

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

In the Matter of the Accusation Against:

**THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, DBA SANTA
MONICA – UCLA MEDICAL CENTER & ORTHOPEDIC HOSPITAL,
Hospital Pharmacy Permit No. HPE 41170;**

**THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, DBA SANTA
MONICA – UCLA MEDICAL CENTER AND ORTHOPEDIC HOSPITAL
IVAS,
Sterile Compounding Permit No. LSE 99994 (now 101545);**

**MATTHEW KAZUNORI SASAKI,
Registered Pharmacist License No. RPH 68915;**

and

**MARINE MARTA ALTUNYAN,
Registered Pharmacist License No. RPH 75760;**

Respondents.

Agency Case No. 6987

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 10, 2021.

It is so ORDERED on October 11, 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 distinguishable.

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 KIM KASRELIOVICH
Supervising Deputy Attorney General
3 ELAINE YAN
Deputy Attorney General
4 State Bar No. 277961
300 So. Spring Street, Suite 1702
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7 *Attorneys for Complainant*

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

12
13 In the Matter of the Accusation Against:

Case No. 6987

14 **THE REGENTS OF THE UNIVERSITY**
OF CALIFORNIA, DBA SANTA MONICA
15 **- UCLA MEDICAL CENTER &**
ORTHOPEDIC HOSPITAL
16 1250 16th Street
Santa Monica, CA 90404

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO
RESPONDENT MATTHEW KAZUNORI
SASAKI ONLY

17 Hospital Pharmacy Permit No. HPE 41170

18 **THE REGENTS OF THE UNIVERSITY**
OF CALIFORNIA, DBA SANTA MONICA
19 **- UCLA MEDICAL CENTER AND**
ORTHOPEDIC HOSPITAL IVAS
20 1250 16th Street
21 Santa Monica, CA 90404

22 Sterile Compounding Permit No. LSE 99994,

23 **MATTHEW KAZUNORI SASAKI**
17528 Daphane Ave.
24 Torrance, CA 90504

25 Registered Pharmacist License No. RPH
68915,

26 **and**
27
28

1 **MARINE MARTA ALTUNYAN**

2 1636 Sinaloa Ave.
3 Pasadena, CA 91104

4 Registered Pharmacist License No. RPH 75760

5 Respondents.

6
7 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
8 entitled proceedings that the following matters are true:

9 **PARTIES**

10 1. Anne Sodergren is the Executive Officer of the Board of Pharmacy. She brought this
11 action solely in her official capacity and is represented in this matter by Rob Bonta, Attorney
12 General of the State of California, by Elaine Yan, Deputy Attorney General.

13 2. Respondent Matthew Kazunori Sasaki (Sasaki) is represented in this proceeding by
14 attorney Andre Vizcocho, Esq., whose address is: 55 Cetus, 1st Floor, Irvine, CA 92618.

15 3. On or about July 11, 2013, the Board issued Registered Pharmacist License Number
16 RPH 68915 to Matthew Kazunori Sasaki. The Registered Pharmacist License was in full force
17 and effect at all times relevant to the charges brought herein and will expire on April 30, 2023,
18 unless renewed.

19 **JURISDICTION**

20 4. Accusation No. 6987 was filed before the board and is currently pending against
21 respondent Sasaki. The Accusation and all other statutorily required documents were properly
22 served on respondent Sasaki on October 12, 2020. Respondent Sasaki timely filed its Notice of
23 Defense contesting the Accusation.

24 5. A copy of Accusation No. 6987 is attached as exhibit A and incorporated herein by
25 reference.

26 **ADVISEMENT AND WAIVERS**

27 6. Respondent Sasaki has carefully read, fully discussed with counsel, and understands
28 the charges and allegations in Accusation No. 6987. Respondent Sasaki has also carefully read,

1 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
2 Disciplinary Order.

3 7. Respondent Sasaki is fully aware of his legal rights in this matter, including the right
4 to a hearing on the charges and allegations in the Accusation; the right to confront and cross-
5 examine the witnesses against him; the right to present evidence and to testify on his own behalf;
6 the right to the issuance of subpoenas to compel the attendance of witnesses and the production of
7 documents; the right to reconsideration and court review of an adverse decision; and all other
8 rights accorded by the California Administrative Procedure Act and other applicable laws.

9 8. Respondent Sasaki voluntarily, knowingly, and intelligently waives and gives up each
10 and every right set forth above.

11 **CULPABILITY**

12 9. Respondent Sasaki admits the truth of each and every charge and allegation in
13 Accusation No. 6987.

14 10. Respondent Sasaki agrees that his Registered Pharmacist License is subject to
15 discipline and he agrees to be bound by the board's probationary terms as set forth in the
16 Disciplinary Order below.

17 **CONTINGENCY**

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

28 ///

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

13. This Stipulated Settlement and Disciplinary 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 Settlement and Disciplinary 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.

14. 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 Registered Pharmacist License Number RPH 68915 to Matthew Kazunori Sasaki is revoked. However, the revocation is stayed and respondent is placed on probation for five (5) years on the following terms and conditions:

1. Obey All Laws

Respondent shall obey all state and federal laws and regulations.

Respondent shall report any of the following occurrences to the board, in writing, within seventy- two (72) hours of such occurrence:

- an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws
- a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal criminal proceeding to any criminal complaint, information or indictment
- a conviction of any crime
- the filing of a disciplinary pleading, issuance of a citation, or initiation of another administrative action filed by any state or federal agency which involves

respondent's license or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

Failure to timely report such occurrence shall be considered a violation of probation.

2. Report to the Board

Respondent shall report to the board quarterly, on a schedule as directed by the board or its designee. The report shall be made either in person or in writing, as directed. Among other requirements, respondent shall state in each report under penalty of perjury whether there has been compliance with all the terms and conditions of probation.

Failure to submit timely reports in a form as directed shall be considered a violation of probation. Any period(s) of delinquency in submission of reports as directed may be added to the total period of probation. Moreover, if the final probation report is not made as directed, probation shall be automatically extended until such time as the final report is made and accepted by the board.

3. 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.

4. 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 his 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.

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1 **5. Continuing Education**

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

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

5 During the period of probation, respondent shall notify all present and prospective
6 employers of the decision in case number 6987 and the terms, conditions and restrictions imposed
7 on respondent by the decision, as follows:

8 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
9 undertaking any new employment, respondent shall report to the board in writing the name,
10 physical address, and mailing address of each of his employer(s), and the name(s) and telephone
11 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in-charge, designated
12 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work
13 schedule, if known. Respondent shall also include the reason(s) for leaving the prior
14 employment. Respondent shall sign and return to the board a written consent authorizing the
15 board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and
16 authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,
17 concerning respondent's work status, performance, and monitoring. Failure to comply with the
18 requirements or deadlines of this condition shall be considered a violation of probation.

19 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
20 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)
21 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
22 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the
23 board in writing acknowledging that the listed individual(s) has/have read the decision in case
24 number 6987, and terms and conditions imposed thereby. If one person serves in more than one
25 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's
26 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the
27 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
28 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in

1 writing within fifteen (15) days of the change acknowledging that he or she has read the decision
2 in case number 6987, and the terms and conditions imposed thereby.

3 If respondent works for or is employed by or through an employment service, respondent
4 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board
5 of the decision in case number 6987, and the terms and conditions imposed thereby in advance of
6 respondent commencing work at such licensed entity. A record of this notification must be
7 provided to the board upon request.

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

14 Failure to timely notify present or prospective employer(s) or failure to cause the identified
15 person(s) with that/those employer(s) to submit timely written acknowledgments to the board
16 shall be considered a violation of probation.

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

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

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

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

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

27 During the period of probation, respondent shall not supervise any intern pharmacist, be the
28 pharmacist-in-charge, designated representative-in-charge, responsible manager or other

1 compliance supervisor of any entity licensed by the board, nor serve as a consultant. Assumption
2 of any such unauthorized supervision responsibilities shall be considered a violation of probation.

3 **9. Reimbursement of Board Costs**

4 As a condition precedent to successful completion of probation, respondent shall pay to the
5 board its costs of investigation and prosecution in the amount of \$4,335.13. Respondent shall
6 make said payments as follows: within sixth (6) months from the date of the Decision and Order.

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

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

13 **10. Probation Monitoring Costs**

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

18 **11. Status of License**

19 Respondent shall, at all times while on probation, maintain an active, current Registered
20 Pharmacist License with the board, including any period during which suspension or probation is
21 tolled. Failure to maintain an active, current Registered Pharmacist License shall be considered a
22 violation of probation.

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

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1 **12. License Surrender While on Probation**

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

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

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

18 Except during periods of suspension, respondent shall, at all times while on probation, be
19 employed as a pharmacist in California for a minimum of 120 hours per calendar month. Any
20 month during which this minimum is not met shall extend the period of probation by one month.
21 During any such period of insufficient employment, respondent must nonetheless comply with all
22 terms and conditions of probation, unless respondent receives a waiver in writing from the board
23 or its designee.

24 If respondent does not practice as a pharmacist in California for the minimum number of
25 hours in any calendar month, for any reason (including vacation), respondent shall notify the
26 board in writing within ten (10) days of the conclusion of that calendar month. This notification
27 shall include at least: the date(s), location(s), and hours of last practice; the reason(s) for the
28 interruption or reduction in practice; and the anticipated date(s) on which respondent will resume

1 practice at the required level. Respondent shall further notify the board in writing within ten (10)
2 days following the next calendar month during which respondent practices as a pharmacist in
3 California for the minimum of hours. Any failure to timely provide such notification(s) shall be
4 considered a violation of probation.

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

9 **14. Violation of Probation**

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

16 If respondent violates probation in any respect, the board, after giving respondent notice
17 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
18 was stayed. If a petition to revoke probation or an accusation is filed against respondent during
19 probation, or the preparation of an accusation or petition to revoke probation is requested from
20 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of
21 probation shall be automatically extended until the petition to revoke probation or accusation is
22 heard and decided.

23 **15. Completion of Probation**

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

26 **16. Remedial Education**

27 Within thirty (30) days of the effective date of this decision, respondent shall submit to the
28 board or its designee, for prior approval, an appropriate program of remedial education related to

1 compounding. The program of remedial education shall consist of at least ten (10) hours per year
2 during the period of probation and at least 50% of the ten (10) hours of remedial education per
3 year must be completed in person or by live webinar. All remedial education shall be in addition
4 to, and shall not be credited toward, continuing education (CE) courses used for license renewal
5 purposes for pharmacists.

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

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

15 17. **Ethics Course**

16 Within sixty (60) calendar days of the effective date of this decision, respondent shall enroll
17 in a course in ethics, at respondent's expense, approved in advance by the board or its designee
18 that complies with Title 16 California Code of Regulations section 1773.5. Respondent shall
19 provide proof of enrollment upon request. Within five (5) days of completion, respondent shall
20 submit a copy of the certificate of completion to the board or its designee. Failure to timely enroll
21 in an approved ethics course, to initiate the course during the first year of probation, to
22 successfully complete it before the end of the second year of probation, or to timely submit proof
23 of completion to the board or its designee, shall be considered a violation of probation.

24 18. **Letter of Apology**

25 Within thirty (30) calendar days of the effective date of this decision, respondent shall
26 submit to the board or its designee a letter of apology regarding the incident that gave rise to the
27 charges and allegations in Accusation No. 6987. Failure to submit the letter of apology shall be
28 considered a violation of probation. The period of probation will be automatically extended until

such letter of apology is submitted to the board or its designee in a form acceptable to the board.

19. Charitable Donations

Within six (6) months of the effective date of this decision, respondent shall make charitable donation(s) in the total amount of \$9,000.00.

Within thirty (30) days of the effective date of this decision, respondent shall submit to the board or its designee, for prior approval, the organization(s) to which he intends to make the charitable donation(s).

Failure to timely submit for approval or make the charitable donation(s) shall be considered a violation of probation. The period of probation will be automatically extended until the charitable donation(s) is made and written proof, in a form acceptable to the board, is provided to the board or its designee.

ACCEPTANCE

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

DATED: _____

MATTHEW KAZUNORI SASAKI
Respondent

I have read and fully discussed with respondent Matthew Kazunori Sasaki the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____

ANDRE VIZCOCHO, ESQ.
Attorney for Respondent

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1 such letter of apology is submitted to the board or its designee in a form acceptable to the board.

2 **19. Charitable Donations**

3 Within six (6) months of the effective date of this decision, respondent shall make
4 charitable donation(s) in the total amount of \$9,000.00.

5 Within thirty (30) days of the effective date of this decision, respondent shall submit to the
6 board or its designee, for prior approval, the organization(s) to which he intends to make the
7 charitable donation(s).

8 Failure to timely submit for approval or make the charitable donation(s) shall be considered
9 a violation of probation. The period of probation will be automatically extended until the
10 charitable donation(s) is made and written proof, in a form acceptable to the board, is provided to
11 the board or its designee.

12 **ACCEPTANCE**

13 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
14 discussed it with my attorney, Andre Vizcocho, Esq. I understand the stipulation and the effect it
15 will have on my Registered Pharmacist License. I enter into this Stipulated Settlement and
16 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
17 Decision and Order of the Board of Pharmacy.

18
19 DATED:

8/12/21



20 MATTHEW KAZUNORI SASAKI
Respondent

21 I have read and fully discussed with respondent Matthew Kazunori Sasaki the terms and
22 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
23 I approve its form and content.

24 DATED:

25 ANDRE VIZCOCHO, ESQ.
Attorney for Respondent

26 ///

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4 charitable donation(s) in the total amount of \$9,000.00.

5 Within thirty (30) days of the effective date of this decision, respondent shall submit to the
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7 charitable donation(s).

8 Failure to timely submit for approval or make the charitable donation(s) shall be considered
9 a violation of probation. The period of probation will be automatically extended until the
10 charitable donation(s) is made and written proof, in a form acceptable to the board, is provided to
11 the board or its designee.

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14 discussed it with my attorney, Andre Vizcocho, Esq. I understand the stipulation and the effect it
15 will have on my Registered Pharmacist License. I enter into this Stipulated Settlement and
16 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
17 Decision and Order of the Board of Pharmacy.

18
19 DATED: _____

20 MATTHEW KAZUNORI SASAKI
Respondent

21 I have read and fully discussed with respondent Matthew Kazunori Sasaki the terms and
22 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.

23 I approve its form and content.

24 DATED: August 12, 2021

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ANDRE VIZCOCHO, ESQ.
Attorney for Respondent

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ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
KIM KASRELIOVICH
Supervising Deputy Attorney General

ELAINE YAN
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

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

DATED: 08/13/2021

Respectfully submitted,

ROB BONTA
Attorney General of California
KIM KASPELIOVICH
Supervising Deputy Attorney General

ELAINE YAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 6987

1 XAVIER BECERRA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 ELAINE YAN
Deputy Attorney General
4 State Bar No. 277961
300 So. Spring Street, Suite 1702
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E-mail: Elaine.Yan@doj.ca.gov
7 *Attorneys for Complainant*

8
9 **BEFORE THE**
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11 **STATE OF CALIFORNIA**

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15 **UCLA MEDICAL CENTER &**
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16 Santa Monica, CA 90404

ACCUSATION

17 Hospital Pharmacy Permit No. HPE 41170

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25 Registered Pharmacist License No. RPH 68915,

26 **and**
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MARINE MARTA ALTUNYAN

1636 Sinaloa Ave.
Pasadena, CA 91104

Registered Pharmacist License No. RPH 75760

Respondents.

PARTIES

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

2. On or about December 19, 1995, the Board of Pharmacy (Board) issued Hospital Pharmacy Permit Number HPE 41170 to The Regents of the University of California, dba Santa Monica - UCLA Medical Center & Orthopedic Hospital (Respondent Hospital Pharmacy). The Hospital Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on July 1, 2021, unless renewed.

3. On or about June 19, 2014, the Board issued Sterile Compounding Permit Number LSE 99994 to The Regents of the University of California, dba Santa Monica - UCLA Medical Center & Orthopedic Hospital IVAS (Respondent Main Pharmacy). The Sterile Compounding Permit was cancelled on April 20, 2020.

4. On or about July 11, 2013, the Board issued Registered Pharmacist License Number RPH 68915 to Matthew Kazunori Sasaki (Respondent Sasaki). The Registered Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2021, unless renewed.

5. On or about October 26, 2016, the Board issued Registered Pharmacist License Number RPH 75760 to Marine Marta Altunyan (Respondent Altunyan). The Registered Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2022, unless renewed.

JURISDICTION

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

1 7. Section 118, subdivision (b), of the Code provides that the suspension expiration,
2 surrender, or cancellation of a license shall not deprive the Board/Registrar/Director of
3 jurisdiction to proceed with a disciplinary action during the period within which the license may
4 be renewed, restored, reissued or reinstated.

5 8. Section 4300 of the Code states:

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

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

10 (1) Suspending judgment.

11 (2) Placing him or her upon probation.

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

13 (4) Revoking his or her license.

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

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

21 (1) Medical or psychiatric evaluation.

22 (2) Continuing medical or psychiatric treatment.

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

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

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

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

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

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

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

10 9. Section 4300.1 of the Code states:

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

16 10. Section 4402, subsection (a), of the Code provides that any license that is not renewed
17 within three years following its expiration may not be renewed, restored, or reinstated and shall
18 be cancelled by operation of law at the end of the three-year period.

19 **STATUTORY PROVISIONS**

20 11. Section 4301 of the Code states:

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

23 (c) Gross negligence.

24 ...

25 (o) Violating or attempting to violate, directly or indirectly, or assisting in or
26 abetting the violation of or conspiring to violate any provision or term of this chapter
27 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.

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1 12. Section 4306.5, subsection (a), of the Code states:

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

3 (a) Acts or omissions that involve, in whole or in part, the inappropriate exercise of his or
4 her education, training, or experience as a pharmacist, whether or not the act or omission arises in
5 the course of the practice of pharmacy or the ownership, management, administration, or
6 operation of a pharmacy or other entity licensed by the board.

7 13. Section 4127.1, subsection (f), of the Code states:

8 (f) Adverse effects reported or potentially attributable to a pharmacy's sterile drug product
9 shall be reported to the board within 12 hours and immediately reported to the MedWatch
10 program of the federal Food and Drug Administration.

11 14. Section 4081, subsection (a), of the Code states:

12 (a) All records of manufacture and of sale, acquisition, receipt, shipment, or disposition of
13 dangerous drugs or dangerous devices shall be at all times during business hours open to
14 inspection by authorized officers of the law, and shall be preserved for at least three years from
15 the date of making. A current inventory shall be kept by every manufacturer, wholesaler, third-
16 party logistics provider, pharmacy, veterinary food-animal drug retailer, outsourcing facility,
17 physician, dentist, podiatrist, veterinarian, laboratory, licensed correctional clinic, as defined in
18 Section 4187, clinic, hospital, institution, or establishment holding a currently valid and
19 unrevoked certificate, license, permit, registration, or exemption under Division 2 (commencing
20 with Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section
21 16000) of Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous
22 drugs or dangerous devices.

23 15. Section 4307 of the Code states:

24 (a) Any person who has been denied a license or whose license has been revoked or is
25 under suspension, or who has failed to renew his or her license while it was under suspension, or
26 who has been a manager, administrator, owner, member, officer, director, associate, partner, or
27 any other person with management or control of any partnership, corporation, trust, firm, or
28 association whose application for a license has been denied or revoked, is under suspension or has

1 been placed on probation, and while acting as the manager, administrator, owner, member,
2 officer, director, associate, partner, or any other person with management or control had
3 knowledge of or knowingly participated in any conduct for which the license was denied,
4 revoked, suspended, or placed on probation, shall be prohibited from serving as a manager,
5 administrator, owner, member, officer, director, associate, partner, or in any other position with
6 management or control of a licensee as follows:

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

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

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

14 (c) The provisions of subdivision (a) may be alleged in any pleading filed pursuant to
15 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code.
16 However, no order may be issued in that case except as to a person who is named in the caption,
17 as to whom the pleading alleges the applicability of this section, and where the person has been
18 given notice of the proceeding as required by Chapter 5 (commencing with Section 11500) of Part
19 1 of Division 3 of the Government Code. The authority to proceed as provided by this subdivision
20 shall be in addition to the board's authority to proceed under Section 4339 or any other provision
21 of law.

22 **REGULATORY PROVISIONS**

23 16. California Code of Regulations, title 16, section 1707.3, states:

24 Prior to consultation as set forth in section 1707.2, a pharmacist shall review a patient's
25 drug therapy and medication record before each prescription drug is delivered. The review shall
26 include screening for severe potential drug therapy problems.

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1 17. California Code of Regulations, title 16, section 1714, subsection (b), states:
2 Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and
3 equipment so that drugs are safely and properly prepared, maintained, secured and distributed.
4 The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice
5 of pharmacy.

6 18. California Code of Regulations, title 16, section 1735.3, states:
7 (a) For each compounded drug preparation, pharmacy records shall include:
8 (1) The master formula document.
9 (2) A compounding log consisting of a single document containing all of the following:
10 (A) Name and Strength of the compounded drug preparation.
11 (B) The date the drug preparation was compounded.
12 (C) The identity of any pharmacy personnel engaged in compounding the drug preparation.
13 (D) The identity of the pharmacist reviewing the final drug preparation.
14 (E) The quantity of each ingredient used in compounding the drug preparation.
15 (F) The manufacturer, expiration date and lot number of each component. If the
16 manufacturer name is demonstrably unavailable, the name of the supplier may be substituted. If
17 the manufacturer does not supply an expiration date for any component, the records shall include
18 the date of receipt of the component in the pharmacy, and the limitations of section 1735.2,
19 subdivision (l) shall apply.

20 (i) Exempt from the requirements in this paragraph (1735.3(a)(2)(F)) are sterile
21 preparations compounded in a single lot for administration within seventy-two (72) hours to a
22 patient in a health care facility licensed under section 1250 of the Health and Safety Code and
23 stored in accordance with standards for "Redispensed CSPs" found in Chapter 797 of the United
24 States Pharmacopeia - National Formulary (USP37-NF32) Through 2nd Supplement (37th
25 Revision, Effective December 1, 2014), hereby incorporated by reference.

26 (G) A pharmacy-assigned unique reference or lot number for the compounded drug
27 preparation.

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1 (H) The beyond use date or beyond use date and time of the final compounded drug
2 preparation, expressed in the compounding document in a standard date and time format.

3 (I) The final quantity or amount of drug preparation compounded for dispensing.

4 (J) Documentation of quality reviews and required post-compounding process and
5 procedures.

6 (b) Pharmacies shall maintain records of the proper acquisition, storage, and destruction of
7 chemicals, bulk drug substances, drug products, and components used in compounding.

8 (c) Active ingredients shall be obtained from a supplier registered with the Food and Drug
9 Administration (FDA). All other chemicals, bulk drug substances, and drug products used to
10 compound drug preparations shall be obtained, whenever possible, from FDA- registered
11 suppliers. The pharmacy shall acquire and retain certificates of purity or analysis, either written in
12 English or translated into English, for chemicals, bulk drug substances, and drug products used in
13 compounding. Certificates of purity or analysis are not required for drug products that are
14 approved by the FDA. Any certificates of purity or analysis acquired by the pharmacy shall be
15 matched to the corresponding chemical, bulk drug substance, or drug products received.

16 (d) Pharmacies shall maintain and retain all records required by this article in the pharmacy
17 in a readily retrievable form for at least three years from the date the record was last in effect. If
18 only recorded and stored electronically, on magnetic media, or in any other computerized form,
19 the records shall be maintained as specified by Business and Professions Code section 4070
20 subsection (c).

21 19. California Code of Regulations, title 16, section 1761, subsection (a), states:

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

26 **COST RECOVERY**

27 20. Section 125.3 of the Code states, in pertinent part, that the Board may request the
28 administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 **DEFINITIONS**

4 21. Sodium Chloride (NaCl) injectable is classified as a dangerous drug under California
5 Business and Professions Code section 4022. It is for use as injectable electrolyte.

6 22. mEq means milliequivalent. An equivalent is the amount of a substance that will
7 react with a certain number of hydrogen ions. A milliequivalent is one-thousandth of an
8 equivalent. mEq/L means milliequivalents per liter. mEq/kg means milliequivalents per
9 kilogram.

10 **FACTUAL ALLEGATIONS**

11 23. At all times relevant herein, Respondent Hospital Pharmacy had two separate
12 locations and possessed two Sterile Compounding Permits.

13 24. Respondent Hospital Pharmacy had a main hospital pharmacy in the basement with
14 Sterile Compounding Permit No. LSE 99994 (Respondent Main Pharmacy). Respondent Main
15 Pharmacy did the hospital's sterile compounding from 23:00 to 06:00.

16 25. Respondent Hospital Pharmacy had a satellite pharmacy on the second floor with
17 Sterile Compounding Permit No. LSE 99995 (Satellite Pharmacy). The Satellite Pharmacy did
18 the hospital's sterile compounding from 06:00 to 23:00.

19 26. On or about November 13, 2018, NC was a 6-year-old male patient at Santa Monica –
20 UCLA Medical Center and Orthopedic Hospital (UCLA Hospital). Patient NC's weight was 17.7
21 kg.

22 27. On November 13, 2018, at approximately 20:10, Patient NC's physician placed an
23 order for 500 ml of IV fluids to be compounded at Respondent Hospital Pharmacy through UCLA
24 Hospital's electronic health record program, CareConnect. The physician entered the order as
25 Dextrose 12.5% with sodium chloride 26 mEq/kg and sodium acetate 111 mEq/L.

26 28. The physician mistakenly selected mEq/kg as the dosage unit for sodium chloride
27 using the dropdown menu in CareConnect. The intended dosage unit was mEq/L.

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1 29. Respondent Altunyan received the order at Respondent Hospital Pharmacy's Satellite
2 Pharmacy.

3 30. On November 13, 2018, at 23:06, Respondent Altunyan spoke with the physician but
4 never discussed the dosage of the sodium chloride. Respondent Altunyan then verified and
5 approved the order and generated two IV labels for the order.

6 31. On November 13, 2018, at 23:11, pharmacy technician RL regenerated the order label
7 at Respondent Main Pharmacy. RL subsequently compounded the IV fluids as ordered (Bag 1).

8 32. On November 13, 2018, at 23:16, Respondent Sasaki approved the order label and
9 Bag 1.

10 33. On November 14, 2018, at 00:29, Bag 1 was administered to Patient NC. Patient NC
11 received the entire 500 ml dose of Bag 1.

12 34. On November 14, 2018, at approximately 04:30, Respondent Hospital Pharmacy
13 received another request for a 500 ml bag of IV fluids (Bag 2) that was identical to the earlier
14 order received for Patient NC.

15 35. On November 14, 2018, at approximately 04:39, pharmacy technician RL prepared
16 and compounded Bag 2, and Respondent Sasaki approved it.

17 36. On November 14, 2018, at 05:10, Bag 2 was administered to Patient NC. During the
18 administration of Bag 2, Patient NC began having seizures and was intubated. A Code Blue was
19 called, and Patient NC's blood was drawn for testing.

20 37. Respondent Sasaki responded to the Code Blue and observed that the dosage of
21 sodium chloride on Bag 2 appeared abnormally high. The lab results showed that Patient NC's
22 sodium level was elevated. Bag 2 was removed. At that time, 100 ml of the 500 ml Bag 2 had
23 been administered to Patient NC.

24 38. Bag 1 and Bag 2 each contained 554.7 mEq of sodium. The incorrect dosage unit
25 resulted in almost 20 times the intended amount of sodium chloride in Bag 1 and Bag 2.

26 39. American Society for Parenteral and Enteral Nutrition (ASPEN) is considered the
27 leading expert in the science and practice of clinical nutrition. In 2019, ASPEN published a
28 document titled "Appropriate Dosing for Parenteral Nutrition: ASPEN Recommendations." The

document stated that the daily dose of sodium for a child should be between 2 to 5 mEq/kg. For Patient NC, whose weight was reported as 17.7 kg, the daily dose of sodium should have been between 35.4 to 88.5 mEq.

40. Patient NC was given 665.64 mEq of sodium (554.7 mEq from Bag 1 + 110.94 mEq from Bag 2) in a 5-hour time period.

41. Patient NC died as a result of the dosage error.

FIRST CAUSE FOR DISCIPLINE

(Failure to Comply with Pharmacy Law – All Respondents)

42. Respondents are subject to disciplinary action under Section 4301, subsection (o), in that Respondents committed unprofessional conduct by failing to comply with Pharmacy Law and regulations, as follows:

a. California Code of Regulations, title 16, section 1761, subsection (a): Respondents verified, approved for dispensing, compounded, or dispensed at least one erroneous prescription with dangerously high intravenous sodium chloride content, which led to Patient NC's death.

b. California Code of Regulations, title 16, section 1707.3: Respondents failed to appropriately review and analyze patient NC's drug therapy. Respondents' failure led to the dispensing and administration of compounded intravenous fluid with dangerously high sodium chloride content, which led to Patient NC's death.

Paragraphs 23 to 41 are re-alleged as if fully set forth herein.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 (Failure to Report)

3 (Respondent Hospital Pharmacy HPE 41170 and Respondent Main Pharmacy LSE 99994)

4 43. Respondents Hospital Pharmacy and Main Pharmacy are subject to disciplinary
5 action under Section 4301, subsection (o), in that they committed unprofessional conduct by
6 failing to comply with California Business and Professions Code section 4127.1. Specifically, on
7 November 14, 2018, patient NC had an adverse effect (death) attributable to Respondents' sterile
8 drug product. Respondent Hospital Pharmacy and Respondent Main Pharmacy failed to report
9 this adverse effect to the Board.

10 Paragraphs 23 to 41 are re-alleged as if fully set forth herein.

11 **THIRD CAUSE FOR DISCIPLINE**

12 (Gross Negligence – Respondent Altunyan)

13 44. Respondent Altunyan is subject to disciplinary action under Section 4301, subsection
14 (c), in that Respondent Altunyan committed unprofessional conduct and gross negligence.
15 Specifically, on or about November 13, 2018, Respondent Altunyan verified and approved for
16 dispensing an erroneous prescription with dangerously high intravenous sodium chloride content,
17 which led to Patient NC's death.

18 Paragraphs 23 to 41 are re-alleged as if fully set forth herein.

19 **FOURTH CAUSE FOR DISCIPLINE**

20 (Unprofessional Conduct – Inappropriate Exercise of Education/Training/Experience)

21 (Respondent Altunyan)

22 45. Respondent Altunyan is subject to disciplinary action under Section 4301 and Section
23 4306.5 in that Respondent Altunyan committed unprofessional conduct involving inappropriate
24 exercise of her education, training, and experience as a pharmacist. Specifically, Respondent
25 Altunyan verified and approved for dispensing an erroneous prescription with dangerously high
26 intravenous sodium chloride content, which led to Patient NC's death.

27 Paragraphs 23 to 41 are re-alleged as if fully set forth herein.

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1 **FIFTH CAUSE FOR DISCIPLINE**

2 (Gross Negligence – Respondent Sasaki)

3 46. Respondent Sasaki is subject to disciplinary action under Section 4301, subsection
4 (c), in that Respondent Sasaki committed unprofessional conduct and gross negligence.
5 Specifically, on or about November 14, 2018, Respondent Sasaki dispensed at least one erroneous
6 prescription with dangerously high intravenous sodium chloride content, which led to Patient
7 NC's death.

8 Paragraphs 23 to 41 are re-alleged as if fully set forth herein.

9 **SIXTH CAUSE FOR DISCIPLINE**

10 (Unprofessional Conduct – Inappropriate Exercise of Education/Training/Experience)

11 (Respondent Sasaki)

12 47. Respondent Sasaki is subject to disciplinary action under Section 4301 and Section
13 4306.5 in that Respondent Sasaki committed unprofessional conduct involving inappropriate
14 exercise of his education, training, and experience as a pharmacist. Specifically, Respondent
15 Sasaki dispensed at least one erroneous prescription with dangerously high intravenous sodium
16 chloride content, which led to Patient NC's death.

17 Paragraphs 23 to 41 are re-alleged as if fully set forth herein.

18 **DISCIPLINARY CONSIDERATIONS**

19 48. To determine the degree of discipline, if any, to be imposed on Respondent Hospital
20 Pharmacy, HPE 41170, Complainant alleges that on April 6, 2016, the Board issued Citation No.
21 CI 2015 69847 and ordered Respondent Hospital Pharmacy to pay a fine of \$1,500.00 for
22 violating 1) California Code of Regulations, title 16, section 1714, subsection (b); 2) California
23 Business and Professions Code section 4301, subsection (c); and 3) California Business and
24 Professions Code section 4081, subsection (a).

25 49. To determine the degree of discipline, if any, to be imposed on Respondent Main
26 Pharmacy, LSE 99994, Complainant alleges that on April 6, 2016, the Board issued Citation No.
27 CI 2015 69848 and ordered Respondent Main Pharmacy to pay a fine of \$1,000 for violating 1)
28 California Code of Regulations, title 16, section 1714, subsection (b); 2) California Business and

1 Professions Code section 4301, subsection (c); 3) California Business and Professions Code
2 section 4081, subsection (a); and 4) California Code of Regulations, title 16, section 1735.3.

3 **OTHER MATTERS**

4 50. Pursuant to Code section 4307, if discipline is imposed on Hospital Pharmacy Permit
5 Number HPE 41170 issued to The Regents of the University of California, dba Santa Monica –
6 UCLA Medical Center & Orthopedic Hospital, The Regents of the University of California, dba
7 Santa Monica – UCLA Medical Center & Orthopedic Hospital shall be prohibited from serving as
8 a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
9 five years if Hospital Pharmacy Permit Number HPE 41170 is placed on probation or until
10 Hospital Pharmacy Permit Number HPE 41170 is reinstated if it is revoked.

11 51. Pursuant to Code section 4307, if discipline is imposed on Hospital Pharmacy Permit
12 Number HPE 41170 issued to The Regents of the University of California, dba Santa Monica –
13 UCLA Medical Center & Orthopedic Hospital while Johnese Spisso has been an officer and had
14 knowledge of or knowingly participated in any conduct for which the licensee was disciplined,
15 Johnese Spisso shall be prohibited from serving as a manager, administrator, owner, member,
16 officer, director, associate, or partner of a licensee for five years if Hospital Pharmacy Permit
17 Number HPE 41170 is placed on probation or until Hospital Pharmacy Permit Number HPE
18 41170 is reinstated if it is revoked.

19 52. Pursuant to Code section 4307, if discipline is imposed on Sterile Compounding
20 Permit Number LSE 99994 issued to The Regents of the University of California, dba Santa
21 Monica – UCLA Medical Center & Orthopedic Hospital IVAS, The Regents of the University of
22 California, dba Santa Monica – UCLA Medical Center & Orthopedic Hospital IVAS shall be
23 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,
24 or partner of a licensee for five years if Sterile Compounding Permit Number LSE 99994 is
25 placed on probation or until Sterile Compounding Permit Number LSE 99994 is reinstated if it is
26 revoked.

27 53. Pursuant to Code section 4307, if discipline is imposed on Sterile Compounding
28 Permit Number LSE 99994 issued to The Regents of the University of California, dba Santa

Monica – UCLA Medical Center & Orthopedic Hospital IVAS while Johnese Spisso has been an officer and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, Johnese Spisso shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Sterile Compounding Permit Number LSE 99994 is placed on probation or until Sterile Compounding Permit Number LSE 99994 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 Hospital Pharmacy Permit Number HPE 41170, issued to The Regents of the University of California, dba Santa Monica - UCLA Medical Center & Orthopedic Hospital;

2. Revoking or suspending Sterile Compounding Permit Number LSE 99994, issued to The Regents of the University of California, dba Santa Monica - UCLA Medical Center & Orthopedic Hospital IVAS;

3. Prohibiting Johnese Spisso from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Hospital Pharmacy Permit Number HPE 41170 is placed on probation or until Hospital Pharmacy Permit Number HPE 41170 is reinstated if Hospital Pharmacy Permit Number HPE 41170 issued to The Regents of the University of California, dba Santa Monica - UCLA Medical Center & Orthopedic Hospital is revoked;

4. Prohibiting Johnese Spisso from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Sterile Compounding Permit Number LSE 99994 is placed on probation or until Sterile Compounding Permit Number LSE 99994 is reinstated if Sterile Compounding Permit Number LSE 99994 issued to The Regents of the University of California, dba Santa Monica - UCLA Medical Center & Orthopedic Hospital IVAS is revoked;

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1 5. Revoking or suspending Registered Pharmacist License Number RPH 68915, issued
2 to Matthew Kazunori Sasaki;

3 6. Revoking or suspending Registered Pharmacist License Number RPH 75760, issued
4 to Marine Marta Altunyan;

5 7. Ordering The Regents of the University of California, dba Santa Monica - UCLA
6 Medical Center & Orthopedic Hospital, The Regents of the University of California, dba Santa
7 Monica - UCLA Medical Center & Orthopedic Hospital IVAS, Matthew Kazunori Sasaki, and
8 Marine Marta Altunyan to pay the Board of Pharmacy the reasonable costs of the investigation
9 and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

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

11
12 DATED: 9/23/2020

Signature on File

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

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