstated license. Respondent and Melina Issakhanian aka Melina
3 Khalaj shall be jointly and severally liable for payment of these costs.

4 6. If Respondent should ever apply or reapply for a new license or certification, or
5 petition for reinstatement of a license, by any other health care licensing agency in the State of
6 California, all of the charges and allegations contained in Accusation, No. 6951 shall be deemed
7 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
8 other proceeding seeking to deny or restrict licensure.

9 7. In the event the pharmacy is not sold, Respondent shall, within ten (10) days of the
10 effective date, arrange for the destruction of, the transfer to, sale of or storage in a facility licensed
11 and approved by the board of all controlled substances and dangerous drugs and/or dangerous
12 devices. Respondent shall further arrange for the transfer of all records of acquisition and
13 disposition of dangerous drugs to premises licensed and approved by the board. Respondent
14 shall further provide written proof of such disposition and submit a completed Discontinuance of
15 Business form according to board guidelines.

16 Respondent shall also, by the effective date of this decision, arrange for the continuation
17 of care for ongoing patients of the pharmacy by, at minimum, providing a written notice to
18 ongoing patients that specifies the anticipated closing date of the pharmacy and that identifies one
19 or more area pharmacies capable of taking up the patients' care, and by cooperating as may be
20 necessary in the transfer of records or prescriptions for ongoing patients. Within five days of its
21 provision to the pharmacy's ongoing patients, Respondent shall provide a copy of the written
22 notice to the board. For the purposes of this provision, "ongoing patients" means those patients
23 for whom the pharmacy has on file a prescription with one or more refills outstanding, or for
24 whom the pharmacy has filled a prescription within the preceding sixty (60) days.

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ACCEPTANCE

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

DATED: _____
GLENCO MED INC., DBA REMEDY
DRUGS, MELINA KHALAJ, PRESIDENT
Respondent

I have read and fully discussed with Respondent Glenco Med Inc., dba Remedy Drugs, Melina Khalaj, President the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: _____
HERB WEINBURG
Attorney for Respondent

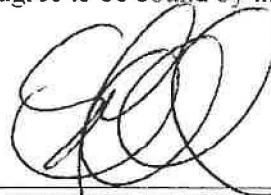
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I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Herb Weinburg. I understand the stipulation and the effect it will have on my Pharmacy Permit. I enter into this Stipulated Surrender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

DATED:

10/29/2021

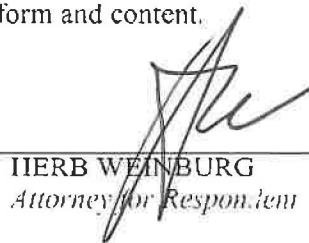


GLENCO MED INC., DBA REMEDY
DRUGS, MELINA KHALAJ, PRESIDENT
Respondent

I have read and fully discussed with Respondent Glenco Med Inc., dba Remedy Drugs, Melina Khalaj, President the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

10/29/2021



HERB WEINBURG
Attorney for Respondent

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,

ROB BONTA
Attorney General of California
NANCY A. KAISER
Supervising Deputy Attorney General

MELISSA TYNER
Deputy Attorney General
Attorneys for Complainant

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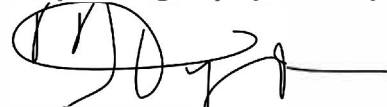
ENDORSEMENT

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: 11/8/21

Respectfully submitted,

ROB BONTA
Attorney General of California
NANCY A. KAISER
Supervising Deputy Attorney General



MELISSA TYNER
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 6951

1 ROB BONTA
Attorney General of California
2 NANCY KAISER
Supervising Deputy Attorney General
3 MELISSA TYNER
Deputy Attorney General
4 State Bar No. 269649
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6314
6 Facsimile: (916) 731-2126
E-mail: Melissa.Tyner@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 6951

13 **GLENCO MED INC., DBA REMEDY**
14 **DRUGS, MELINA KHALAJ, PRESIDENT**
15 **1700 W. Glenoaks Blvd.**
Glendale, CA 91201

FIRST AMENDED ACCUSATION

16 **Pharmacy Permit No. PHY 42129,**

17 **and**

18 **MELINA ISSAKHANIAN, AKA MELINA**
19 **KHALAJ**
1812 Foothill Drive
Glendale, CA 91201

20 **Pharmacy Technician License No. TCH**
21 **14187,**

22 Respondents.

23
24
25 **PARTIES**

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

28 ///

2. On or about September 8, 2003, the Board of Pharmacy issued Pharmacy Permit Number PHY 42129 to Glenco Med Inc., dba Remedy Drugs, Melina Khalaj, President (Respondent Pharmacy). The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on September 1, 2021, unless renewed.

3. On or about October 24, 1994, the Board of Pharmacy issued Pharmacy Technician Registration Number TCH 14187 to Melina Issakhanian, aka Melina Khalaj (Respondent Issakhanian). The Pharmacy Technician Registration expired on July 31, 2008, and has not been renewed.

JURISDICTION

4. 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 (Code) unless otherwise indicated.

5. 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 and Safety Code, § 11000 et seq.].

6. Section 4300 states, in pertinent part, that “[e]very license issued may be suspended or revoked.”

7. 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

8. Code section 4059, subdivision (a), states:

“(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

1 physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section
2 3640.7.

3”

4 9. Code section 4063 states:

5 “No prescription for any dangerous drug or dangerous device may be refilled except upon
6 authorization of the prescriber. The authorization may be given orally or at the time of giving the
7 original prescription. No prescription for any dangerous drug that is a controlled substance may
8 be designated refillable as needed.”

9 10. Code section 4081, subdivision (a), states:

10 “(a) All records of manufacture and of sale, acquisition, receipt, shipment, or disposition of
11 dangerous drugs or dangerous devices shall be at all times during business hours open to
12 inspection by authorized officers of the law, and shall be preserved for at least three years from
13 the date of making. A current inventory shall be kept by every manufacturer, wholesaler, third-
14 party logistics provider, pharmacy, veterinary food-animal drug retailer, outsourcing facility,
15 physician, dentist, podiatrist, veterinarian, laboratory, licensed correctional clinic, as defined in
16 Section 4187, clinic, hospital, institution, or establishment holding a currently valid and
17 unrevoked certificate, license, permit, registration, or exemption under Division 2 (commencing
18 with Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section
19 16000) of Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous
20 drugs or dangerous devices.”

21 11. Code section 4105 states, in pertinent part:

22 “(a) All records or other documentation of the acquisition and disposition of dangerous
23 drugs and dangerous devices by any entity licensed by the board shall be retained on the licensed
24 premises in a readily retrievable form.

25 ...

26 (c) The records required by this section shall be retained on the licensed premises for a
27 period of three years from the date of making.”

28 ///

1 12. Code section 4301 states, in pertinent part:

2 “Section 4301 of the Code states:

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

6 ...

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

9 ...

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

14 ...”

15 13. Section 4307, subdivision (a), of the Code states:

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

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

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

1 **REGULATORY PROVISIONS**

2 14. California Code of Regulations, title 16, section 1716 states:

3 “Pharmacists shall not deviate from the requirements of a prescription except upon the prior
4 consent of the prescriber or to select the drug product in accordance with Section 4073 of the
5 Business and Professions Code.

6 Nothing in this regulation is intended to prohibit a pharmacist from exercising commonly-
7 accepted pharmaceutical practice in the compounding or dispensing of a prescription.”

8 15. California Code of Regulations, title 16, section 1718 states:

9 ““Current Inventory” as used in Sections 4081 and 4332 of the Business and Professions
10 Code shall be considered to include complete accountability for all dangerous drugs handled by
11 every licensee enumerated in Sections 4081 and 4332.

12 The controlled substances inventories required by Title 21, CFR, Section 1304 shall be
13 available for inspection upon request for at least 3 years after the date of the inventory.”

14 **COST RECOVERY**

15 16. Section 125.3 provides that the Board may request the administrative law judge to
16 direct a licentiate found to have committed a violation or violations of the licensing act to pay a
17 sum not to exceed the reasonable costs of the investigation and enforcement of the case, with
18 failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a
19 case settles, recovery of investigation and enforcement costs may be included in a stipulated
20 settlement.

21 **DANGEROUS DRUGS**

22 17. Section 4022 of the Code states:

23 ““Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for self-use in
24 humans or animals, and includes the following:

25 (a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing without
26 prescription,’ ‘Rx only,’ or words of similar import.

27 ///

28 ///

1 (b) Any device that bears the statement: ‘Caution: federal law restricts this device to sale by
2 or on the order of a _____,’ ‘Rx only,’ or words of similar import, the blank to be filled in
3 with the designation of the practitioner licensed to use or order use of the device.

4 (c) Any other drug or device that by federal or state law can be lawfully dispensed only on
5 prescription or furnished pursuant to Section 4006.”

6 18. “Colcrys” is a brand name for colchicine and is a dangerous drug within the meaning
7 of Business and Professions Code section 4022.

8 19. “Dexilant” is a brand name for dexlansoprazole and is a dangerous drug within the
9 meaning of Business and Professions Code section 4022.

10 20. “Linzess” is a brand name for linaclotide and is a dangerous drug within the meaning
11 of Business and Professions Code section 4022.

12 21. “Restasis” is a brand name for cyclosporine ophthalmic emulsion and is a dangerous
13 drug within the meaning of Business and Professions Code section 4022.

14 22. “Voltaren Gel” is a brand name for diclofenac and is a dangerous drug within the
15 meaning of Business and Professions Code section 4022.

16 23. “Zetia” is a brand name for ezetimibe and is a dangerous drug within the meaning of
17 Business and Professions Code section 4022.

18 **FACTUAL ALLEGATIONS: DRUG OVERAGES**

19 24. On or about September 14, 2018, the Board received a complaint from Qlarant, as a
20 Medicare Drug Integrity Contractor (MEDIC), operating the National Benefit Integrity (NBI)
21 MEDIC. The NBI MEDIC is contracted by the Centers for Medicare & Medicaid Services
22 (CMS) to conduct investigations into fraud in the Medicare Part C and D programs. NBI MEDIC
23 received complaints from other health care plans and pharmacy benefit managers regarding the
24 discrepancies they had identified when they conducted audits on Respondent Pharmacy.

25 25. On or about November 11, 2019, a Board inspector visited Respondent Pharmacy to
26 conduct an inspection and obtain records. The Board’s inspector also obtained records from
27 Respondent Pharmacy’s wholesalers. Based on the evidence collected, the Board inspector
28 performed an audit for the period between November 11, 2017 and November 11, 2019.

26. The Board audit indicated a negative variance of the following medications indicating Respondent Pharmacy sold (dispensed) a greater amount of medication than it purchased: Ud Restasis 0.05% Eye Emlsn 30 Vials and 60 Vials, Restasis Multidose 0.05% Drp, Dexilant 60mg, Voltaren 1% Gel, and Zetia 10mg Tab.

27. The Board's inspector identified the following dollar amounts Respondent Pharmacy was reimbursed for the identified overages:

Medication	Units	Variance	Price per Unit Paid by Insurance	Total Dollar Amounts Paid by Insurance for the Variances
Ud Restasis .05% Eye Emlsn 30	Vials (30 vials in a box)	-2,520	\$9.21	\$(23,207.96)
Ud Restasis .05% Eye Emlsn 60	Vials (60 vials in a box)	-22,500	\$8.94	\$(201,179.39)
Restasis Multidose .05% DRP	Multidose dropper (1 dropper)	-115	\$527.31	\$(60,640.12)
Dexilant 60mg	Capsules	-11,490	\$9.21	\$(105,817.27)
Voltaren 1% Gel	Grams (100 grams per box)	-882	\$52.85	\$(46,613.70)
Zetia 10mg Tab	Tablet	-750	\$9.92	\$(7,443.49)
Grand Total				\$(444,901.93)

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Failure to Maintain Accurate Records of Acquisition and Disposition)**

3 28. Respondent Pharmacy and Respondent Issakhanian are subject to disciplinary action
4 under Code section 4301, subdivision (o), in conjunction with Code sections 4081 and 4105, and
5 California Code of Regulations section 1718. Specifically, an audit for the period between
6 November 11, 2017 and November 11, 2019 of Respondent Pharmacy revealed an overage (sold
7 more than purchased) of Ud Restasis .05% Eye Emlsn 30 Vials and 60 Vials, Restasis Multidose
8 .05% Drp, Dexilant 60mg, Voltaren 1% Gel and Zetia 10mg Tab. Complainant refers to, and by
9 this reference incorporates, the allegations set forth above in paragraphs 24 through 27, inclusive,
10 as though set forth fully herein.

11 **FACTUAL ALLEGATIONS: FURNISHING DANGEROUS DRUGS WITHOUT A**
12 **PRESCRIPTION**

13 29. On August 22, 2019, the Board received a complaint from Humana regarding
14 Respondent Pharmacy. The complaint alleged Respondent Pharmacy had billed several
15 prescriptions which had the wrong medication, prescriber, quantity, day supply and had dispensed
16 unauthorized prescriptions.

17 30. On November 11, 2019, the Board conducted an inspection of Respondent Pharmacy.
18 The Board's inspector reviewed prescription profile records for AY and ZP between November
19 11, 2017 and November 11, 2019, as well as its Drug Utilization Report (DUR) for the same
20 period.

21 31. Using the DUR, the Board's inspector contacted the prescribing physicians and
22 confirmed that prescription numbers 6809410 (for Linzess 145mcg, quantity of 270 capsules),
23 6811757 (Colcrys 0.6mg, quantity of 120), and 6824285 (Dexilant 60mg, quantity of 210) were
24 unauthorized. Further, using the DUR, the Board's inspector determined the dollar amount
25 Respondent Pharmacy was billed for the unauthorized prescriptions, which amounted to
26 \$7,598.40.

27 ///

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Furnishing Dangerous Drugs without a Prescription)**

3 32. Respondent Pharmacy is subject to disciplinary action under Code section 4301,
4 subdivision (o), in conjunction with Code sections 4059, subdivision (a), 4063 and California
5 Code of Regulations, title 16, section 1716. Specifically, during the course of the Board's
6 investigation, it was determined that Respondents had dispensed without prescriber's
7 authorization a prescription (number 6809410) for Linzess 145mcg (quantity of 270 capsules), a
8 prescription (number 6811757) for Colcris 0.6mg (quantity of 120), and a prescription (number
9 6824285) for Dexilant 60mg (quantity of 210). Complainant refers to, and by this reference
10 incorporates, the allegations set forth above in paragraphs 29 through 31, inclusive, as though set
11 forth fully herein.

12 **OTHER MATTERS**

13 33. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
14 PHY 42129 issued to Respondent Glenco Med Inc., dba Remedy Drugs, Glenco Med Inc. shall be
15 prohibited from serving as manager, administrator, owner, members, officer, director, associate,
16 or partner of a licensee for five years if Pharmacy Permit Number PHY 42129 is placed on
17 probation or until Pharmacy Permit Number PHY 42129 is reinstated if it is revoked.

18 34. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
19 PHY 42129 issued to Respondent Glenco Med Inc., dba Remedy Drugs for conduct that occurred
20 while Melina Khalaj was a manager, administrator, owner, member, officer, director, associate,
21 partner or other person with management or control of Respondent Glenco Med Inc., dba Remedy
22 Drugs and had knowledge of or knowingly participated in any conduct for which the license was
23 disciplined, Melina Khalaj shall be prohibited from serving as manager, administrator, owner,
24 members, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
25 Number PHY 42129 is placed on probation or until Pharmacy Permit Number PHY 42129 is
26 reinstated if it is revoked.

27 35. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
28 PHY 42129 issued to Respondent Glenco Med Inc., dba Remedy Drugs for conduct that occurred

1 while Respondent Issakhanian was a manager, administrator, owner, member, officer, director,
2 associate, partner or other person with management or control of Respondent Glenco Med Inc.,
3 dba Remedy Drugs and had knowledge of or knowingly participated in any conduct for which the
4 license was disciplined, Respondent Issakhanian shall be prohibited from serving as manager,
5 administrator, owner, members, officer, director, associate, or partner of a licensee for five years
6 if Pharmacy Permit Number PHY 42129 is placed on probation or until Pharmacy Permit Number
7 PHY 42129 is reinstated if it is revoked.

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 Pharmacy Permit Number PHY 42129, issued to Glenco
12 Med Inc., dba Remedy Drugs, Melina Khalaj, President;

13 2. Revoking or suspending Pharmacy Technician Registration Number TCH 14187,
14 issued to Melina Issakhanian;

15 3. Prohibiting Glenco Med Inc. from serving as a manager, administrator, owner,
16 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
17 Number PHY 42129 is placed on probation or until Pharmacy Permit Number PHY 42129 is
18 reinstated if Pharmacy Permit Number PHY 42129 issued to Glenco Med Inc. is revoked;

19 4. Prohibiting Melina Khalaj from serving as a manager, administrator, owner, member,
20 officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number
21 PHY 42129 is placed on probation or until Pharmacy Permit Number PHY 42129 is reinstated if
22 Pharmacy Permit Number PHY 42129 issued to Glenco Med Inc. is revoked;

23 5. Ordering Remedy Drugs and Melina Issakhanian to pay the Board of Pharmacy the
24 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
25 Professions Code section 125.3; and,

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

DATED: 10/11/2021

Signature on File

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

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