

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

In the Matter of the Accusation Against:

**CRA VIEW, INC. dba
CATINAT PHARMACY;
Pharmacy Permit No. PHY 56180;**

**RICHARD QUOC NGUYEN,
Pharmacist License No. RPH 56415;**

and

**BRENDON CUONG NGUYEN,
Pharmacist License No. RPH 59939,**

Respondents.

Agency Case No. 7125

OAH No. 2021090503

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 April 26, 2023.

It is so ORDERED on March 27, 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" being clearly legible.

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 DESIREE I. KELLOGG
Deputy Attorney General
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Attorneys for Complainant

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

13 In the Matter of the Accusation Against:

14 **CRA VIEW INC., DBA CATINAT**
15 **PHARMACY**
16 **2619 W. Edinger Avenue, #D2**
17 **Santa Ana, CA 92704**

18 **Pharmacy Permit No. PHY 56180,**

19 **RICHARD QUOC NGUYEN**
20 **571 Pierpont Drive**
21 **Costa Mesa, CA 92626**

22 **Pharmacist License No. RPH 56415,**

23 **and**

24 **BRENDON CUONG NGUYEN**
25 **571 Pierpont Drive**
26 **Costa Mesa, CA 92626**

27 **Pharmacist License No. RPH 59939**

28 Respondents.

Case No. 7125

OAH No. 2021090503

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO
BRENDON CUONG NGUYEN ONLY**

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

1 **PARTIES**

2 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
3 (Board). She brought this action solely in her official capacity and is represented in this matter by
4 Rob Bonta, Attorney General of the State of California, by Desiree I. Kellogg, Deputy Attorney
5 General.

6 2. Respondent Brendon Cuong Nguyen is represented in this proceeding by attorney
7 Robert K. Weinberg, Esq. of Law Offices of Robert K. Weinberg whose address is: 19200 Von
8 Karman Avenue, Suite 380, Irvine, CA 92612-8508.

9 3. On or about September 10, 2007, the Board issued Pharmacist License No. RPH
10 59939 to Brendon Cuong Nguyen (Respondent). The Pharmacist License was in full force and
11 effect at all times relevant to the charges brought in Accusation No. 7125, and will expire on June
12 30, 2023, unless renewed.

13 **JURISDICTION**

14 4. Accusation No. 7125 was filed before the Board, and is currently pending against
15 Respondent. The Accusation and all other statutorily required documents were properly served
16 on Respondent on June 8, 2021. Respondent timely filed his Notice of Defense contesting the
17 Accusation.

18 5. A copy of Accusation No. 7125 is attached as Exhibit A and incorporated herein by
19 reference.

20 **ADVISEMENT AND WAIVERS**

21 6. Respondent has carefully read, fully discussed with counsel, and understands the
22 charges and allegations in Accusation No. 7125. Respondent has also carefully read, fully
23 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
24 Order.

25 7. Respondent is fully aware of his legal rights in this matter, including the right to a
26 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
27 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
28 to the issuance of subpoenas to compel the attendance of witnesses and the production of

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

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

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 7125.

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

CONTINGENCY

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

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 Pharmacist License No. RPH 59939 issued to Respondent Brendon Cuong Nguyen 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.

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

6 3. Interview with the Board

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

12 4. Cooperate with Board Staff

13 Respondent shall timely cooperate with the board's inspection program and with the board's
14 monitoring and investigation of respondent's compliance with the terms and conditions of his
15 probation, including but not limited to: timely responses to requests for information by board
16 staff; timely compliance with directives from board staff regarding requirements of any term or
17 condition of probation; and timely completion of documentation pertaining to a term or condition
18 of probation. Failure to timely cooperate shall be considered a violation of probation.

19 5. Continuing Education

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

22 6. Reporting of Employment and Notice to Employers

23 During the period of probation, respondent shall notify all present and prospective
24 employers of the decision in case number 7125 and the terms, conditions and restrictions imposed
25 on respondent by the decision, as follows:

26 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
27 undertaking any new employment, respondent shall report to the board in writing the name,
28 physical address, and mailing address of each of his employer(s), and the name(s) and telephone

1 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in- charge, designated
2 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work
3 schedule, if known. Respondent shall also include the reason(s) for leaving the prior
4 employment. Respondent shall sign and return to the board a written consent authorizing the
5 board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and
6 authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,
7 concerning respondent's work status, performance, and monitoring. Failure to comply with the
8 requirements or deadlines of this condition shall be considered a violation of probation.

9 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
10 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)
11 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
12 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the
13 board in writing acknowledging that the listed individual(s) has/have read the decision in case
14 number 7125, and terms and conditions imposed thereby. If one person serves in more than one
15 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's
16 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the
17 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
18 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in
19 writing within fifteen (15) days of the change acknowledging that he or she has read the decision
20 in case number 7125, and the terms and conditions imposed thereby.

21 If respondent works for or is employed by or through an employment service, respondent
22 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board
23 of the decision in case number 7125, and the terms and conditions imposed thereby in advance of
24 respondent commencing work at such licensed entity. A record of this notification must be
25 provided to the board upon request.

26 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
27 (15) days of respondent undertaking any new employment by or through an employment service,
28 respondent shall cause the person(s) described in (a), (b), and (c) above at the employment service

1 to report to the board in writing acknowledging that he or she has read the decision in case
2 number, and the terms and conditions imposed thereby. It shall be respondent's responsibility to
3 ensure that these acknowledgment(s) are timely submitted to the board.

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

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

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

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

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

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

17 During the period of probation, respondent shall not supervise any intern pharmacist, be the
18 pharmacist-in-charge, designated representative-in-charge, responsible manager or other
19 compliance supervisor of any entity licensed by the board, nor serve as a consultant. Assumption
20 of any such unauthorized supervision responsibilities shall be considered a violation of probation.

21 **9. Reimbursement of Board Costs**

22 As a condition precedent to successful completion of probation, respondent shall pay to the
23 board its costs of investigation and prosecution in the amount of \$4,000.00. Respondent shall
24 make said payments as follows: Respondent shall be permitted to pay these costs in a payment
25 plan approved by the board or its designee, so long as full payment is completed no later than one
26 (1) year prior to the end date of probation.

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

4 **10. Probation Monitoring Costs**

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

9 **11. Status of License**

10 Respondent shall, at all times while on probation, maintain an active, current Pharmacist
11 License with the board, including any period during which suspension or probation is tolled.
12 Failure to maintain an active, current Pharmacist License shall be considered a violation of
13 probation.

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

18 **12. License Surrender While on Probation/Suspension**

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

27 Upon acceptance of the surrender, respondent shall relinquish his pocket and/or wall
28 license, including any indicia of licensure not previously provided to the board within ten (10)

1 days of notification by the board that the surrender is accepted if not already provided.

2 Respondent may not reapply for any license from the board for three (3) years from the effective
3 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
4 of the date the application for that license is submitted to the board, including any outstanding
5 costs.

6 13. Practice Requirement – Extension of Probation

7 Except during periods of suspension, respondent shall, at all times while on probation, be
8 employed as a pharmacist in California for a minimum of 80 hours per calendar month. After
9 receipt of written documentation evidencing respondent's medical condition, the Board or the
10 Board's designee in its sole discretion, may adjust respondent's minimum hours for employment
11 as a pharmacist based on respondent's medical condition during the first three years of probation.
12 Any month during which this minimum is not met shall extend the period of probation by one
13 month. During any such period of insufficient employment, respondent must nonetheless comply
14 with all terms and conditions of probation, unless respondent receives a waiver in writing from
15 the board or its designee.

16 If respondent does not practice as a pharmacist in California for the minimum number of
17 hours in any calendar month, for any reason (including vacation), respondent shall notify the
18 board in writing within ten (10) days of the conclusion of that calendar month. This notification
19 shall include at least: the date(s), location(s), and hours of last practice; the reason(s) for the
20 interruption or reduction in practice; and the anticipated date(s) on which respondent will resume
21 practice at the required level. Respondent shall further notify the board in writing within ten (10)
22 days following the next calendar month during which respondent practices as a pharmacist in
23 California for the minimum of hours. Any failure to timely provide such notification(s) shall be
24 considered a violation of probation.

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

1 **14. Violation of Probation**

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

8 If respondent violates probation in any respect, the board, after giving respondent notice
9 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
10 was stayed. If a petition to revoke probation or an accusation is filed against respondent during
11 probation, or the preparation of an accusation or petition to revoke probation is requested from
12 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of
13 probation shall be automatically extended until the petition to revoke probation or accusation is
14 heard and decided.

15 **15. Completion of Probation**

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

18 **16. Remedial Education**

19 Within the first year of probation, respondent shall enroll in the board's one-day, six (6)
20 hour, training program, "Prescription Drug Abuse and Diversion Prevention Training."
21 Respondent shall provide proof of enrollment within five (5) days of enrollment. Within five (5)
22 days of completion, Respondent shall submit a copy of the certificate of completion to the board.
23 Failure to timely enroll in the training program, to initiate the training program during the first
24 year of probation, to successfully complete it before the end of the second year of probation, or to
25 timely submit proof of completion to the board, shall be considered a violation of probation.

26 Within ninety (90) days of the effective date of this decision, respondent shall submit to the
27 board or its designee, for prior approval, an appropriate program of remedial education related to
28 prescription drug abuse prevention, Pharmacy Law and the role of the Pharmacist-in-Charge for

1 the second through fifth years of probation. The program of remedial education shall consist of at
2 least 6 hours per year, at respondent's own expense. All remedial education shall be in addition
3 to, and shall not be credited toward, continuing education (CE) courses used for license renewal
4 purposes for pharmacists.

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

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

14 **17. Ethics Course**

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

23 **18. No Ownership or Management of Licensed Premises**

24 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,
25 administrator, member, officer, director, trustee, associate, or partner of any business, firm,
26 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell
27 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)
28 days following the effective date of this decision and shall immediately thereafter provide written

1 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide
2 documentation thereof shall be considered a violation of probation.

3 **ACCEPTANCE**

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
5 discussed it with my attorney, Robert K. Weinberg. I understand the stipulation and the effect it
6 will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary
7 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
8 of the Board of Pharmacy.

9
10 DATED: _____

11 BRENDON CUONG NGUYEN
Respondent

12 I have read and fully discussed with Respondent Brendon Cuong Nguyen the terms and
13 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
14 I approve its form and content.

15
16 DATED: _____

17 ROBERT K. WEINBERG
Attorney for Respondent

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1 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide
2 documentation thereof shall be considered a violation of probation.

3 ACCEPTANCE

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5 discussed it with my attorney, Robert K. Weinberg. I understand the stipulation and the effect it
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7 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
8 of the Board of Pharmacy.

9
10 DATED: 2/16/23


11 BRENDON CUONG NGUYEN
Respondent

12 I have read and fully discussed with Respondent Brendon Cuong Nguyen the terms and
13 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
14 I approve its form and content.

15
16 DATED: _____

ROBERT K. WEINBERG
Attorney for Respondent

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2 documentation thereof shall be considered a violation of probation.

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5 discussed it with my attorney, Robert K. Weinberg. I understand the stipulation and the effect it
6 will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary
7 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
8 of the Board of Pharmacy.

9
10 DATED: _____

11 BRENDON CUONG NGUYEN
12 *Respondent*

13 I have read and fully discussed with Respondent Brendon Cuong Nguyen the terms and
14 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
15 I approve its form and content.

16 DATED: 2-21-23

17 Robert K. Weinberg
18 *ROBERT K. WEINBERG*
19 *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: February 21, 2023

Respectfully submitted,

ROB BONTA
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General

/s/ Desiree I. Kellogg

DESIREE I. KELLOGG
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7125

1 ROB BONTA
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 DESIREE I. KELLOGG
Deputy Attorney General
4 State Bar No. 126461
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
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7 Facsimile: (619) 645-2061
Attorneys for Complainant

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

13 In the Matter of the Accusation Against:

Case No. 7125

14 **CRA VIEW, INC.,**
15 **DBA CATINAT PHARMACY**
16 **AUDREY DIEMQUYNH NGUYEN,**
17 **OFFICER, DIRECTOR AND**
18 **SHAREHOLDER**
2619 W. Edinger Avenue, #D2
Santa Ana, CA 92704

ACCUSATION

19 **Pharmacy Permit No. PHY 56180,**

20 **BRENDON CUONG NGUYEN**
571 Pierpont Drive
Costa Mesa, CA 92626

21 **Pharmacist License No. RPH 59939,**

22 **and**

23 **RICHARD QUOC NGUYEN**
571 Pierpont Drive
Costa Mesa, CA 92626

24 **Pharmacist License No. RPH 56415,**

25 Respondents.
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1 **PARTIES**

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

4 2. On or about June 5, 2018, the Board issued Pharmacy Permit Number PHY 56180 to
5 CRA View, Inc., dba Catinat Pharmacy (Catinat Pharmacy). Audrey Diemquynh Nguyen is the
6 sole officer, director and shareholder of CRA View, Inc. The Pharmacy Permit was in full force
7 and effect at all times relevant to the charges brought herein and will expire on June 1, 2022,
8 unless renewed.

9 3. On or about September 10, 2007, the Board issued Pharmacist License Number RPH
10 59939 to Brendon Cuong Nguyen (Brendon Nguyen). The Pharmacist License was in full force
11 and effect at all times relevant to the charges brought herein and will expire on June 30, 2021,
12 unless renewed.

13 4. On or about October 5, 2004, the Board of Pharmacy issued Pharmacist License
14 Number RPH 56415 to Richard Quoc Nguyen (Richard Nguyen). The Pharmacist License was in
15 full force and effect at all times relevant to the charges brought herein and will expire on August
16 31, 2022, unless renewed.

17 **JURISDICTION**

18 5. This Accusation is brought before the Board under the authority of the following
19 laws. All section references are to the Business and Professions Code (Code) unless otherwise
20 indicated.

21 6. Code section 4011 provides that the Board shall administer and enforce both the
22 Pharmacy Law (Code, § 4000 *et seq.*) and the Uniform Controlled Substances Act (Health &
23 Safety Code, § 11000 *et seq.*).

24 7. Code section 4300, subdivision (a) provides that every license issued by the Board
25 may be suspended or revoked.

26 8. Code section 4300.1 states:

27 The expiration, cancellation, forfeiture, or suspension of a board-issued license
28 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

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.

STATUTORY PROVISIONS

9. Code section 4022 states:

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

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

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

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

10. Code section 4113, subdivision (c) states:

The pharmacist-in-charge shall be responsible for a pharmacy’s compliance with all state and federal laws and regulations pertaining to the practice of pharmacy.

11. Code section 4169, subdivisions (a)(2) and (4) states:

(a) A person or entity shall not do any of the following:

(2) Purchase, trade, sell, or transfer dangerous drugs that the person knew or reasonably should have known were adulterated, as set forth in Article 2 (commencing with Section 111250) of Chapter 6 of Part 5 of Division 104 of the Health and Safety Code.

(4) Purchase, trade, sell, or transfer dangerous drugs or dangerous devices after the beyond use date on the label.

12. Code section 4301 states in pertinent part:

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

...

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

...

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

...

13. Code section 4306.5, subdivisions (a) and (b) states:

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

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

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

14. Code section 4307, subdivision (a) states:

Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a manager, administrator, owner member, officer, director, associate, or partner of any partnership, corporation, firm, or association whose application for a license has been denied or revoked, is under suspension or has been placed on probation, and while acting as the manager, administrator, owner, member, officer, director, associate, or partner had knowledge or knowingly participated in any conduct for which the license was denied, revoked, suspended, or placed on probation, shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee as follows:

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

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

15. Health and Safety Code section 11153, subdivision (a), states:

A prescription for a controlled substance shall only be issued for a 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 corresponding responsibility rests with the pharmacist who fills the prescription. 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 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 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 or her comfortable by maintaining customary use.

16. Health and Safety Code section 11162.1, subdivisions (a) and (b) states:

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

(1) A latent, repetitive 'void' pattern shall be printed across the entire front of the prescription blank; if a prescription is scanned or photocopied, the word "void" shall appear in a pattern across the entire front of the prescription.

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

(3) A chemical void protection that prevents alteration by chemical washing.

(4) A feature printed in thermochromic ink.

(5) An area of opaque writing so that the writing disappears if the prescription is lightened.

(6) A description of the security features included on each prescription form.

(7) (A) Six quantity check off boxes shall be printed on the form so that the prescriber may indicate the quantity by checking the applicable box where the following quantities shall appear:

1-24

25-49

50-74

75-100

101-150

151 and over.

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

(8) Prescription blanks shall contain a statement printed on the bottom of the prescription blank that the "Prescription is void if the number of drugs prescribed is not noted."

(9) The preprinted name, category of licensure, license number, federal controlled substance registration number, and address of the prescribing practitioner.

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

(11) The date of origin of the prescription.

(12) A check box indicating the prescriber's order not to substitute.

(13) An identifying number assigned to the approved security printer by the Department of Justice.

(14) (A) A check box by the name of each prescriber when a prescription form lists multiple prescribers.

(B) Each prescriber who signs the prescription form shall identify himself or herself as the prescriber by checking the box by his or her name.

(b) Each batch of controlled substance 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.

17. Health and Safety Code section 11164, subdivision (a) 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.

....

18. Health and Safety Code section 111255 states:

Any drug or device is adulterated if it has been produced, prepared, packed, or held under conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health.

19. Health and Safety Code section 111295 states:

It is unlawful for any person to manufacture, sell, deliver, hold or offer for sale any drug or device that is adulterated.

REGULATORY PROVISIONS

20. Code of Federal Regulations, Title 21, section 1306.04, subdivision (a), states:

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 (21 U.S.C. 829) 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.

21. 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.

COST RECOVERY

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

DRUGS

23. Adderall is the brand name of mixed amphetamine salts, a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (d)(1), and a dangerous drug as defined by Code section 4022.

24. Norco is the brand name for hydrocodone/acetaminophen 10mg/325mg, a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b)(1)(I)(ii), and a dangerous drug as defined by Code section 4022.

25. Percocet 10/325mg is the brand name for oxycodone/acetaminophen 10mg/325mg, a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b), and a dangerous drug as defined by Code section 4022.

26. Roxicodone is the brand name for oxycodone, a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b)(1)(M) and a dangerous drug as defined by Code section 4022. OxyContin is a tablet that provides extended release of oxycodone throughout the day, whereas Roxicodone or oxycodone release the medication immediately.

FACTUAL ALLEGATIONS

27. At all relevant times, Catinat Pharmacy was an independent community pharmacy located in Santa Ana. At all relevant times, Respondent Brendon Nguyen was the Pharmacist-in-Charge, Respondent Richard Nguyen was a staff pharmacist (collectively Respondents) and Audrey Diemquynh Nguyen was the owner.

28. Board of Pharmacy inspectors conducted an inspection of Catinat Pharmacy on September 23, 2020. Staff pharmacist Richard Nguyen was present during the inspection.

29. The Board inspectors found **50** bottles of expired dangerous drugs, including controlled substances in Catinat Pharmacy's active drug inventory. From the inventory of expired drugs, Brendon Nguyen verified the dispensing of Norco, an expired controlled substance on May 29, 2019 (Rx No. 96623) and Richard Nguyen verified the dispensing of Norco, an expired controlled substance on October 9, 2019 (Rx No. 98718).

30. Based on the facts set forth below, their educational and professional background and knowledge of pharmacy and drug laws, the Board's inspectors also determined that on numerous occasions, Respondents failed to exercise their corresponding responsibility and best professional judgment when dispensing controlled substances.

Red Flags in Prescriptions Filled for Drs. Y.G. and J.C. in 2019 and 2020

31. The inspectors focused on two prescribers, Dr. Y.B. and Dr. J.C. The inspectors found those prescribers' prescriptions contained significant irregularities and "red flags," suggesting that their prescriptions were not written or filled for a legitimate medical purpose. Respondents' prescribing profiles for these physicians indicated that oxycodone immediate-

1 release 30mg, Percocet 10/325mg and/or Norco 10/325mg, all of which are associated with high
2 rates of abuse and diversion, were the most commonly prescribed drugs for these prescribers.
3 Most, if not all, of the prescriptions from these prescribers exhibited obvious red flags of drug
4 abuse that Respondents ignored when filling them, in spite of the Respondents' corresponding
5 responsibility to ensure that all prescriptions dispensed were for a legitimate medical purpose.

6 Those red flags included:

- 7 • Irregularities on the face of the prescriptions;
- 8 • Cash payments;
- 9 • The same combinations of drugs prescribed for multiple patients;
- 10 • Initial prescriptions written for strong opiates;
- 11 • Prescribers writing prescriptions only for or primarily for controlled substances in the
12 highest available strength;
- 13 • Filling prescriptions for groups of patients on the same or consecutive days;
- 14 • Prescriptions written on non-compliant controlled substance prescription forms; and
- 15 • Long distances traveled from the customer's home to the prescriber's office or
16 pharmacy.

17 32. From April 9, 2019 through May 15, 2020, Respondents dispensed **171** prescriptions
18 for four controlled substances, Oxycodone, Percocet, Norco and Adderall under the prescribing
19 authority of Dr. Y.B., 169 of those prescriptions were dispensed based on prescription forms that
20 were not compliant with the requirements of the Health and Safety Code. From June 5, through
21 August 27, 2020, Respondents dispensed **50** prescriptions for controlled substances, Oxycodone,
22 Percocet and Norco under the prescribing authority of Dr. J.C.

23 33. Respondents dispensed controlled substances to customers without ensuring they
24 were for a legitimate medical use when obvious, objective, and systemic signs of irregularities
25 and red flags of illegitimacy existed as described below.

26 34. Respondents dispensed controlled substances to customers even though those
27 customers paid for most of the medications in cash despite pharmacists' knowledge that almost
28

1 all patients have prescription coverage from insurance companies or government agencies and
2 that case payment is a red flag for drug abuse.

3 35. Respondents filled prescriptions written by Dr. Y.B. for oxycodone, Percocet and
4 Adderall and Norco even though it is uncommon for a neurologist to prescribe those controlled
5 substances exclusively. Respondents could have reviewed the Medical Board website and
6 concluded that Dr. Y.B. reported his primary area of practice as neurosurgery on the Medical
7 Board website.

8 36. An unusually high percentage of the prescriptions supposedly issued by Dr. Y.B. and
9 Dr. J.C. and dispensed by Respondents were for drugs with a high potential for diversion and
10 drug abuse- oxycodone, Norco and Percocet. Moreover, an unusually high proportion of those
11 prescriptions were for the highest strength available of those drugs, when the lower-strength
12 doses are safer. Many of Respondents' customers with prescriptions from these doctors were
13 dispensed the highest strength of oxycodone as a starting dose (30mg) even though it is not
14 recommended to prescribe the highest strength to opioid naïve patients.

15 37. Respondents filled prescriptions even though certain customers' addresses on
16 prescriptions or identification cards were located many miles from Catinat Pharmacy. Dr. Y.B.'s
17 customers' addresses were on average 41 miles away from Catinat Pharmacy and Dr. J.C.'s
18 customers' addresses were on average 49 miles away. Likewise, offices of those doctors were far
19 from Catinat Pharmacy. Dr. Y.B.'s office was 34 miles away from Catinat Pharmacy and Dr.
20 J.C.'s offices were 37.9 miles.

21 38. Respondents changed the name of the drug on the original of Prescription Numbers
22 96580 and 96581 from Oxycontin (extended release) to oxycodone (immediate release) without
23 documenting that those change were made at the request of Dr. Y.B.

24 39. Respondents filled prescriptions for controlled substances to groups of customers
25 and/or processed controlled substance prescriptions in batches on the same or consecutive days,
26 assigned them sequential prescription numbers and entered them consecutively into Catinat
27 Pharmacy's dispensing software.
28

40. Staff at Catinat Pharmacy requested that Dr. J.C. write prescriptions for dangerous drugs along with his prescriptions for controlled substances.

41. Richard Nguyen admitted that customers presented controlled substance prescriptions from Dr. Y.B. to his other employer, Pacific View Pharmacy. Since he could not purchase enough controlled substances from Pacific View Pharmacy's wholesalers to fill the prescriptions, he referred those customers to Catinat Pharmacy for the filling of their prescriptions.

42. Respondents dispensed controlled substances even though 169 of the prescription forms used by Dr. Y.B. lacked a "California Security Prescription" watermark and a feature in thermochromic ink.

43. Respondents did not resolve any of these red flags of illegitimacy.

FIRST CAUSE FOR DISCIPLINE

(Failing to Comply with Corresponding Responsibility

for Controlled Substance Prescriptions Against All Respondents)

44. Respondents are subject to disciplinary action under Code sections 4301, subdivisions (j) and (o), for violating Health and Safety Code section 11153, subdivision (a), and Code of Federal Regulations, Title 21, section 1306.04, subdivision (a), because they failed to comply with their corresponding responsibility to ensure that controlled substances were dispensed for a legitimate medical purpose. As described above, Respondents repeatedly furnished prescriptions for controlled substances even though obvious and systemic "red flags" were present to indicate those prescriptions were not issued for a legitimate medical purpose.

SECOND CAUSE FOR DISCIPLINE

(Dispensing Controlled Substance Prescriptions with Significant Errors, Omissions, Irregularities, Uncertainties, Ambiguities or Alterations Against All Respondents)

45. Respondents are subject to disciplinary action under Code section 4301, subdivision (o), for violating title 16, California Code of Regulations, sections 1761, subdivisions (a) and (b), because they dispensed controlled substances based on prescriptions which contained significant errors, omissions, irregularities, uncertainties, ambiguities or alterations, as described above.

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THIRD CAUSE FOR DISCIPLINE

**(Failing to Exercise or Implement Best Professional Judgment or Corresponding
Responsibility when Dispensing Controlled Substances
Against Respondents Richard Nguyen and Brendon Nguyen)**

46. Respondents Richard Nguyen and Brendon Nguyen are subject to disciplinary action under Code section 4301, subdivision (o), for violating Business and Professions Code section 4306.5, subdivisions (a) and (b), because they failed to exercise or implement their best professional judgment or corresponding responsibility when dispensing controlled substances, as described above.

FOURTH CAUSE FOR DISCIPLINE

**(Dispensing Controlled Substance Prescriptions Written
on Unauthorized Forms Against All Respondents)**

47. Respondents are subject to disciplinary action under Code sections 4301, subdivisions (j) and (o), for violating Health and Safety Code section 11164, subdivision (a), because they filled and dispensed controlled substances from prescription forms that did not comply with the requirements of Health and Safety Code section 11162.1, as described above.

FIFTH CAUSE FOR DISCIPLINE

(Held or Offered for Sale Adulterated Drugs Against All Respondents)

48. Respondents are subject to disciplinary action under Code section 4301, subdivisions (j) and (o), for violating Health and Safety Code section 111295 and Code section 4169, subdivision (a)(2), in that they held or offered for sale dangerous drugs (i.e., the expired medications in the drug inventory) that were adulterated within the meaning of Health and Safety Code section 111255, as described above.

SIXTH CAUSE FOR DISCIPLINE

(Sold or Delivered Adulterated Drugs Against All Respondents)

49. Respondents are subject to disciplinary action under Code section 4301, subdivisions (j) and (o), for violating Health and Safety Code section 111295 and Code section 4169, subdivisions (a)(2) and (a)(4), in that they sold or delivered dangerous drugs (i.e., prescription

1 numbers 96623 and 98718 for Norco) that were adulterated within the meaning of Health and
2 Safety Code section 111255 and sold them after the beyond use date, as described above.

3 **SEVENTH CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct against All Respondents)**

5 50. Respondents are subject to disciplinary action under Code section 4301 for
6 unprofessional conduct because they engaged in the activities described above.

7 **OTHER MATTERS**

8 51. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
9 56180 issued to CRA View, Inc., dba Catinat Pharmacy, it shall be prohibited from serving as a
10 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
11 five years if Pharmacy Permit Number PHY 56180 is placed on probation or until the Pharmacy
12 Permit is reinstated if it is revoked.

13 52. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
14 56180 issued to CRA View, Inc., dba Catinat Pharmacy, while Audrey Diemquynh Nguyen has
15 been an owner or manager and had knowledge of or knowingly participated in any conduct for
16 which the licensee was disciplined, she shall be prohibited from serving as a manager,
17 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
18 the Pharmacy Permit is placed on probation or until the Pharmacy Permit is reinstated, if it is
19 revoked.

20 53. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
21 56180 issued to CRA View, Inc., dba Catinat Pharmacy while Brendon Cuong Nguyen has been
22 an owner or manager and had knowledge of or knowingly participated in any conduct for which
23 the licensee was disciplined, he shall be prohibited from serving as a manager, administrator,
24 owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacy
25 Permit is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked.

26 54. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
27 56180 issued to CRA View, Inc., dba Catinat Pharmacy while Richard Quoc Nguyen has been an
28 owner or manager and had knowledge of or knowingly participated in any conduct for which the

licensee was disciplined, he shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacy Permit is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked.

55. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No. RPH 59939 issued to Brendon Cuong Nguyen, he shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacist License is placed on probation or until the Pharmacist License is reinstated, if it is revoked.

56. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No. RPH 56415 issued to Richard Quoc Nguyen, he shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if the Pharmacist License is placed on probation or until the Pharmacist License is reinstated, if it is revoked.

DISCIPLINE CONSIDERATIONS

57. To determine the degree of discipline, if any, to be imposed on Richard Quoc Nguyen, Complainant alleges that on or about April 6, 2016, the Board issued Citation No. CI 2015 69835 against Richard Quoc Nguyen, for violating Business and Professions Code section 4115, subdivisions (a) and (e), for supervising and allowing a pharmacy clerk to perform the duties of a licensed pharmacy technician, including medication pouring, counting and prescription labeling. Respondent paid the fine.

PRAYER

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

1. Revoking or suspending Pharmacy Permit Number PHY 56180, issued to CRA View, Inc., dba Catinat Pharmacy;

2. Revoking or suspending Pharmacist License Number RPH 59939, issued to Brendon Cuong Nguyen;

1 3. Revoking or suspending Pharmacist License Number RPH 56415, issued to Richard
2 Quoc Nguyen;

3 4. Prohibiting CRA View, Inc., dba Catinat Pharmacy from serving as a manager,
4 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
5 Pharmacy Permit Number PHY 56180 is placed on probation or until the Pharmacy Permit is
6 reinstated, if it is revoked;

7 5. Prohibiting Audrey Diemquynh Nguyen from serving as a manager, administrator,
8 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
9 Permit Number PHY 56180 is placed on probation or until the Pharmacy Permit is reinstated, if it
10 is revoked;

11 6. Prohibiting Brendon Cuong Nguyen from serving as a manager, administrator, owner,
12 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
13 Number PHY 56180 is placed on probation or until the Pharmacy Permit is reinstated, if it is
14 revoked;

15 7. Prohibiting Richard Quoc Nguyen from serving as a manager, administrator, owner,
16 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
17 Number PHY 56180 is placed on probation or until the Pharmacy Permit is reinstated, if it is
18 revoked;

19 8. Prohibiting Brendon Cuong Nguyen from serving as a manager, administrator, owner,
20 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
21 Number RPH 59939 is placed on probation or until the Pharmacist License is reinstated, if it is
22 revoked;

23 9. Prohibiting Richard Quoc Nguyen from serving as a manager, administrator, owner,
24 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
25 Number RPH 56415 is placed on probation or until the Pharmacist License is reinstated, if it is
26 revoked;

1 10. Ordering CRA View, Inc., dba Catinat Pharmacy, Brendon Cuong Nguyen and
2 Richard Quoc Nguyen to pay the Board of Pharmacy the reasonable costs of the investigation and
3 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

4 11. Taking such other and further action as deemed necessary and proper.
5
6

7 DATED: 5/25/2021
8

Signature on File

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

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