

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

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

**LIVE WELL MMA LLC., DBA I CARE PHARMACY, MARK MAHER  
ADAM**

**Pharmacy Permit No. PHY 55946,**

**and**

**MARK MAHER ADAM**

**Pharmacist License No. RPH 74501**

**Respondents.**

**Agency Case No. 7109**

**OAH No. 2022060827**

## 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 April 19, 2023.

It is so ORDERED on March 20, 2023.

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 SHAWN P. COOK  
Supervising Deputy Attorney General  
3 VINODHINI RAMAGOPAL  
Deputy Attorney General  
4 State Bar No. 240534  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6270  
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. 7109

13 **LIVE WELL MMA LLC., DBA I CARE**  
14 **PHARMACY, MARK MAHER ADAM**  
17620 Bellflower Boulevard, Unit B-104  
Bellflower, CA 90706

OAH No. 2022060827

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 **Pharmacy Permit No. PHY 55946,**

16 **and**

17 **MARK MAHER ADAM**  
1837 W. Cerritos Avenue  
Anaheim, CA 92804

19 **Pharmacist License No. RPH 74501**

20 Respondents.  
21  
22

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

25 **PARTIES**

26 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
27 (Board). She brought this action solely in her official capacity and is represented in this matter by  
28

1 Rob Bonta, Attorney General of the State of California, by Vinodhini Ramagopal, Deputy  
2 Attorney General.

3 2. Live Well MMA LLC., dba I Care Pharmacy, Mark Maher Adam (Respondent) is  
4 representing itself in this proceeding and has chosen not to exercise its right to be represented by  
5 counsel.

6 3. On or about January 18, 2018, the Board of Pharmacy (Board) issued Pharmacy  
7 Permit No. PHY 55946 to Respondent Live Well MMA LLC., dba I Care Pharmacy, Mark Maher  
8 Adam (member and manager) ("I Care Pharmacy"). The Pharmacy Permit was in full force and  
9 effect at all times relevant to the charges brought in Accusation No. 7109, but was cancelled on  
10 April 1, 2021.

11 4. On or about March 17, 2016, the Board issued Pharmacist License Number RPH  
12 74501 to Respondent Mark Maher Adam. The Pharmacist License was in full force and effect at  
13 all times relevant to the charges brought in Accusation No. 7109, and will expire on October 31,  
14 2023, unless renewed.

### 15 **JURISDICTION**

16 5. Accusation No. 7109 was filed before the Board, and is currently pending against  
17 Respondent. The Accusation and all other statutorily required documents were properly served  
18 on Respondent on August 5, 2021. Respondent timely filed its Notice of Defense contesting the  
19 Accusation. A copy of Accusation No. 7109 is attached as Exhibit A and incorporated by  
20 reference.

### 21 **ADVISEMENT AND WAIVERS**

22 6. Respondent has carefully read, and understands the charges and allegations in  
23 Accusation No. 7109. Respondent also has carefully read, and understands the effects of this  
24 Stipulated Surrender of License and Order.

25 7. Respondent is fully aware of its legal rights in this matter, including the right to a  
26 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at  
27 its own expense; the right to confront and cross-examine the witnesses against them; the right to  
28 present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel

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

4 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
5 every right set forth above.

#### 6 **CULPABILITY**

7 9. Respondent understands that the charges and allegations in Accusation No. 7109, if  
8 proven at a hearing, constitute cause for imposing discipline upon his Pharmacy Permit and his  
9 Pharmacist License.

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

15 11. Respondent understands that by signing this stipulation they enable the Board to issue  
16 an order accepting the surrender of their Pharmacy Permit and Pharmacist License without further  
17 process.

#### 18 **CONTINGENCY**

19 12. This stipulation shall be subject to approval by the Board. Respondent understands  
20 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
21 with the Board regarding this stipulation and surrender, without notice to or participation by  
22 Respondent. By signing the stipulation, Respondent understands and agrees that they may not  
23 withdraw its agreement or seek to rescind the stipulation prior to the time the Board considers and  
24 acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated  
25 Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall  
26 be inadmissible in any legal action between the parties, and the Board shall not be disqualified  
27 from further action by having considered this matter.  
28

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 55946 issued to Respondent Live Well MMA LLC., dba I Care Pharmacy, Mark Maher Adam; and Pharmacist License Number RPH 74501 issued to Mark Maher Adam are surrendered and accepted by the Board.

1. The surrender of Respondent's Pharmacy Permit and Pharmacist License and the acceptance of the surrendered licenses by the Board shall constitute the imposition of discipline against Respondents. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board. Respondents understand and agree that for purposes of Business and Professions Code section 4307, this surrender shall be construed the same as revocation.

2. Respondent Mark Maher Adam shall lose all rights and privileges as a Pharmacist in California as of the effective date of the Board's Decision and Order.

3. Respondent Live Well MMA LLC., dba I Care Pharmacy, Mark Maher Adam shall lose all rights and privileges for its Pharmacy Permit in California as of the effective date of the Board's Decision and Order.

4. Respondent shall cause to be delivered to the Board its pocket license and, if one was issued, its wall certificate on or before the effective date of the Decision and Order.

5. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must wait three years to reapply for any license from the Board. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 7109 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$8,750.00 prior to issuance of a new or reinstated license.

7. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 7109 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

## ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Permit and 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:

LIVE WELL MMA LLC., DBA I CARE  
PHARMACY; MARK MAHER ADAM  
*Respondents*

///

///

///

///

5. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must wait three years to reapply for any license from the Board. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 7109 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$8,750.00 prior to issuance of a new or reinstated license.

7. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 7109 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

## ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Permit and 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:

2/9/2023

LIVE WELL MMA LLC., DBA I CARE  
PHARMACY; MARK MAHER ADAM  
*Respondents*

///

///

///

///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**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  
SHAWN P. COOK  
Supervising Deputy Attorney General

VINODHINI RAMAGOPAL  
Deputy Attorney General  
*Attorneys for Complainant*

LA2021601084  
65710477.docx

**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: 2/9/23

Respectfully submitted,

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



VINODHINI RAMAGOPAL  
Deputy Attorney General  
*Attorneys for Complainant*

LA2021601084  
65710477.docx

**Exhibit A**

**Accusation No. 7109**

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 KIM KASRELIOVICH  
Deputy Attorney General  
4 State Bar No. 261766  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6444  
6 Facsimile: (916) 731-2126  
E-mail: Kim.Kasreliovich@doj.ca.gov  
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:

14 **LIVE WELL MMA LLC., DBA I CARE**  
**PHARMACY,**  
15 **Mark Maher Adam, Member and Manager,**  
**17620 Bellflower Boulevard, Unit B-104**  
16 **Bellflower, CA 90706**

17 **Pharmacy Permit No. PHY 55946,**

18 **and**

19 **MARK MAHER ADAM**  
**1837 W. Cerritos Avenue**  
20 **Anaheim, CA 92804**

21 **Pharmacist License No. RPH 74501**

22 Respondents.

Case No. 7109

**ACCUSATION**

23  
24 **PARTIES**

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

27 2. On or about January 18, 2018, the Board of Pharmacy issued Pharmacy Permit  
28 Number PHY 55946 to Live Well MMA LLC., dba I Care Pharmacy, Mark Mahar Adam as

1 Member and Manager (Respondents). The Pharmacy Permit was in full force and effect at all  
2 times relevant to the charges brought herein and was cancelled on April 1, 2021.

3 3. On or about March 17, 2016, the Board of Pharmacy issued Pharmacist License  
4 Number RPH 74501 to Mark Maher Adam (Respondents). The Pharmacist License was in full  
5 force and effect at all times relevant to the charges brought herein and will expire on October 31,  
6 2021, unless renewed.

### 7 **JURISDICTION**

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

11 5. Section 4300 of the Code states:

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

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

15 (1) Suspending judgment.

16 (2) Placing him or her upon probation.

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

18 (4) Revoking his or her license.

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

21 ...

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

25 6. Section 4300.1 of the Code states:

26 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
27 by operation of law or by order or decision of the board or a court of law, the  
placement of a license on a retired status, or the voluntary surrender of a license by a  
28 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

1 a decision suspending or revoking the license.

2 7. Section 4302 of the Code states, "The board may deny, suspend, or revoke any  
3 license where conditions exist in relation to any person holding 10 percent or more of  
4 the ownership interest or where conditions exist in relation to any officer, director, or other person  
5 with management or control of the license that would constitute grounds for disciplinary action  
6 against a licensee."

### 7 **STATUTORY PROVISIONS**

8 8. Section 4156 of the Code states, "A pharmacy corporation shall not do, or fail to do,  
9 any act where doing or failing to do the act would constitute unprofessional conduct under any  
10 statute or regulation. In the conduct of its practice, a pharmacy corporation shall observe and be  
11 bound by the laws and regulations that apply to a person licensed under this chapter."

12 9. Section 4301 of the Code states:

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

15 ...

16 (c) Gross negligence.

17 (d) The clearly excessive furnishing of controlled substances in violation of  
18 subdivision (a) of Section 11153 of the Health and Safety Code.

19 ...

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

21 ...

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

25 10. Section 4022 of the Code states

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

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

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

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

7 11. Section 4307 of the Code states:

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

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

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

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

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

12. Section 4113 of the Code states:

(a) Every pharmacy shall designate a pharmacist-in-charge and, within 30 days  
thereof, shall notify the board in writing of the identity and license number of that  
pharmacist and the date he or she was designated.

(b) The proposed pharmacist-in-charge shall be subject to approval by the  
board. The board shall not issue or renew a pharmacy license without identification of  
an approved pharmacist-in-charge for the pharmacy.

1 (c) The pharmacist-in-charge shall be responsible for a pharmacy's compliance  
2 with all state and federal laws and regulations pertaining to the practice of  
pharmacy...

3 13. Section 4306.5 of the Code states:

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

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

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

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

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

### 15 **HEALTH AND SAFETY CODE STATUTES**

16 14. Section 11153 of the Healthy and Safety Code provides in part:

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

24 15. Health and Safety Code Section 11162.1 states, in part:

25 "(a) The prescription forms for controlled substances shall be printed with the  
26 following features: . . . (2) A watermark shall be printed on the backside of the  
prescription blank; the watermark shall consist of the words "California Security  
27 Prescription." . . . (13) An identifying number assigned to the approved security  
printer by the Department of Justice.. . . (b) Each batch of controlled substance  
28 prescription forms shall have the lot number printed on the form and each form within  
that batch shall be numbered sequentially beginning with the numeral one."



16. Section 11164 of the Health and Safety Code states:

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

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

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

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

(b) (1) Notwithstanding paragraph (1) of subdivision (a) of Section 11162.1, any controlled substance classified in Schedule III, IV, or V may be dispensed upon an oral or electronically transmitted prescription, which shall be produced in hard copy form and signed and dated by the pharmacist filling the prescription or by any other person expressly authorized by provisions of the Business and Professions Code. Any person who transmits, maintains, or receives any electronically transmitted prescription shall ensure the security, integrity, authority, and confidentiality of the prescription.

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

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

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

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

## **STATE REGULATORY AUTHORITY**

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

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

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

## **FEDERAL REGULATIONS**

18. Code of Federal Regulations, title 21, part 1306, section 04, states in pertinent part:

(a) A prescription for a controlled substance to be effective must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription. An order purporting to be a prescription issued not in the usual course of professional treatment or in legitimate and authorized research is not a prescription within the meaning and intent of section 309 of the Act and the person knowingly filling such a purported prescription, as well as the person issuing it, shall be subject to the penalties provided for violations of the provisions of law relating to controlled substances.

## **COST RECOVERY**

19. Section 125.3 of the Code states, 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.

## **DRUG CLASSIFICATIONS**

<b>BRAND NAME</b>	<b>GENERIC NAME</b>	<b>DANGEROUS DRUG PER B&amp;PC 4022</b>	<b>CONTROLLED SUBSTANCE PER H&amp;SC</b>	<b>INDICATIONS FOR USE</b>
Adderall	dextroamphetamine/ amphetamine mixed salts (amphetamine)	Yes	Yes - Schedule II per HSC 11055(d)(1)	ADHD
Norco	hydrocodone/ acetaminophen (h/apap)	Yes	Yes- Schedule II per Title 21 CFR 1308.12(b)(1)(vi)	Pain

Percocet	oxycodone/ acetaminophen (oxycodone/apap)	Yes	Yes - Schedule II per HSC 11055(b)(1)(M)	Pain
Phenergan with Codeine Syrup	promethazine with codeine syrup	Yes	Yes - Schedule V per HSC 11058(c)(1)	Cough
Roxicodone	oxycodone immediate-release	Yes	Yes - Schedule II per HSC 11055(b)(1)(M)	Pain
Soma	carisoprodol	Yes	Yes - Schedule IV per Title 21 CFR 1308.14(c)(6)	Muscle Relaxant
Xanax	alprazolam	Yes	Yes - Schedule IV per HSC 11057(d)(1)	Anxiety

### **FACTUAL ALLEGATIONS**

20. On or about September 24, 2020, an Inspector for the Board of Pharmacy conducted an inspection at I Care Pharmacy. Pharmacist-in-Charge and owner, Mark Adam was present for the inspection. PIC Adam works alone at the pharmacy.

21. At the inspection, the Inspector obtained approximately 239 original prescription documents from six different prescribers. The inspector also requested that Respondent provide her with the electronic records of all prescriptions dispensed at I Care Pharmacy between January 18, 2018 and September 24, 2020.

22. On or about October 8, 2020, the Inspector received the electronic dispensing data via email from Respondent.

23. Using the dispensing records and prescription documents provided by Respondent, the Inspector determined that I Care Pharmacy filled approximately 14, 251 prescriptions during the period of January 18, 2018 through September 24, 2020. This is an average of approximately 23 prescriptions per day.

24. The records also revealed objective factors indicating the medical illegitimacy of the prescriptions of commonly abused controlled substances, attributed to these prescribers, including the following:

///

**Physician Assistant Jennifer Edwards**

25. PA Edwards was the top prescriber of promethazine/codeine and oxycodone 30 mg at I Care Pharmacy. Respondents dispensed approximately 698 prescriptions under PA Edwards; 257 of which were controlled substances.

26. The top five medications prescribed by PA Edwards are as follows:

Medication	Drug Schedule	Number of Prescriptions Dispensed	Percent of Total Prescriptions Dispensed
<b>PROMETHAZINE-CODEINE SYRUP</b>	5	181	25.93%
BENZONATATE 100 MG CAPSULE	0	42	6.02%
BANOPHEN 25 MG CAPSULE	0	33	4.73%
<b>OXYCODONE HCL 30 MG TABLET</b>	2	32	4.58%
<b>CARISOPRODOL 350 MG TABLET</b>	4	30	4.30%
Total:			45.56%

27. Approximately 97% of the prescriptions issued by PA Edwards were paid for in cash. Typically, patients prefer to use insurance to offset the high out-of-pocket costs for medications. Cash payment at such a high rate is a red flag for medical illegitimacy.

28. PA Edwards prescriptions were often stamped with the words "Pain Management" but approximately 26% of PA Edwards prescriptions were for promethazine/codeine. In addition, in at least eleven instances these prescriptions were dispensed 3-33 days after the prescription was written. Typically a patient suffering from a cough would seek medicine to alleviate it as soon as possible, this is a red flag.

29. Approximately ten patients with prescriptions from PA Edwards had an address of 30-79 miles away from the pharmacy. One patient had an address more than 400 miles away.

30. PA Edwards prescribing history included 32 prescriptions for oxycodone 30 mg, which is the highest strength available, and no prescriptions for lower strength. Approximately 12 patients with prescriptions from PA Edwards appeared to not be opioid tolerant and yet were

1 receiving extremely high doses as an initial dose. If there is no apparent history of the patient  
2 receiving an opioid over time, then dosing with the highest available strength is both potentially  
3 very dangerous and a red flag of illegitimacy.

4 31. According to the electronic dispensing data provided by the pharmacy, the dispensed  
5 controlled substance prescriptions under PA Edwards' credentials included approximately: 43,440  
6 mL (about 92 pints) of promethazine/codeine syrup, 3,000 tablets of oxycodone 30 mg, 1,800  
7 tablets of carisoprodol 350 mg, 820 tablets of hydrocodone/acetaminophen 10/325 mg, and 390  
8 tablets of alprazolam 2 mg. All of these prescriptions were filled personally by PIC Adam.

9 **Dr. O.N.<sup>1</sup>**

10 32. Dr. O.N. was the second top prescriber of promethazine/codeine and fourth top  
11 prescriber of oxycodone 30 mg at I Care Pharmacy. Respondents dispensed approximately 1,364  
12 prescriptions under Dr. O.N.; 259 of which were controlled substances.

13 33. Promethazine/codeine was Dr. O.N.'s most commonly prescribed medication,  
14 accounting for 11% of his total prescribing. All of the prescriptions were off-peak cold season.  
15 These are factors of irregularity.

16 34. Dr. O.N. prescribed exclusively at the highest available strength of alprazolam. Dr.  
17 O.N.'s prescribing history included 28 prescriptions for alprazolam 2 mg and no prescriptions for  
18 any lower strength. Exclusively prescribing a high dose of a benzodiazepine is a factor of  
19 irregularity.

20 35. All 21 patients who received alprazolam 2mg appeared to be potentially naïve to  
21 benzodiazepines and yet received the highest dose to start. If there is no apparent history of the  
22 patient receiving a benzodiazepine over time, then dosing with the highest available strength is  
23 both potentially very dangerous and a red flag of illegitimacy.

24 36. Dr. O.N. prescribed exclusively at the highest available strength of oxycodone. Dr.  
25 O.N.'s prescribing history included 17 prescriptions for oxycodone 30 mg and no prescriptions  
26 for any lower strength. Exclusively prescribing a high dose of an opioid is a factor of irregularity.

27 \_\_\_\_\_  
28 <sup>1</sup> Dr. O.N.'s full name has been omitted to protect his privacy. At present, there are no  
public criminal charges or licensing actions pending against Dr. O.N.

37. Approximately six patients with prescriptions from Dr. O.N. had an address approximately 32-74 miles away from the pharmacy. Two additional patients had addresses more than 300 miles from the pharmacy.

38. Dr. O.N.'s prescribing history included 9 prescriptions for oxycodone 30 mg, which is the highest strength available, for patients who appeared to not be opioid tolerant and yet were receiving extremely high doses as an initial dose. If there is no apparent history of the patient receiving an opioid over time, then dosing with the highest available strength is both potentially very dangerous and a red flag of illegitimacy.

39. The records reflected at least two instances of dispensing both promethazine/codeine and oxycodone, interacting prescriptions, to the same patient on the same day.

40. According to the electronic dispensing data provided by the Respondents, the dispensed controlled substance prescriptions under Dr. O.N.'s credentials included approximately: 36,774 mL (about 78 pints) of promethazine/codeine syrup, 2,770 tablets of alprazolam 2 mg, 2,690 tablets of hydrocodone/acetaminophen 10/325 mg, 1,860 carisoprodol 350 mg, 1,670 tablets of oxycodone 30 mg, 940 tablets of oxycodone/acetaminophen 10/325 mg, 500 tablets of amphetamine 30 mg, and 105 tablets of hydrocodone/acetaminophen 5/325 mg. All of these prescriptions were filled personally by PIC Adam.

**Dr. Amir Friedman**

41. Dr. Friedman was the third highest prescriber of promethazine/codeine at I Care Pharmacy. Respondents dispensed approximately 290 prescriptions under Dr. Friedman; 130 of which were controlled substances.

42. The top five medications prescribed by Dr. Friedman are as follows:

Medication	Drug Schedule	Number of Prescriptions Dispensed	Percent of Total Prescriptions Dispensed
PROMETHAZINE-CODEINE SYRUP	5	95	32.76%
AZITHROMYCIN 250 MG TABLET	0	84	28.97%

<b>CYPROHEPTADINE 4 MG TABLET</b>	0	52	17.93%
<b>ALPRAZOLAM 2 MG TABLET</b>	4	14	4.83%
<b>CARISOPRODOL 350 MG TABLET</b>	4	13	4.48%
Total:			88.97%

43. Approximately 75% of the prescriptions issued by Dr. Friedman were paid for in cash. Typically, patients prefer to use insurance to offset the high out-of-pocket costs for medications. Cash payment at such a high rate is a red flag for medical illegitimacy.

44. Promethazine/codeine was Dr. Friedman's most commonly prescribed medication, accounting for 33% of his total prescribing. Majority of the prescriptions were off-peak cold season. These are factors of irregularity.

45. Dr. Friedman prescribed exclusively at the highest available strength of alprazolam. Dr. Friedman's prescribing history included 14 prescriptions for alprazolam 2 mg and no prescriptions for any lower strength. Exclusively prescribing a high dose of a benzodiazepine is a factor of irregularity.

46. Dr. Friedman prescribed exclusively at the highest available strength of oxycodone. Dr. Friedman's prescribing history included 7 prescriptions for oxycodone 30 mg and no prescriptions for any lower strength. Exclusively prescribing a high dose of an opioid is a factor of irregularity.

47. Approximately four patients with prescriptions from Dr. Friedman had an address approximately 32-41 miles away from the pharmacy. One additional patient had an address more than 300 miles from the pharmacy.

48. Of the 30 original prescription documents collected by the Inspector, regarding prescriptions by Dr. Friedman, 23 lacked a watermark printed on the backside of the prescription document consisting of the words "California Security Prescription" as required by statute. Instead, the watermark on the back of the prescription document read "DocuGard." This omitted security feature invalidates the prescription and is a strong indicator of illegitimacy.

49. In addition, all of these prescriptions were for promethazine/codeine, a schedule V controlled substance and the two main prescribing offices were 21-38 miles away. These are both factors of irregularity.

50. According to the electronic dispensing data provided by the pharmacy, the dispensed controlled substance prescriptions under Dr. Friedman's credentials included approximately: 22,778 mL (about 48 pints) of promethazine/codeine syrup, 840 tablets of alprazolam 2 mg, 906 tablets of carisoprodol 350 mg, 630 tablets of oxycodone 30 mg, and 120 tablets of hydrocodone/acetaminophen 5/325 mg. All of these prescriptions were filled personally by PIC Adam.

**Dr. B.V.<sup>2</sup>**

51. Dr. B.V. was the fourth highest prescriber of promethazine/codeine at I Care Pharmacy. Respondents dispensed approximately 520 prescriptions under Dr. B.V.; 148 of which were controlled substances.

52. The top five medications prescribed by Dr. B.V. are as follows:

Medication	Drug Schedule	Number of Prescriptions Dispensed	Percent of Total Prescriptions Dispensed
<b>PROMETHAZINE-CODEINE SYRUP</b>	5	65	12.50%
AMOXICILLIN 500 MG CAPSULE	0	59	11.35%
<b>CARISOPRODOL 350 MG TABLET</b>	4	29	5.58%
<b>ALPRAZOLAM 2 MG TABLET</b>	4	27	5.19%
STOOL SOFTENER 250 MG SOFT GEL	0	23	4.42%
Total:			39.04%

<sup>2</sup> Dr. B.V.'s full name has been omitted to protect his privacy. At present, there are no public criminal charges or licensing actions pending against Dr. B.V.



1           53. Promethazine/codeine was Dr. B.V.'s most commonly prescribed medication,  
2 accounting for 12% of his total prescribing. All of the prescriptions were off-peak cold season.  
3 These are factors of irregularity.

4           54. Dr. B.V. prescribed exclusively at the highest available strength of alprazolam. Dr.  
5 B.V.'s prescribing history included 27 prescriptions for alprazolam 2 mg and no prescriptions for  
6 any lower strength. Exclusively prescribing a high dose of a benzodiazepine is a factor of  
7 irregularity.

8           55. Approximately 17 of the 21 patients who received alprazolam 2mg appeared to be  
9 potentially naïve to benzodiazepines and yet received the highest dose to start. If there is no  
10 apparent history of the patient receiving a benzodiazepine over time, then dosing with the highest  
11 available strength is both potentially very dangerous and a red flag of illegitimacy.

12           56. Dr. B.V. prescribed exclusively at the highest available strength of oxycodone. Dr.  
13 B.V.'s prescribing history included 13 prescriptions for oxycodone 30 mg and no prescriptions  
14 for any lower strength. Exclusively prescribing a high dose of an opioid is a factor of irregularity.

15           57. Approximately six patients who received oxycodone 30 mg appeared to be  
16 potentially naïve to opioids and yet received the highest dose to start. If there is no apparent  
17 history of the patient receiving an opioid over time, then dosing with the highest available  
18 strength is both potentially very dangerous and a red flag of illegitimacy.

19           58. Approximately 52 patients received prescriptions from Dr. B.V. during the query  
20 period at I Care Pharmacy. The following were factors of irregularity and red flags: All 52  
21 patients received at least one prescription of promethazine/codeine or oxycodone 30 mg;  
22 approximately 21 patients received at least one prescription of alprazolam 2 mg; and  
23 approximately 2 patients had an address 39-41 miles away from the pharmacy.

24           59. Of the 48 original prescription documents collected by the Inspector, regarding  
25 prescriptions by Dr. B.V., all 48 lacked the following required security features:

- 26                   a. A watermark printed on the backside of the prescription document  
27                   consisting of the words "California Security Prescription". Instead, the  
28                   watermark on the back of the prescription document read "DocuGard."

- b. An identifying number assigned to the approved security printer by the Department of Justice.
- c. Lot number printed on the prescription form identifying the batch of controlled substance prescription forms.

60. The records reflected at least two instances of dispensing both promethazine/codeine and oxycodone, interacting prescriptions, to the same patient on the same day.

61. According to the electronic dispensing data provided by the pharmacy, the dispensed controlled substance prescriptions under Dr. B.V.'s credentials included approximately: 15,471 mL (about 32 pints) of promethazine/codeine syrup, 2,680 tablets of carisoprodol 350 mg, 2,600 tablets of alprazolam 2 mg, 1,350 tablets of oxycodone 30 mg, 690 tablets of hydrocodone/acetaminophen 10/325 mg, 660 tablets of oxycodone/acetaminophen 10/325 mg, and 200 tablets of amphetamine 30 mg. All of these prescriptions were filled personally by PIC Adam.

**Dr. J.C.<sup>3</sup>**

62. Dr. J.C. was the sixth highest prescriber of promethazine/codeine at I Care Pharmacy. Respondents dispensed approximately 215 prescriptions under Dr. J.C.; 35 of which were controlled substances.

63. Promethazine/codeine was Dr. J.C.'s most commonly prescribed medication, accounting for 15% of his total prescribing. All of the prescriptions were off-peak cold season. These are factors of irregularity.

64. Approximately 31 patients received prescriptions from Dr. J.C. during the query period at I Care Pharmacy. The following were factors of irregularity and red flags: All 31 patients received at least one prescription of promethazine/codeine; approximately 1 patient had an address over 300 miles away; and approximately 1 patient had an address 48 miles away from the pharmacy.<sup>4</sup>

65. Multiple patients were dispensed prescriptions for promethazine/codeine on the

---

<sup>3</sup> Dr. J.C.'s full name is being omitted to protect his privacy. Dr. J.C. affirmatively verified that the prescriptions at issue in this case, written under his prescribing authority, were not written by him,

<sup>4</sup> In addition, all of the prescriptions were for patients over 18 and the real Dr. J.C. is a pediatrician.

1 same day.

2 66. According to the electronic dispensing data provided by the pharmacy, the dispensed  
3 controlled substance prescriptions under Dr. J.C.'s credentials included approximately: 7,680 mL  
4 (about 16 pints) of promethazine/codeine syrup, and 150 tablets of carisoprodol 350 mg. All of  
5 these prescriptions were filled personally by PIC Adam.

6 **Dr. M.G.<sup>5</sup>**

7 67. Dr. M.G. was the third highest prescriber of oxycodone at I Care Pharmacy.  
8 Respondents dispensed approximately 94 prescriptions under Dr. M.G.; 30 of which were  
9 controlled substances.

10 68. Oxycodone was Dr. M.G.'s most commonly prescribed medication, accounting for  
11 32% of his total prescribing. This is a factor of irregularity.

12 69. Dr. M.G. prescribed exclusively at the highest available strength of oxycodone.  
13 Dr. M.G.'s prescribing history included 30 prescriptions for oxycodone 30 mg and no  
14 prescriptions for any lower strength. Exclusively prescribing a high dose of an opioid is a factor  
15 of irregularity.

16 70. Approximately 24 patients received prescriptions from Dr. M.G. during the query  
17 period at I Care Pharmacy. All 24 patients received at least one prescription of oxycodone 30 mg.  
18 This is a red flag.

19 71. Approximately 12 patients who received oxycodone 30 mg appeared to be  
20 potentially naïve to opioids and yet received the highest dose to start. If there is no apparent  
21 history of the patient receiving an opioid over time, then dosing with the highest available  
22 strength is both potentially very dangerous and a red flag of illegitimacy.

23 72. According to the electronic dispensing data provided by the pharmacy, the  
24 dispensed controlled substance prescriptions under Dr. M.G.'s credentials included approximately  
25 2,685 tablets of oxycodone 30 mg. All of these prescriptions were filled personally by PIC Adam.

26 ///

27 \_\_\_\_\_  
28 <sup>5</sup> Dr. M.G.'s full name is being omitted to protect his privacy. Dr. M.G. informed the Board investigator that his area of specialty was neurology and he did not recall ever being contacted by a pharmacist from I Care Pharmacy.

**FIRST CAUSE FOR DISCIPLINE**

**(Corresponding Responsibility)**

73. Respondent Live Well MMA LLC., dba I Care Pharmacy and Respondent Mark Maher Adam are subject to disciplinary action under Code sections 4301, subdivision (d), (j) and (o), 4302 and 4113 on the grounds of unprofessional conduct in that they failed to assume their corresponding responsibility to ensure that controlled substances are dispensed for a legitimate medical purpose, in violation of Code section 4306.5, Health and Safety Code section 11153, and California Code of Regulations, title 16, section 1761, subdivisions (a) and (b). Respondents failed to exercise their best professional judgment and evaluate the totality of the circumstances (information from the patient, physician and other sources) to determine a prescription's legitimate medical purpose, in connection with the prescribers' controlled substance prescriptions. Respondents ignored numerous warning signs or red flags in prescriptions from PA Jennifer Edwards, Dr. O.N., Dr. Amir Friedman, Dr. B.V., Dr. J.C, and Dr. M.G. that should put a reasonable and prudent dispensing pharmacist on notice that a prescription may not have been issued for a legitimate medical purpose, including but not limited to:

- a. About 75-97% of the prescriptions written by two prescribers were purchased in cash, meaning without the financial aid of prescription insurance, in contrast to the typical payment pattern at I Care Pharmacy where about 25% of prescriptions purchased during this query period were purchased in cash;
- b. A commonly abused controlled substance was the top prescribed medication under the listed prescribers at I Care Pharmacy. Furthermore, commonly abused controlled substances accounted for a significant portion of the total prescribing under the listed prescribers at I Care Pharmacy;
- c. Every patient under the listed prescribers received at least one prescription of promethazine/codeine or oxycodone 30 mg at I Care Pharmacy;
- d. At least 39 patients under the listed prescribers appeared to be potentially not opioid tolerant and receiving a strong opioid as an initial treatment at I Care Pharmacy;
- e. At least 38 patients under the listed prescribers appeared to be potentially naive to

- 1 benzodiazepine and receiving a strong benzodiazepine as an initial treatment at I Care  
2 Pharmacy;
- 3 f. At least 11 instances when I Care Pharmacy dispensed promethazine/codeine  
4 prescriptions 3 to 33 days after the written date of the prescription;
- 5 g. Majority of the promethazine/codeine cough syrup prescriptions were dispensed during  
6 the off- peak of cold season;
- 7 h. At least 4 instances when I Care Pharmacy dispensed promethazine/codeine and  
8 oxycodone, interacting prescriptions, to a patient on the same day; and
- 9 i. Some patients had addresses over 30 miles away from the pharmacy, which presented  
10 long distances traveled.

11 Complainant refers to and by this reference incorporates the allegations set forth above in  
12 paragraphs 22 through 74, inclusive, as though set forth in full.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Requirements for Dispensing Controlled Substances)**

15 74. Respondent Live Well MMA LLC., dba I Care Pharmacy and Respondent Mark  
16 Maher Adam are subject to disciplinary action under Code sections 4301, subdivision (j) and (o),  
17 and 4113, on the grounds of unprofessional conduct, by filling prescriptions that were not written  
18 on controlled substance prescription forms as specified in Health and Safety Code Section  
19 11162.1, in violation of Health and Safety Code Section 11164. The violations included  
20 irregularities on at least 71 prescription document forms collected under the prescribing authority  
21 of two prescribers. These forms did not conform to the requirements of Health and Safety Code  
22 Section 11162.1 in that they all lacked a "California Security Prescription" watermark, some also  
23 lacked an identifying number of the security printer, and a lot number. Complainant refers to and  
24 by this reference incorporates the allegations set forth above in paragraphs 22 through 74,  
25 inclusive, as though set forth in full.

26 ///

27 ///

28 ///

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 75. Respondent Live Well MMA LLC., dba I Care Pharmacy and Respondent Mark  
4 Maher Adam are subject to disciplinary action pursuant to Code sections 4301 and 4113, in that  
5 Respondents committed unprofessional conduct, as more fully discussed in paragraphs 22  
6 through 74, above.

7 **OWNERSHIP PROHIBITION**

8 76. As set forth above, section 4307, subdivision (a), provides in pertinent part, that any  
9 person whose license has been revoked or is under suspension shall be prohibited from serving as  
10 a manager, administrator, owner, member, officer, director, associate or partner of a licensee.

11 77. Pursuant to section 4307, if Mark Maher Adam had knowledge of, or knowingly  
12 participated in, any conduct for which Pharmacy Permit PHY 55946 was revoked, suspended or  
13 placed on probation, while acting as administrator, owner, member, officer, director, associate, or  
14 partner of a licensee, for five years if Pharmacy Permit PHY 55946 is placed on probation, or  
15 until Pharmacy Permit PHY 55946 is reinstated if Pharmacy Permit PHY 55946 is revoked.

16 **PRAYER**

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

19 1. Revoking or suspending Pharmacy Permit Number PHY 55946, issued to Live Well  
20 MMA LLC., dba I Care Pharmacy;

21 2. Prohibiting Live Well MMA LLC, dba I Care Pharmacy from serving as manager,  
22 administrator, owner, member, officer, director, associate, partner, or in any other position with  
23 management or control of a licensee for five years if Pharmacy Permit Number PHY 55946 is  
24 placed on probation, or until Pharmacy Permit Number PHY 55946 is reinstated if Pharmacy  
25 Permit Number PHY 55946 is revoked;

26 3. Prohibiting Mark Maher Adam from serving as manager, administrator, owner,  
27 member, officer, director, associate, partner, or in any other position with management or control  
28 of a licensee for five years if Pharmacy Permit Number PHY 55946 is placed on probation, or

1 until Pharmacy Permit Number PHY 55946 is reinstated if Pharmacy Permit Number PHY 55946  
2 is revoked;

3 4. Revoking or suspending Pharmacist License Number RPH 74501, issued to Mark  
4 Maher Adam;

5 5. Ordering Live Well MMA LLC., dba I Care Pharmacy and Mark Maher Adam to pay  
6 the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case,  
7 pursuant to Business and Professions Code section 125.3; and,

8 6. Taking such other and further action as deemed necessary and proper.  
9

10 DATED: 7/29/2021

Signature on File

11 ANNE SODERGREN  
12 Executive Officer  
13 Board of Pharmacy  
14 Department of Consumer Affairs  
15 State of California  
16 *Complainant*

17 LA2021601084  
18 64313036.docx  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28