

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

In the Matter of the Accusation Against:

**HEALTHY MEDICATIONS LLC, DBA BEVERLY PLAZA PHARMACY,
ARTIN ADAMIAN, SHAREHOLDER,
MARIA CHOLAKIAN, SHAREHOLDER**

Pharmacy Permit No. PHY 53865;

and

ARTIN ADAMIAN

Pharmacist License No. RPH 50406;

Respondents

Agency Case No. 6985

OAH No. 2021020415

DECISION AND ORDER

The attached Stipulated Surrender of License and 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 October 7, 2021.

It is so ORDERED on September 7, 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 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 CHRISTINE J. LEE
Deputy Attorney General
4 State Bar No. 282502
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
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Attorneys for Complainant
7

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

11 In the Matter of the Accusation Against:
12 **HEALTHY MEDICATIONS LLC,**
13 **DBA BEVERLY PLAZA PHARMACY,**
14 **ARTIN ADAMIAN, SHAREHOLDER,**
15 **MARIA CHOLAKIAN, SHAREHOLDER**
16 **101 E. Beverly Blvd. #101**
17 **Montebello, CA 90640**

15 **Pharmacy Permit No. PHY 53865,**

16 **and**

17 **ARTIN ADAMIAN**
18 **838 E. Providencia**
19 **Burbank, CA 91501**

19 **Pharmacist License No. RPH 50406**

20 Respondents.
21

Case No. 6985

OAH No. 2021020415

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

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

24 **PARTIES**

25 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
26 (Board). She brought this action solely in her official capacity and is represented in this matter by
27 Rob Bonta, Attorney General of the State of California, by Christine J. Lee, Deputy Attorney
28 General.

2. Healthy Medications LLC, dba Beverly Plaza Pharmacy, Artin Adamian, Shareholder (Respondent Beverly Plaza Pharmacy) is represented in this proceeding by attorney Andrew Flier and Maria Cholakian, Shareholder (Respondent Cholakian) is represented in this proceeding by attorney Jose-Manuel A. deCastro.

3. On or about November 13, 2015, the Board issued Pharmacy Permit No. PHY 53865 to Healthy Medications LLC, dba Beverly Plaza Pharmacy, Artin Adamian, Shareholder, Maria Cholakian, Shareholder (Respondent Beverly Plaza Pharmacy). The Pharmacy Permit was in full force and effect at all times relevant to the charges brought in Accusation No. 6985 and will expire on November 1, 2021, unless renewed.

4. On or about September 1, 1998, the Board of Pharmacy issued Pharmacist License Number RPH 50406 to Artin Adamian (Respondent Adamian). The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2022, unless renewed.

JURISDICTION

5. Accusation No. 6985 was filed before the Board, and is currently pending against Respondents. The Accusation and all other statutorily required documents were properly served on Respondents on October 1, 2020. Respondents timely filed their Notice of Defense contesting the Accusation. A copy of Accusation No. 6985 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

6. Respondents have carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 6985. Respondents also have carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

7. Respondents are fully aware of their legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of

documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondents voluntarily, knowingly, and intelligently waive and give up each and every right set forth above.

CULPABILITY

9. Respondent understands that the charges and allegations in Accusation No. 6985, if proven at a hearing, constitute cause for imposing discipline upon their Pharmacy Permit PHY 53865 and Pharmacist License Number RPH 50406.

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

11. Respondents understand that by signing this stipulation Respondents enables the Board to issue an order accepting the surrender of their Pharmacy Permit and Pharmacist License without further process.

CONTINGENCY

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

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

14. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and 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 Order:

ORDER

IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 53865 issued to Respondent Healthy Medications LLC, dba Beverly Plaza Pharmacy, Artin Adamian, Shareholder, Maria Cholakian, Shareholder, is surrendered and accepted by the Board. However, the surrender will be stayed for a period of 90 days from the effective date, by which time the pharmacy shall be sold or closed. In addition, upon signature of the stipulated settlement Respondent Pharmacy shall designate a new Pharmacist-in-Charge within 14 days.

IT IS ALSO HEREBY ORDERED that Pharmacist License Number RPH 50406 issued to Respondent Artin Adamian is surrendered and accepted by the Board.

1. In the event that Respondent Pharmacy is not sold within the ninety-day period upon the effective date of decision Respondent shall, within ten (10) days of the stayed 90 days of the effective date of this decision, arrange for the destruction of, the transfer to, sale of or storage in a facility licensed and approved by the Board of all controlled substances and dangerous drugs and/or dangerous devices. Respondent shall further arrange for the transfer of all records of acquisition and disposition of dangerous drugs to premises licensed and approved by the Board. Respondent shall further provide written proof of such disposition and submit a completed Discontinuance of Business form according to Board guidelines.

2. In the event that Respondent Pharmacy is not sold within the ninety-day period upon the effective date of decision, Respondent shall within ten (10) days of the stayed 90 days of the effective date of this decision, arrange for the continuation of care for ongoing patients of the pharmacy by, at minimum, providing a written notice to ongoing patients that specifies the anticipated closing date of the pharmacy and that identifies one or more area pharmacies capable of taking up the patients' care, and by cooperating as may be necessary in the transfer of records or prescriptions for ongoing patients. Within five days of its provision to the pharmacy's ongoing patients, Respondent shall provide a copy of the written notice to the Board. For the purposes of this provision, "ongoing patients" means those patients for whom the pharmacy has on file a prescription with one or more refills outstanding, or for whom the pharmacy has filled a prescription within the preceding ninety (90) days.

3. The surrender of Respondent's Pharmacy License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent license history with the Board of Pharmacy.

4. Respondent Pharmacy shall lose all rights and privileges as a Pharmacy in California as of the effective date of the Board's Decision and Order.

5. Respondent understand and agree that if they ever file an application for licensure or a licensed premises or a petition for reinstatement in the State of California, the Board shall treat it as a new application for licensure.

6. Respondent Pharmacy may not reapply for any license from the Board for three (3) years from the effective date of this decision. Respondent stipulates that should they apply for any license from the Board on or after the effective date of this decision, all allegations set forth in the Accusation No. 6985 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application. Respondent shall satisfy all requirements applicable to that license as of the date the application is submitted to the Board, including, but not limited to, taking and passing licensing examination(s) as well as fulfilling any education or experience requirements prior to the issuance of a new license.

1 7. Respondent Pharmacy shall relinquish its pharmacy permit, including any indicia of
2 licensure issued by the Board, within ten (10) days of the stayed 90 days of the effective date of
3 this decision. Respondent shall relinquish the premises wall license and renewal license to the
4 Board within ten (10) days of the stayed 90 days of the effective date of this decision.

5 8. As to Pharmacist License Number RPH 50406 issued to Respondent Artin Adamian
6 the surrender of his Pharmacist License, and the acceptance of the surrendered license by the
7 Board shall constitute the imposition of discipline against Respondent Artin Adamian. This
8 stipulation constitutes a record of the discipline and shall become a part of Respondent Artin
9 Adamian's license history with the Board.

10 9. Respondent Adamian shall lose all rights and privileges as a Pharmacist in California
11 as of the effective date of the Board's Decision and Order.

12 10. Respondent Adamian shall cause to be delivered to the Board his Pharmacist pocket
13 licenses and, if one was issued, his wall certificates on or before the effective date of the Decision
14 and Order.

15 11. If Respondent Adamian ever applies for licensure or petitions for reinstatement in the
16 State of California, the Board shall treat it as a new application for licensure. Respondent
17 Adamian must comply with all the laws, regulations and procedures for licensure in effect at the
18 time the application or petition is filed, and all of the charges and allegations contained in
19 Accusation No. 6985 shall be deemed to be true, correct and admitted by Respondent Adamian
20 when the Board determines whether to grant or deny the application or petition.

21 12. Respondent Adamian may not apply for any license, permit, or registration from the
22 Board for a period of three (3) years from the effective date of the Decision and Order. If
23 Respondent Adamian ever applies for licensure or petitions for reinstatement in the State of
24 California, the Board shall treat it as a new application for licensure. Respondent Adamian must
25 comply with all the laws, regulations and procedures for licensure in effect at the time the
26 application or petition is filed, and all of the charges and allegations contained in Accusation No.
27 6985 shall be deemed to be true, correct and admitted by Respondent Adamian when the Board
28 determines whether to grant or deny the application or petition.

13. Respondents shall pay the agency its costs of investigation and enforcement in the amount of \$19,319.75 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. 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:

HEALTHY MEDICATIONS LLC, DBA
BEVERLY PLAZA PHARMACY
Respondent Beverly Plaza Pharmacy

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Pharmacist License. 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:

ARTIN ADAMIAN
Respondent Artin Adamian

13. Respondents shall pay the agency its costs of investigation and enforcement in the amount of \$19,319.75 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. 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:

8/3/21

HEALTHY MEDICATIONS LLC, DBA
BEVERLY PLAZA PHARMACY
Respondent Beverly Plaza Pharmacy

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Pharmacist License. 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:

8/3/21

ARTIN ADAMIAN
Respondent Artin Adamian

1 I have read and fully discussed with Respondent Healthy Medications LLC, dba Beverly
2 Plaza Pharmacy, Artin Adamian, Shareholder, the terms and conditions and other matters
3 contained in this Stipulated Surrender of License and Order. I approve its form and content.
4

5 DATED: _____

6 ANDREW FLIER

7 *Attorney for Respondent Beverly Plaza*
8 *Pharmacy*
9

10 I have read and fully discussed with Respondent Artin Adamian the terms and conditions
11 and other matters contained in this Stipulated Surrender of License and Order. I approve its form
12 and content.
13

14 DATED: _____

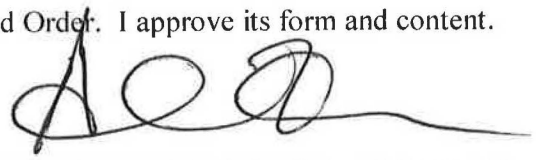
15 ANDREW FLIER

16 *Attorney for Respondent Artin Adamian*
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1 I have read and fully discussed with Respondent Healthy Medications LLC, dba Beverly
2 Plaza Pharmacy, Artin Adamian, Shareholder, the terms and conditions and other matters
3 contained in this Stipulated Surrender of License and Order. I approve its form and content.

4
5 DATED:

8/3/21



ANDREW FLIER
*Attorney for Respondent Beverly Plaza
Pharmacy*

6
7
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9
10 I have read and fully discussed with Respondent Artin Adamian the terms and conditions
11 and other matters contained in this Stipulated Surrender of License and Order. I approve its form
12 and content.

13
14 DATED:

8/3/21



ANDREW FLIER
Attorney for Respondent Artin Adamian

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. 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: _____

HEALTHY MEDICATIONS LLC, DBA
BEVERLY PLAZA PHARMACY, MARIA
CHOLAKIAN (SHAREHOLDER)
Respondent Shareholder Cholakian

I have read and fully discussed with Respondent Healthy Medications LLC, dba Beverly Plaza Pharmacy, Maria Cholakian, Shareholder, the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: _____

JOSE-MANUEL A . deCASTRO
*Attorney for Respondent Shareholder
Cholakian*

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. 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:

7/29/21



HEALTHY MEDICATIONS LLC, DBA
BEVERLY PLAZA PHARMACY, MARIA
CHOLAKIAN (SHAREHOLDER)
Respondent Shareholder Cholakian

I have read and fully discussed with Respondent Healthy Medications LLC, dba Beverly Plaza Pharmacy, Maria Cholakian, Shareholder, the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

7/29/2021



JOSE-MANUEL A. deCASTRO
*Attorney for Respondent Shareholder
Cholakian*

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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,

ROB BONTA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General

CHRISTINE J. LEE
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: 08/03/2021

Respectfully submitted,

ROB BONTA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General



CHRISTINE J. LEE
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 6985

1 XAVIER BECERRA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 CHRISTINE J. LEE
Deputy Attorney General
4 State Bar No. 282502
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
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6 Facsimile: (916) 731-2126
Attorneys for Complainant
7

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

12 In the Matter of the Accusation Against:

Case No. 6985

13 **HEALTHY MEDICATIONS LLC,**
14 **DBA BEVERLY PLAZA PHARMACY,**
15 **ARTIN ADAMIAN, SHAREHOLDER,**
16 **MARIA CHOLAKIAN, SHAREHOLDER**
17 **101 E. Beverly Blvd. #101**
18 **Montebello, CA 90640**

ACCUSATION

19 **Pharmacy Permit No. PHY 53865,**

20 **and**

21 **ARTIN ADAMIAN**
22 **838 E. Providencia**
23 **Burbank, CA 91501**

24 **Pharmacist License No. RPH 50406**

25 Respondents.

26 **PARTIES**

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

29 2. On or about November 13, 2015, the Board of Pharmacy issued Pharmacy Permit
Number PHY 53865 to Healthy Medications LLC, dba Beverly Plaza Pharmacy, Artin Adamian,

1 Shareholder, Maria Cholakian, Shareholder (Respondent Beverly Plaza Pharmacy). The
2 Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein
3 and will expire on November 1, 2020, unless renewed.

4 3. On or about September 1, 1998, the Board of Pharmacy issued Pharmacist License
5 Number RPH 50406 to Artin Adamian (Respondent Adamian). The Pharmacist License was in
6 full force and effect at all times relevant to the charges brought herein and will expire on April 30,
7 2022, unless renewed.

8 **JURISDICTION**

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

12 5. Section 4300 of the Code provides, in pertinent part, that every license issued by the
13 Board may be suspended or revoked.

14 6. Section 493 of the Code provides, in pertinent part, that “‘license’ includes
15 ‘certificate,’ ‘permit,’ ‘authority,’ and ‘registration.’”

16 7. Section 4300.1 of the Code states:

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

22 **STATUTORY PROVISIONS**

23 8. Section 4301 of the Code states:

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

27

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

4

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

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

27 9. Section 4302 of the Code states:

28 “The board may deny, suspend, or revoke any license of a corporation where conditions

1 exist in relation to any person holding 10 percent or more of the corporate stock of the
2 corporation, or where conditions exist in relation to any officer or director of the corporation that
3 would constitute grounds for disciplinary action against a licensee.”

4 10. Section 4307 of the Code states, in pertinent part:

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

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

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

20 “(b) “Manager, administrator, owner, member, officer, director, associate, partner, or
21 any other person with management or control of a license” as used in this section and Section
22 4308, may refer to a pharmacist or to any other person who serves in such capacity in or for a
23 licensee.”

24 11. Section 4308 of the Code states:

25 “Whenever a person is prohibited from serving as a manager, administrator, owner,
26 member, officer, director, associate, partner, or in any other position with management or control
27 of a licensee as provided by Section 4307, the board shall, in each case where it has that
28 information, notify in writing each licensee for whom the person is a manager, administrator,

owner, member, officer, director, associate, partner, or in any other position with management or control of the prohibition. The board shall send the notification to the licensee's address of record. The licensee shall have 30 days from the date that the notice is sent to remove and replace the prohibited person and, where appropriate, file a change of permit to reflect that change.”

REGULATORY PROVISIONS

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

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

COST RECOVERY

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

FIRST CAUSE FOR DISCIPLINE

(Conviction of a Substantially Related Crime)

14. Respondents are subject to disciplinary action under Code sections 4301, subdivisions (l) and (o) and 4302, in conjunction with California Code of Regulations, title 16, section 1770, on the grounds of unprofessional conduct, in that Artin Adamian, Shareholder and Pharmacist-in-Charge for Healthy Medications, LLC DBA Beverly Plaza Pharmacy, was convicted of a substantially related crime, as follows:

a. On or about November 15, 2019, Artin Adamian, after pleading nolo contendere, was convicted of one felony count of violating Penal Code section 487(a) [grand theft] in the criminal proceeding entitled *The People of the State of California v. Artin Adamian* (Super. Ct. Los

1 Angeles County, 2019, No. BA475911). The court will sentence Respondent Adamian on
2 November 13, 2020.

3 b. The circumstances underlying the conviction are that between January 21, 2016 to
4 December 20, 2018, Respondent Adamian did willfully and unlawfully take money and personal
5 property of another of a value exceeding Nine hundred fifty dollars in violation of 487,
6 subdivision (a), a felony. The Board conducted an investigation at Respondent Beverly Plaza
7 Pharmacy and determined Pharmacist-in-Charge, Respondent Adamian was convicted of grand
8 theft related to fraudulently billing prescription insurance companies at Respondent Beverly Plaza
9 Pharmacy.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Acts Involving Dishonesty, Fraud, or Deceit)**

12 15. Respondents are subject to disciplinary action under Code sections 4301, subdivision
13 (f), and 4302, in that Respondent Adamian committed acts involving dishonesty, fraud, or deceit
14 between January 21, 2016 to December 20, 2018. Complainant refers to, and by this reference
15 incorporates, the allegations set forth above in paragraph 14, as though set forth fully.

16 **THIRD CAUSE FOR DISCIPLINE**

17 **(Acts Involving Dishonesty, Fraud, or Deceit)**

18 16. Respondents are subject to disciplinary action under Code sections 4301, subdivision
19 (f) in that between March 30, 2017 and March 30, 2020, for 27 medications, Respondents
20 dispensed significantly more units than they acquired from their wholesalers.

21 **FOURTH CAUSE FOR DISCIPLINE**

22 **(Acts Involving Dishonesty, Fraud, or Deceit)**

23 17 Respondents are subject to disciplinary action under Code sections 4301, subdivision
24 (g), in that at the date of the renewal application, February 24, 2020, Respondent Adamian
25 knowingly made or signed a document that falsely represented the nonexistence of a state of
26 facts, in that he checked "NO" when asked if there were any disciplinary actions against any
27 license issued by a government agency or have you been convicted as defined in Section 490 of
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the Business and Professions Code, of any violation of the law in this or any other state, the United State, or any country as he had been convicted of a crime on November 15, 2019.

OTHER MATTERS

18. Pursuant to Code section 4307, if discipline is imposed on Permit Number PHY 53865, issued to Healthy Medications, LLC dba Beverly Plaza Pharmacy, while Artin Adamian had been the shareholder and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, Artin Adamian shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Original Permit Number PHY 53865 is placed on probation, or until Original Permit Number PHY 53865 is reinstated if it is revoked.

19. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License Number RPH 50406 to Artin Adamian (Respondent Adamian) while Artin Adamian had been the shareholder and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, Artin Adamian 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 Number RPH 50406 is placed on probation, or until Pharmacist License Number RPH 50406 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 53865, issued to Healthy Medications LLC, dba Beverly Plaza Pharmacy, Artin Adamian, Shareholder, Maria Cholakian, Shareholder;

2. Revoking or suspending Pharmacist License Number RPH 50406, issued to Artin Adamian;

3. Prohibiting Beverly Plaza Pharmacy from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Original

1 Permit Number PHY 53865 is placed on probation or until Original Permit Number PHY 53865
2 is reinstated if Original Permit Number PHY 53865 issued to Beverly Plaza Pharmacy is revoked;

3 4. Prohibiting George Artin Adamian from serving as a manager, administrator, owner,
4 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
5 Number RPH 50406 is placed on probation or until Pharmacist License Number RPH 50406 is
6 reinstated if Pharmacist License Number RPH 50406 is revoked;

7 5. Ordering Beverly Plaza Pharmacy and Artin Adamian to pay the Board of Pharmacy
8 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and
9 Professions Code section 125.3; and,

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

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13 DATED: 9/19/2020

Anne Sodergren

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

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