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

In the Matter of the Accusation Against:

MICHAEL KOPOOSHIAN
1218 S. Glendale Ave.
Glendale, CA 91205

**Pharmacy Technician Registration No.
TCH 154835**

Respondent.

Case No. 7095

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about February 17, 2021, Complainant Anne Sodergren, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 7095 against Michael Kopooshian (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about May 26, 2016, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 154835 to Respondent. The Pharmacy Technician Registration

1 3. On or about February 25, 2021, Respondent was served by Certified and First Class
2 Mail copies of the Accusation No. 7095, Statement to Respondent, Notice of Defense, Request
3 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
4 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
5 section 4100, is required to be reported and maintained with the Board. Respondent's address of
6 record was and is:

7 1218 S. Glendale Ave.
8 Glendale, CA 91205.

9 4. Service of the Accusation was effective as a matter of law under the provisions of
10 Government Code section 11505(c) and/or Business and Professions Code section 124.

11 5. Government Code section 11506(c) states, in pertinent part:

12 (c) The respondent shall be entitled to a hearing on the merits if the respondent
13 files a notice of defense . . . and the notice shall be deemed a specific denial of all
14 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
15 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
16 discretion may nevertheless grant a hearing.

17 6. The Board takes official notice of its records and the fact that Respondent failed to
18 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
19 waived his right to a hearing on the merits of Accusation No. 7095.

20 7. California Government Code section 11520(a) states, in pertinent part:

21 (a) If the respondent either fails to file a notice of defense . . . or to appear at
22 the hearing, the agency may take action based upon the respondent's express
23 admissions or upon other evidence and affidavits may be used as evidence without
24 any notice to respondent

25 8. Pursuant to its authority under Government Code section 11520, the Board finds
26 Respondent is in default. The Board will take action without further hearing and, based on the
27 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
28 as well as taking official notice of all the investigatory reports, exhibits and statements contained
therein on file at the Board's offices regarding the allegations contained in Accusation No. 7095,
finds that the charges and allegations in Accusation No. 7095, are separately and severally, found
to be true and correct by clear and convincing evidence.

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ORDER

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 154835, issued to Respondent Michael Kopooshian, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective at 5:00 p.m. on June 9, 2021.

It is so ORDERED on May 10, 2021.



Greg Lippe
Board President
FOR THE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS

64119028.DOCX
DOJ Matter ID:LA2021600264

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

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7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 7095

13 **MICHAEL KOPOOSHIAN**
1218 S. Glendale Ave.
14 Glendale, CA 91205

ACCUSATION

15 **Pharmacy Technician Registration No.**
TCH 154835

16 Respondent.
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19 **PARTIES**

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

22 2. On or about May 26, 2016, the Board issued Pharmacy Technician Registration
23 Number TCH 154835 to Michael Kopooshian (Respondent). The Pharmacy Technician
24 Registration was in full force and effect at all times relevant to the charges brought herein and
25 will expire on May 31, 2022, unless renewed.

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1 **JURISDICTION**

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

5 4. Section 4300 of the Code provides, in pertinent part, that every license issued by the
6 Board is subject to discipline, including suspension or revocation.

7 5. Section 4300.1 of the Code states:

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

12 **STATUTORY PROVISIONS**

13 6. Section 490 of the Code provides, in pertinent part, that a board may suspend or
14 revoke a license on the ground that the licensee has been convicted of a crime substantially
15 related to the qualifications, functions, or duties of the business or profession for which the
16 license was issued.

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

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

20 . . .

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

23 . . .

24 (l) The conviction of a crime substantially related to the qualifications,
25 functions, and duties of a licensee under this chapter. The record of conviction of a
26 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United
States Code regulating controlled substances or of a violation of the statutes of this
27 state regulating controlled substances or dangerous drugs shall be conclusive
evidence of unprofessional conduct. In all other cases, the record of conviction shall
28 be conclusive evidence only of the fact that the conviction occurred. The board may
inquire into the circumstances surrounding the commission of the crime, in order to
fix the degree of discipline or, in the case of a conviction not involving controlled

1 substances or dangerous drugs, to determine if the conviction is of an offense
2 substantially related to the qualifications, functions, and duties of a licensee under this
3 chapter. A plea or verdict of guilty or a conviction following a plea of nolo
4 contendere is deemed to be a conviction within the meaning of this provision. The
5 board may take action when the time for appeal has elapsed, or the judgment of
6 conviction has been affirmed on appeal or when an order granting probation is made
7 suspending the imposition of sentence, irrespective of a subsequent order under
8 Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of
9 guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
10 dismissing the accusation, information, or indictment.

7 **REGULATORY PROVISIONS**

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

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

13 **COST RECOVERY**

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

20 **FIRST CAUSE FOR DISCIPLINE**

21 **(October 7, 2020 Criminal Conviction - Vandalism on September 8, 2019)**

22 10. Respondent is subject to disciplinary action under Code sections 490 and 4301(I), in
23 conjunction with California Code of Regulations, title 16, section 1770, in that on or about
24 October 7, 2020, in a criminal proceeding entitled *The People of the State of California vs.*
25 *Michael Kopooshian*, in Superior Court of California, County of Los Angeles, Case No.
26 PA093411, Respondent was convicted of violating Penal Code section 594(a) (vandalism), a
27 felony. Respondent was sentenced to serve 52 days in jail, placed on three years probation with
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1 terms and conditions, ordered to complete three-month residential program, a nine-month
2 outpatient program, obey the protective order, and pay fines and fees.

3 The circumstances surrounding the conviction are that on or about September 8, 2019, a
4 Los Angeles Police Department officer was dispatched to a family dispute involving Respondent.
5 Respondent broke his father’s TV, four bedroom doors, and two glass closet doors. Respondent
6 threatened his sister by stating, “Get out or I’m going to smash your head.” Respondent was
7 physically abusive towards his father in the past and gave him a black eye. Respondent’s family
8 was afraid of Respondent due to his drug use and excessive behavior. Respondent’s father was
9 granted an Emergency Protective Order by a judge. The property damage value was
10 approximately \$2,670.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(Acts Involving Moral Turpitude)**

13 11. Respondent is subject to disciplinary action under Code section 4301(f), on the
14 grounds of unprofessional conduct, in that on or about September 8, 2019, Respondent committed
15 acts involving moral turpitude, as alleged above in paragraph 10.

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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 Technician Registration Number TCH 154835, issued to Michael Kopooshian;
2. Ordering Michael Kopooshian to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 2/17/2021

Signature on File

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

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