

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

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

**OURX PHARMACY, INC., DBA 2222 PRESCRIPTION PHARMACY,  
HOMAYOON KHORSANDI**

**Pharmacy Permit License No. PHY 39520,**

**and**

**HOMAYOON KHORSANDI,**

**Pharmacist License No. RPH 43286,**

**Respondents.**

**Agency Case No. 6957**

**OAH No. 2021020712**

## 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 November 17, 2021.

It is so ORDERED on October 18, 2021.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is fluid and cursive, with the first name "Seung" and last name "Oh" clearly visible.

Seung W. Oh, Pharm.D.  
Board President

1 ROB BONTA  
Attorney General of California  
2 SHAWN P. COOK  
Supervising Deputy Attorney General  
3 KEVIN J. RIGLEY  
Deputy Attorney General  
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5 Los Angeles, CA 90013  
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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:

Case No. 6957

13 **OURX PHARMACY, INC., DBA 2222**  
14 **PRESCRIPTION PHARMACY,**  
15 **HOMAYOON KHORSANDI**  
2222 Santa Monica Blvd., Ste. 103  
Santa Monica, CA 90404

OAH No. 2021020712

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER AS TO  
PHARMACY PERMIT NO. PHY 39520**

16 Pharmacy Permit License No. PHY 39520,

17 and

18 **HOMAYOON KHORSANDI**  
19 110 N. Anita Avenue  
Los Angeles, CA 90049

20 Pharmacist License No. RPH 43286

21 Respondents.  
22

23  
24 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
25 entitled proceedings that the following matters are true:

26 **PARTIES**

27 1. Anne Sodergren (complainant) is the Executive Officer of the Board of Pharmacy  
28 (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 Kevin J. Rigley, Deputy Attorney  
2 General.

3 2. Respondent Ourx Pharmacy Inc., dba 2222 Prescription Pharmacy, Homayoon  
4 Khorsandi (respondent) is represented in this proceeding by attorney Edward Idell, Esq., whose  
5 address is 355 South Grand Ave., Ste. 1750, Los Angeles, CA 90071-1562.

6 3. On or about October 4, 1993, the board issued Pharmacy Permit No. PHY 39520 to  
7 respondent. The Pharmacy Permit was in full force and effect at all times relevant to the charges  
8 brought in Accusation No. 6957, and will expire on October 1, 2021, unless renewed.

### 9 **JURISDICTION**

10 4. Accusation No. 6957 was filed before the board, and is currently pending against  
11 respondent. The accusation and all other statutorily required documents were properly served on  
12 Respondent on September 17, 2020. Respondent timely filed its Notice of Defense contesting the  
13 accusation.

14 5. A copy of Accusation No. 6957 is attached as exhibit A and incorporated herein by  
15 reference.

### 16 **ADVISEMENT AND WAIVERS**

17 6. Respondent has carefully read, fully discussed with counsel, and understands the  
18 charges and allegations in Accusation No. 6957. Respondent has also carefully read, fully  
19 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
20 Order.

21 7. 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 it; the right to present evidence and to testify on its own behalf; the right to  
24 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 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
28 every right set forth above.

1 **CULPABILITY**

2 9. Respondent understands and agrees that the charges and allegations in Accusation  
3 No. 6957, if proven at a hearing, constitute cause for imposing discipline upon its Pharmacy  
4 Permit.

5 10. 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 respondent hereby gives up its right to contest  
8 those charges.

9 11. Respondent agrees that its Pharmacy Permit is subject to discipline and it agrees to be  
10 bound by the board's probationary terms as set forth in the Disciplinary Order below.

11 **CONTINGENCY**

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

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

24 14. This Stipulated Settlement and Disciplinary 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 Settlement and Disciplinary  
28

Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

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

### **DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Pharmacy Permit No. 39520 issued to respondent Ourx Pharmacy Inc., dba 2222 Prescription Pharmacy, Homayoon Khorsandi is revoked. However, the revocation is stayed and respondent is placed on probation for four (4) years on the following terms and conditions:

#### **1. Definition: Respondent**

For the purposes of these terms and conditions, "Respondent" shall refer to Respondent Ourx Pharmacy Inc., dba 2222 Prescription Pharmacy, Homayoon Khorsandi. All terms and conditions stated herein shall bind and be applicable to the licensed premises and to all owners, managers, officers, administrators, members, directors, trustees, associates, or partners thereof. For purposes of compliance with any term or condition, any report, submission, filing, payment, or appearance required to be made by Respondent to or before the Board or its designee shall be made by an owner or executive officer with authority to act on behalf of and legally bind the licensed entity.

#### **2. 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;

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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; or

discipline, citation, or other administrative action filed by any state or federal agency which involves respondent's pharmacy or pharmacist license, or which is related to the practice of pharmacy or the manufacturing, obtaining, handling or distributing, billing, or charging for any dangerous drug, and/or dangerous device or controlled substance. Failure to timely report such occurrence shall be considered a violation of probation.

### **3. 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.

### **4. Interview with the Board**

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

### **5. Cooperate with Board Staff**

Respondent shall timely cooperate with the board's inspection program and with the board's monitoring and investigation of respondent's compliance with the terms and conditions of the probation, including but not limited to: timely responses to requests for information by board staff; timely compliance with directives from board staff regarding requirements of any term or

condition of probation; and timely completion of documentation pertaining to a term or condition of probation. Failure to timely cooperate shall be considered a violation of probation.

**6. Reimbursement of Board Costs**

As a condition precedent to successful completion of probation, respondent shall be jointly and severally responsible with respondent Homayoon Khorsandi to pay to the board its costs of investigation and prosecution in the amount of \$12,500.00. Respondent shall make said payments as follows:

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

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

**7. Probation Monitoring Costs**

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

**8. Status of License**

Respondent shall, at all times while on probation, maintain current Pharmacy Permit with the board. Failure to maintain current licensure shall be considered a violation of probation.

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

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

Following the effective date of this decision, should respondent wish to discontinue business, respondent may tender the premises license to the board for surrender. The board or its



1 designee shall have the discretion whether to grant the request for surrender or take any other  
2 action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the  
3 license, respondent will no longer be subject to the terms and conditions of probation.

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

7 Respondent further stipulates that it shall reimburse the board for its costs of investigation  
8 and prosecution prior to the acceptance of the surrender.

9 **10. Sale or Discontinuance of Business**

10 During the period of probation, should respondent sell, trade or transfer all or part of the  
11 ownership of the licensed entity, discontinue doing business under the license issued to  
12 respondent, or should practice at that location be assumed by another full or partial owner,  
13 person, firm, business, or entity, under the same or a different premises license number, the  
14 board or its designee shall have the sole discretion to determine whether to exercise continuing  
15 jurisdiction over the licensed location, under the current or new premises license number, and/or  
16 carry the remaining period of probation forward to be applicable to the current or new premises  
17 license number of the new owner.

18 **11. Notice to Employees**

19 Respondent shall, upon or before the effective date of this decision, ensure that all  
20 employees involved in permit operations are made aware of all the terms and conditions of  
21 probation, either by posting a notice of the terms and conditions, circulating such notice, or both.  
22 If the notice required by this provision is posted, it shall be posted in a prominent place and shall  
23 remain posted throughout the probation period. Respondent shall ensure that any employees  
24 hired or used after the effective date of this decision are made aware of the terms and conditions  
25 of probation by posting a notice, circulating a notice, or both. Additionally, respondent shall  
26 submit written notification to the board, within fifteen (15) days of the effective date of this  
27 decision, that this term has been satisfied. Failure to timely provide such notification to  
28

1 employees, or to timely submit such notification to the board shall be considered a violation of  
2 probation.

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

#### 6 **12. Owners and Officers: Knowledge of the Law**

7 Respondent shall provide, within thirty (30) days after the effective date of this decision,  
8 signed and dated statements from its owners, including any owner or holder of ten percent (10%)  
9 or more of the interest in respondent or respondent's stock, and all of its officer, stating under  
10 penalty of perjury that said individuals have read and are familiar with state and federal laws  
11 and regulations governing the practice of pharmacy. The failure to timely provide said  
12 statements under penalty of perjury shall be considered a violation of probation.

#### 13 **13. Premises Open for Business**

14 Respondent shall remain open and engaged in its ordinary business as a pharmacy in  
15 California for a minimum of 120 hours per calendar month. Any month during which this  
16 minimum is not met shall toll the period of probation, i.e., the period of probation shall be  
17 extended by one month for each month during with this minimum is not met. During any such  
18 period of tolling of probation, respondent must nonetheless comply with all terms and conditions  
19 of probation, unless respondent is informed otherwise in writing by the board or its designee. If  
20 respondent is not open and engaged in its ordinary business as a pharmacy for a  
21 minimum of 120 hours in any calendar month, for any reason (including vacation),  
22 respondent shall notify the board in writing within ten (10) days of the conclusion of that  
23 calendar month. This notification shall include at minimum all of the following: the date(s) and  
24 hours respondent was open; the reason(s) for the interruption or why business was not  
25 conducted; and the anticipated date(s) on which respondent will resume business as required.  
26 Respondent shall further notify the board in writing with ten (10) days following the next  
27 calendar month during which respondent is open and engaged in its ordinary business as a  
28

1 pharmacy in California for a minimum of hours. Any failure to timely provide such  
2 notification(s) shall be considered a violation of probation.

3 **14. Posted Notice of Probation**

4 Respondent shall prominently post a probation notice provided by the board or its designee  
5 in a place conspicuous to and readable by the public within two (2) days of receipt thereof from  
6 the board or its designee. Failure to timely post such notice, or to maintain the posting during the  
7 entire period of probation, shall be considered a violation of probation.

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

12 **15. Violation of Probation**

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

19 If respondent violates probation in any respect, the board, after giving respondent notice  
20 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
21 was stayed. If a petition to revoke probation or an accusation is filed against respondent during  
22 probation, or the preparation of an accusation or petition to revoke probation is requested from  
23 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of  
24 probation shall be automatically extended until the petition to revoke probation or accusation is  
25 heard and decided, and the charges and allegations in Accusation No. 6957 shall be deemed true  
26 and correct.

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**17. No Additional Ownership or Management of Licensed Premises**

## 18. Consultant Review of Pharmacy Operations

The consultant shall be a pharmacist licensed by and not on probation with the Board and whose name shall be submitted to the Board or its designee, for prior approval, within thirty (30) days of the effective date of this decision.

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Edward Idell, Esq. I understand the stipulation and the effect it will have on my Pharmacy Permit. I enter into this Stipulated Settlement and Disciplinary Order

///

1 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
2 Board of Pharmacy.

3  
4 DATED: \_\_\_\_\_

HOMAYOON KHORSANDI, CEO, 100%  
SHAREHOLDER AND SECRETARY,  
OURX PHARMACY INC., DBA 2222  
PRESCRIPTION PHARMACY  
*Respondent*

8  
9 I have read and fully discussed with respondent Ourx Pharmacy Inc., dba 2222 Prescription  
10 Pharmacy, Homayoon Khorsandi the terms and conditions and other matters contained in the  
11 above Stipulated Settlement and Disciplinary Order. I approve its form and content.

12  
13 DATED: \_\_\_\_\_

EDWARD IDELL, ESQ.  
*Attorney for Respondent*

15  
16 **ENDORSEMENT**

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

19  
20 DATED: \_\_\_\_\_

Respectfully submitted,


21 ROB BONTA  
22 Attorney General of California  
23 SHAWN P. COOK  
Supervising Deputy Attorney General

24 KEVIN J. RIGLEY  
25 Deputy Attorney General  
26 *Attorneys for Complainant*

27  
28 Stipulated Settlement and Disciplinary Order - LIC.docx

1 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
2 Board of Pharmacy.

3  
4 DATED: 67/19/21

  
HOMAYOON KHORSANDI, CEO, 100%  
SHAREHOLDER AND SECRETARY,  
OURX PHARMACY INC., DBA 2222  
PRESCRIPTION PHARMACY  
Respondent

5  
6  
7  
8  
9 I have read and fully discussed with respondent Ourx Pharmacy Inc., dba 2222 Prescription  
10 Pharmacy, Homayoon Khorsandi the terms and conditions and other matters contained in the  
11 above Stipulated Settlement and Disciplinary Order. I approve its form and content.

12  
13 DATED: 7-19-21

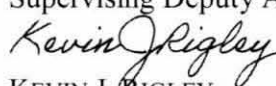
  
EDWARD IDELL, ESQ.  
Attorney for Respondent

14  
15  
16 **ENDORSEMENT**

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

19  
20 DATED: July 16, 2021

Respectfully submitted,

21 ROB BONTA  
22 Attorney General of California  
23 SHAWN P. COOK  
24 Supervising Deputy Attorney General  
25   
26 KEVIN J. RIGLEY  
27 Deputy Attorney General  
28 Attorneys for Complainant

Stipulated Settlement and Disciplinary Order - LIC.docx

**Exhibit A**

**Accusation No. 6957**

1 XAVIER BECERRA  
Attorney General of California  
2 LINDA L. SUN  
Supervising Deputy Attorney General  
3 KEVIN J. RIGLEY  
Deputy Attorney General  
4 State Bar No. 131800  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6301  
6 Facsimile: (916) 731-2126  
*Attorneys for Complainant*

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8 **BEFORE THE**  
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12 In the Matter of the Accusation Against:

Case No. 6957

13 **OURX PHARMACY, INC., DBA**  
14 **2222 PRESCRIPTION PHARMACY,**  
15 **HOMAYOON KHORSANDI, CEO**  
2222 Santa Monica Blvd., Suite 103  
Santa Monica, CA 90404

**ACCUSATION**

16 Pharmacy Permit No. PHY 39520,

17 and

18 **HOMAYOON KHORSANDI**  
110 N. Anita Avenue  
19 Los Angeles, CA 90049

20 Pharmacist License No. RPH 43286

21 Respondents.

22  
23 **PARTIES**

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

26 2. On or about October 4, 1993, the Board issued Pharmacy Permit Number PHY 39520  
27 to Homayoon Khorsandi, dba 2222 Prescription Pharmacy. On or about March 20, 2005, the  
28 Board issued Pharmacy Permit Number PHY 39520 to Ourx Pharmacy, Inc., dba 2222



1 Prescription Pharmacy, with Homayoon Khorsandi as Pharmacist-in-Charge since October 4,  
2 1993, and CEO, 100% shareholder, and Secretary since March 20, 2005 (Respondent Pharmacy).  
3 The Pharmacy Permit was in full force and effect at all times relevant to the charges brought  
4 herein and will expire on October 1, 2020, unless renewed.

5 3. On or about March 16, 1990, the Board issued Pharmacist License Number RPH  
6 43286 to Homayoon Khorsandi (Respondent Khorsandi). The Pharmacist License was in full  
7 force and effect at all times relevant to the charges brought herein and will expire on December  
8 31, 2021, unless renewed.

### 9 **JURISDICTION AND STATUTORY PROVISIONS**

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

13 5. Section 118, subdivision (b), of the Code provides that the suspension/expiration/  
14 surrender/cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
15 disciplinary action during the period within which the license may be renewed, restored, reissued  
16 or reinstated.

17 6. Section 4300 of the Code states, in pertinent part:

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

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

21 (1) Suspending judgment.

22 (2) Placing him or her upon probation.

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

24 (4) Revoking his or her license.

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

27 ///

28 ///

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

7 (1) Medical or psychiatric evaluation.

8 (2) Continuing medical or psychiatric treatment.

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

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

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

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

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

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

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

23 7. Section 4300.1 of the Code states:

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

8. Section 4307 of the Code states:

(a) Any person who has been denied a license or whose license has been revoked or is  
under suspension, or who has failed to renew his or her license while it was under  
suspension, or who has been a manager, administrator, owner, member, officer,  
director, associate, partner, or any other person with management or control of any  
partnership, corporation, trust, firm, or association whose application for a license has  
been denied or revoked, is under suspension or has been placed on probation, and  
while acting as the manager, administrator, owner, member, officer, director,  
associate, partner, or any other person with management or control had knowledge of  
or knowingly participated in any conduct for which the license was denied, revoked,

suspended, or placed on probation, shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, partner, or in any other position with management or control of a licensee as follows:

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

(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, or partner," as used in this section and Section 4308, may refer to a pharmacist or to any other person who serves in that 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.

#### **STATUTORY AUTHORITY**

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:

....

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

....

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

10. Section 4306.5 of the Code states:

"Unprofessional conduct for a pharmacist may include any of the following:

"(a) Acts or omissions that involve, in whole or in part, the inappropriate exercise of his or her education, training, or experience as a pharmacist, whether or not the act or omission arises in the course of the practice of pharmacy or the ownership,

management, administration, or operation of a pharmacy or other entity licensed by the board.

“(b) Acts or omissions that involve, in whole or in part, the failure to exercise or implement his or her best professional judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled substances, dangerous drugs, or dangerous devices, or with regard to the provision of services.

“(c) Acts or omissions that involve, in whole or in part, the failure to consult appropriate patient, prescription, and other records pertaining to the performance of any pharmacy function.

“(d) Acts or omissions that involve, in whole or in part, the failure to fully maintain and retain appropriate patient-specific information pertaining to the performance of any pharmacy function.”

11. Section 4022 of the Code states

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

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

“(b) Any device that bears the statement: “Caution: federal law restricts this device to sale by or on the order of a \_\_\_\_\_,” “Rx only,” or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

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

12. Section 4059 of the Code 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 physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7.

“(b) This section does not apply to the furnishing of any dangerous drug or dangerous device by a manufacturer, wholesaler, or pharmacy to each other or to a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7, or to a laboratory under sales and purchase records that correctly give the date, the names and addresses of the supplier and the buyer, the drug or device, and its quantity. This section does not apply to the furnishing of any dangerous device by a manufacturer, wholesaler, or pharmacy to a physical therapist acting within the scope of his or her license under sales and purchase records that correctly provide the date the device is provided, the names and addresses of the supplier and the buyer, a description of the device, and the quantity supplied.

///

1 “(c) A pharmacist, or a person exempted pursuant to Section 4054, may distribute  
2 dangerous drugs and dangerous devices directly to dialysis patients pursuant to  
3 regulations adopted by the board. The board shall adopt any regulations as are  
4 necessary to ensure the safe distribution of these drugs and devices to dialysis patients  
5 without interruption thereof. A person who violates a regulation adopted pursuant to  
6 this subdivision shall be liable upon order of the board to surrender his or her  
7 personal license. These penalties shall be in addition to penalties that may be imposed  
8 pursuant to Section 4301. If the board finds any dialysis drugs or devices distributed  
9 pursuant to this subdivision to be ineffective or unsafe for the intended use, the board  
10 may institute immediate recall of any or all of the drugs or devices distributed to  
11 individual patients.”

12 13. Health and Safety Code section 11153 states in pertinent part:

13 “(a) A prescription for a controlled substance shall only be issued for a legitimate  
14 medical purpose by an individual practitioner acting in the usual course of his or her  
15 professional practice. The responsibility for the proper prescribing and dispensing of  
16 controlled substances is upon the prescribing practitioner, but a corresponding  
17 responsibility rests with the pharmacist who fills the prescription. Except as  
18 authorized by this division, the following are not legal prescriptions: (1) an order  
19 purporting to be a prescription which is issued not in the usual course of professional  
20 treatment or in legitimate and authorized research; or (2) an order for an addict or  
21 habitual user of controlled substances, which is issued not in the course of  
22 professional treatment or as part of an authorized narcotic treatment program, for the  
23 purpose of providing the user with controlled substances, sufficient to keep him or her  
24 comfortable by maintaining customary use.

25 “(b) Any person who knowingly violates this section shall be punished by  
26 imprisonment in the state prison or in the county jail not exceeding one year, or by a  
27 fine not exceeding twenty thousand dollars (\$20,000), or by both a fine and  
28 imprisonment.

“(c) No provision of the amendments to this section enacted during the second year  
of the 1981-82 Regular Session shall be construed as expanding the scope of practice  
of a pharmacist.”

14. Section 11162.1 of the Health and Safety Code states, in pertinent part:

“(a) The prescription forms for controlled substances shall be printed with the following  
features:

....

“(2) A watermark shall be printed on the backside of the prescription blank; the watermark  
shall consist of the words “California Security Prescription.”

....

“(B) In conjunction with the quantity boxes, a space shall be provided to designate the units  
referenced in the quantity boxes when the drug is not in tablet or capsule form.

....

1 “(10) Check boxes shall be printed on the form so that the prescriber may indicate the  
2 number of refills ordered.

3 . . . .

4 “(b) Each batch of controlled substance prescription forms shall have the lot number printed  
5 on the form and each form within that batch shall be numbered sequentially beginning with  
6 the numeral one.”

7 15. Section 11164 of the Health and Safety Code states:

8 “Except as provided in Section 11167, no person shall prescribe a controlled substance, nor  
9 shall any person fill, compound, or dispense a prescription for a controlled substance,  
10 unless it complies with the requirements of this section.

11 “(a) Each prescription for a controlled substance classified in Schedule II, III, IV, or  
12 V, except as authorized by subdivision (b), shall be made on a controlled substance  
13 prescription form as specified in Section 11162.1 and shall meet the following  
14 requirements:

15 “(1) The prescription shall be signed and dated by the prescriber in ink and shall  
16 contain the prescriber’s address and telephone number; the name of the ultimate user or  
17 research subject, or contact information as determined by the Secretary of the United States  
18 Department of Health and Human Services; refill information, such as the number of refills  
19 ordered and whether the prescription is a first-time request or a refill; and the name,  
20 quantity, strength, and directions for use of the controlled substance prescribed.

21 “(2) The prescription shall also contain the address of the person for whom the  
22 controlled substance is prescribed. If the prescriber does not specify this address on the  
23 prescription, the pharmacist filling the prescription or an employee acting under the  
24 direction of the pharmacist shall write or type the address on the prescription or maintain  
25 this information in a readily retrievable form in the pharmacy.

26 “(b) (1) Notwithstanding paragraph (1) of subdivision (a) of Section 11162.1, any  
27 controlled substance classified in Schedule III, IV, or V may be dispensed upon an oral or  
28 electronically transmitted prescription, which shall be produced in hard copy form and

1 signed and dated by the pharmacist filling the prescription or by any other person expressly  
2 authorized by provisions of the Business and Professions Code. Any person who transmits,  
3 maintains, or receives any electronically transmitted prescription shall ensure the security,  
4 integrity, authority, and confidentiality of the prescription.

5 “(2) The date of issue of the prescription and all the information required for a written  
6 prescription by subdivision (a) shall be included in the written record of the prescription;  
7 the pharmacist need not include the address, telephone number, license classification, or  
8 federal registry number of the prescriber or the address of the patient on the hard copy, if  
9 that information is readily retrievable in the pharmacy.

10 “(3) Pursuant to an authorization of the prescriber, any agent of the prescriber on  
11 behalf of the prescriber may orally or electronically transmit a prescription for a controlled  
12 substance classified in Schedule III, IV, or V, if in these cases the written record of the  
13 prescription required by this subdivision specifies the name of the agent of the prescriber  
14 transmitting the prescription.

15 “(c) The use of commonly used abbreviations shall not invalidate an otherwise valid  
16 prescription.

17 “(d) Notwithstanding subdivisions (a) and (b), prescriptions for a controlled substance  
18 classified in Schedule V may be for more than one person in the same family with the same  
19 medical need.

20 “(e) (1) Notwithstanding any other law, a prescription written on a prescription form  
21 that was otherwise valid prior to January 1, 2019, but that does not comply with paragraph  
22 (15) of subdivision (a) of Section 11162.1, or a valid controlled substance prescription form  
23 approved by the Department of Justice as of January 1, 2019, is a valid prescription that  
24 may be filled, compounded, or dispensed until January 1, 2021.

25 “(2) If the Department of Justice determines that there is an inadequate availability of  
26 compliant prescription forms to meet demand on or before the date described in paragraph  
27 (1), the department may extend the period during which prescriptions written on  
28

1 noncompliant prescription forms remain valid for a period no longer than an additional six  
2 months.”

3 16. Health and Safety Code section 11167 states:

4 “Notwithstanding subdivision (a) of Section 11164, in an emergency where failure to issue  
5 a prescription may result in loss of life or intense suffering, an order for a controlled substance  
6 may be dispensed on an oral order, an electronic data transmission order, or a written order not  
made on a controlled substance form as specified in Section 11162.1, subject to all of the  
following requirements:

7 “(a) The order contains all information required by subdivision (a) of Section 11164.

8 “(b) Any written order is signed and dated by the prescriber in ink, and the pharmacy  
9 reduces any oral or electronic data transmission order to hard copy form prior to dispensing the  
controlled substance.

10 “(c) The prescriber provides a written prescription on a controlled substance prescription  
11 form that meets the requirements of Section 11162.1, by the seventh day following the  
transmission of the initial order; a postmark by the seventh day following transmission of the  
12 initial order shall constitute compliance.

13 “(d) If the prescriber fails to comply with subdivision (c), the pharmacy shall so notify the  
Department of Justice in writing within 144 hours of the prescriber’s failure to do so and shall  
14 make and retain a hard copy, readily retrievable record of the prescription, including the date and  
method of notification of the Department of Justice.

15 “(e) This section shall become operative on January 1, 2005.”  
16

### 17 **REGULATORY PROVISIONS**

18 17. California Code of Regulations, title 16, section 1761, states:

19 “(a) No pharmacist shall compound or dispense any prescription which contains any  
20 significant error, omission, irregularity, uncertainty, ambiguity or alteration. Upon  
receipt of any such prescription, the pharmacist shall contact the prescriber to obtain  
21 the information needed to validate the prescription.

22 “(b) Even after conferring with the prescriber, a pharmacist shall not compound or  
dispense a controlled substance prescription where the pharmacist knows or has  
23 objective reason to know that said prescription was not issued for a legitimate  
medical purpose.”

### 24 **COST RECOVERY**

25 18. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
26 administrative law judge to direct a licensee found to have committed a violation or violations of  
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
28 enforcement of the case, with failure of the licensee to comply subjecting the license to not being



1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
2 included in a stipulated settlement.

### 3 **DRUG CLASSIFICATIONS**

4 19. Adderall, sold under the generic name dextroamphetamine/amphetamine salts, is a  
5 Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision  
6 (d)(1), and a dangerous drug pursuant to Business and Professions Code section 4022.

7 20. Norco, sold under the generic name hydrocodone/acetaminophen, is a Schedule III  
8 controlled substance pursuant to Health and Safety Code section 11056, subdivision (e)(4), a  
9 Schedule II controlled substance pursuant to Title 21, Code of Federal Regulations, section  
10 1308.12, subdivision (b)(1)(vi), and a dangerous drug pursuant to Business and Professions Code  
11 section 4022.

12 21. Roxycodone, sold under the generic name oxycodone, is a Schedule II controlled  
13 substance pursuant to Health and Safety Code section 11055, subdivision (b)(1)(M) and a  
14 dangerous drug pursuant to Business and Professions Code section 4022.

15 22. Valium, sold under the generic name diazepam, is a Schedule IV controlled substance  
16 pursuant to Title 21, Code of Federal Regulations, section 1308.14, subdivision (c)(16), and a  
17 dangerous drug pursuant to Business and Professions Code section 4022.

18 23. Xanax, sold under the generic name alprazolam, is a Schedule IV controlled substance  
19 under Health and Safety Code section 11057, subdivision (d)(1), and a dangerous drug under  
20 Business and Professions Code Section 4022.

### 21 **BOARD INVESTIGATION REPORT DATED MARCH 2, 2020**

22 24. The Controlled Substance Utilization Review and Evaluation System (CURES) is  
23 California's Prescription Drug Monitoring Program (PDMP ). Pharmacies in California are  
24 required to report all filled prescriptions for Schedule II-IV controlled substances (CII-IV) to the  
25 database every week. The data is collected statewide and can be used by healthcare professionals  
26 to evaluate and determine whether their patients are utilizing controlled substances correctly, or if  
27 a patient has used multiple prescribers and multiple pharmacies to fill controlled substance  
28 prescriptions.

25. The following factors are some that have been determined to constitute red flags that should give a pharmacy and pharmacist the inkling of a potential problem with prescriptions for drugs of common abuse and invoke in them a duty of inquiry:

- Irregularities on the face of the prescription itself
- Nervous patient demeanor
- Age or presentation of patient (e.g. youthful patients seeking chronic pain medications)
- Multiple patients at the same address
- Cash payments
- Requests for early refills of prescriptions
- Prescriptions written for an unusually large quantity of drugs
- Prescriptions written for potentially duplicative drugs
- The same combinations of drugs prescribed for multiple patients
- Initial prescriptions written for strong opiates (e.g. OxyContin 80mg)
- Long distances traveled from the patient's home, to the prescriber's office or pharmacy
- Irregularities in the prescriber's qualifications in relation to the medication(s) prescribed
- Prescriptions that are written outside of the prescriber's medical specialty
- Prescriptions for medications with no logical connection to diagnosis or treatment

26. The Board analyzed controlled substance dispensing data from Respondent Pharmacy and determined a need for an investigation to evaluate the pharmacy's dispensing of potentially fraudulent prescriptions. Previous investigations identified controlled substance prescriptions from Dr. A and Dr. Q which did not conform to the requirements of Health and Safety Code Section 11162.1. The Board initiated an investigation at Respondent Pharmacy based on this information.

27. On August 15, 2019, a Board Inspector conducted an inspection at Respondent Pharmacy, during which Respondent Khorsandi, the owner and Pharmacist-in-Charge (PIC), was

1 present and assisted in the inspection. The inspection and investigation determined Respondent  
2 Pharmacy and Respondent Khorsandi failed to fulfill their corresponding responsibility to fill  
3 only medically legitimate controlled substance prescriptions, and that Respondents filled  
4 controlled substance prescriptions written on approximately 139 forms which did not comply  
5 with the requirements for controlled substance prescription documents.

6 28. In regard to the August 15, 2019 inspection, the Board Inspector reviewed the  
7 dispensing profiles for several prescribers at Respondent Pharmacy using the electronic  
8 dispensing data provided by PIC Respondent Khorsandi. The data included all non-controlled  
9 and controlled substances dispensed between August 2016 and August 2019. It should be noted  
10 that Respondent Khorsandi was directly involved in all of the dispensed medications in  
11 connection with the instant investigation. The Board Inspector identified irregularities in the  
12 prescribing profiles of Drs. A, Q and S. The Board Inspector also reviewed the original  
13 prescription documents and its associated documents, if any, collected from Respondent  
14 Pharmacy. The associated documents may have included related information, such as a CURES  
15 report.

16 **Board Inspector's findings contained in March 2, 2020 Investigation Report**

17 29. As a result of this investigation, the Board Inspector found that from on or about  
18 August 15, 2016 through on or about August 15, 2019, Respondent Pharmacy and Respondent  
19 Khorsandi (Respondents) dispensed approximately 564 prescriptions, of which 449 of these  
20 prescriptions were for controlled substances, under the prescribing authority of Drs. A, Q, and S.  
21 Of these 449 controlled substance prescriptions, Respondents dispensed a total of approximately:  
22 41,410 oxycodone 30 mg tablets; 4,660 hydrocodone/acetaminophen 10/325 mg tablets; 4,500  
23 alprazolam 2 mg tablets; 1,260 tablets of diazepam 10 mg; and 90 tablets of  
24 dextroamphetamine/amphetamine mixed salts 20 mg.

25 30. The Board Inspector determined that there were 141 controlled substance  
26 prescriptions written by Drs. A and Q on at least approximately 139 forms collected which did  
27 not conform to the requirements of Health and Safety Code Section 11162.1, in that they lacked a  
28

1 "California Security Prescription" watermark, refill checkboxes, and some also lacked a lot  
2 number.

3 31. The Board Inspector also determined that Respondents dispensed prescriptions for  
4 controlled substances, under the prescribing authority of Drs. A, Q, and S., in the presence of  
5 significant factors of irregularity suggesting the prescriptions were not legitimately written.  
6 Objective factors indicating these prescriptions were not written for legitimate medical purposes  
7 included the following:

8 • As stated above, there were 141 controlled substance prescriptions written by Drs. A  
9 and Q on at least approximately 139 forms collected which did not conform to the requirements  
10 of Health and Safety Code Section 11162.1, in that they lacked a "California Security  
11 Prescription" watermark, refill checkboxes, and some also lacked a lot number.

12 • A commonly abused controlled substance, oxycodone 30 mg, accounted for more than  
13 50% of each of the listed prescribers' (Drs. A, Q, and S) total prescribing.

14 • The listed prescribers (Drs. A, Q, and S) prescribed immediate-release oxycodone  
15 exclusively in the highest available strength only.

16 • Nearly 100% of the prescriptions written by the listed prescribers (Drs. A, Q, and S)  
17 were purchased in cash, meaning without the financial aid of prescription insurance, as opposed  
18 to the typical payment pattern at Respondent Pharmacy, where only approximately 30% of  
19 prescriptions purchased overall during this period were purchased in cash.

20 • All 14 patients received prescriptions for oxycodone 30 mg from the listed prescribers  
21 (Drs. A, Q, and S) during the query period. According to the CURES Patient Activity Reports,  
22 approximately six (6) of these patients appeared to be receiving strong opioids as an initial  
23 treatment at Respondent Pharmacy.

24 • Drs. A's and Q's office addresses presented irregularities, including long distances. On  
25 the licensing records, the prescribers practiced in zip codes more than 100 miles away from  
26 Respondent Pharmacy. On the dispensing data, the prescribers' addresses did not match the  
27 licensing record and the prescription forms collected. The prescribers had the same address  
28 printed on the prescription forms collected.

1       • There were several instances when two or more of the patients had very similar  
2 addresses on record at Respondent Pharmacy, and required similar treatment with the same  
3 quantity and dose of the same commonly abused controlled substance, to wit: 120 tablets of  
4 oxycodone 30 mg.

5       • Respondent Pharmacy and Respondent Khorsandi did not produce any documentation  
6 regarding the efforts of Respondent Khorsandi (or any pharmacist at Respondent Pharmacy)  
7 conferring with the prescribers (Drs. A, Q, and S) to discuss the irregularities or objective factors  
8 described above. Moreover, even if Respondent Khorsandi had conferred with the prescribers  
9 prior to filling the subject prescriptions and did not document such efforts, the factors of  
10 irregularity and red flags described above cast such significant doubt on the legitimacy of the  
11 prescriptions, a prudent pharmacist would have still been left with objective reason to believe the  
12 subject prescriptions were not legitimately prescribed.

13       • Respondent Khorsandi confirmed to the Board Inspector that he dispensed all of the  
14 prescriptions collected under the prescribing authority of Drs. A, Q, and S, and that all of these  
15 prescriptions were picked up at Respondent Pharmacy. According to the dispensing data  
16 provided by Respondent Pharmacy, each of these three prescribers had 12 patients filling at  
17 Respondent Pharmacy during the query period. However, the three prescribers shared the same  
18 11 patients. Of note, these same 11 patients generally filled their prescriptions under Dr. A, then  
19 under Dr. Q, and then under Dr. S at Respondent Pharmacy, in that order.

### 20                                   **FIRST CAUSE FOR DISCIPLINE**

#### 21                   **(Requirements for Dispensing Controlled Substance Prescriptions)**

22       32. Respondent Pharmacy is subject to disciplinary action under Code section 4301,  
23 subdivisions (j) and (o), for violating Health and Safety Code sections 11164 and 11162.1,  
24 subdivisions (a)(2) and (10), and (b), in that Respondent Pharmacy processed controlled  
25 substance prescriptions written on forms collected which did not conform to the requirements of  
26 Health and Safety Code Section 11162.1. Complainant hereby incorporates paragraphs 24  
27 through 31 above as though set forth in full herein.

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Pharmacy Permit No. PHY 39520 is placed on probation or until Pharmacy Permit Number PHY 39520 is reinstated if it is revoked.

37. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No. RPH 43286 issued to Homayoon Khorsandi, Respondent Khorsandi shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist License No. RPH 43286 is placed on probation or until Pharmacist License No. RPH 43286 is reinstated if it is revoked.

### **PRAYER**

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

1. Revoking or suspending Pharmacy Permit Number PHY 39520, issued to Ourx Pharmacy, Inc., dba 2222 Prescription Pharmacy, Homayoon Khorsandi, CEO;

2. Prohibiting Homayoon Khorsandi from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 39520, issued to Ourx Pharmacy, Inc., dba 2222 Prescription Pharmacy, Homayoon Khorsandi, CEO; is placed on probation;

3. Revoking or suspending Pharmacist License Number RPH 43286, issued to Homayoon Khorsandi;

4. Prohibiting Homayoon Khorsandi from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist License Number RPH 43286, issued to Homayoon Khorsandi is placed on probation;

5. Ordering Ourx Pharmacy, Inc., dba 2222 Prescription Pharmacy and Homayoon Khorsandi 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

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

DATED: 8/30/2020

*Anne Sodergren*

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