

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

In the Matter of the Statement of Issues Against:

**MEDS FOR VETS LLC;
JANICE LEE ERICKSON, PHARMACIST-IN-CHARGE,**

**Original Non-Resident Pharmacy Sterile Compounding
License Applicant,**

Respondent

Agency Case No. 7023

OAH No. 2020120666

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 August 18, 2021.

It is so ORDERED on July 19, 2021.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is written in a cursive style with a large initial "S" and "O".

Seung W. Oh, PharmD.
Board President

1 MATTHEW RODRIQUEZ
Acting Attorney General of California
2 DAVID E. BRICE
Supervising Deputy Attorney General
3 PATRICIA WEBBER HEIM
Deputy Attorney General
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Attorneys for Complainant
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9 **BEFORE THE**
10 **BOARD OF PHARMACY**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Statement of Issues
Against:

14 **MEDS FOR VETS LLC; JANICE LEE**
15 **ERICKSON, PHARMACIST-IN-CHARGE**

16 **Original Non-Resident Pharmacy Sterile**
17 **Compounding License Applicant**

18 Respondent.

Case No. 7023

OAH No. 2020120666
STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL

[Bus. & Prof. Code § 495]

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

23 **PARTIES**

24 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
25 (Board). She brought this action solely in her official capacity and is represented in this matter by
26 Matthew Rodriquez, Acting Attorney General of the State of California, by Patricia Webber
27 Heim, Deputy Attorney General.

28 ///

1 **CULPABILITY**

2 8. Respondent understands and agrees that the charges and allegations in Statement of
3 Issues No. 7023, if proven at a hearing, constitute cause for denial of its application for a Non-
4 Resident Pharmacy Sterile Compounding License.

5 9. For the purpose of resolving the Statement of Issues without the expense and
6 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could
7 establish a factual basis for the charges in the Statement of Issues, and that Respondent hereby
8 gives up its right to contest those charges.

9 10. Respondent agrees that their application for a Non-Resident Sterile Compounding
10 Pharmacy Permit is subject to denial, and they agree to be bound by the Disciplinary Order
11 below.

12 **CONTINGENCY**

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

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

26 13. This Stipulated Settlement and Disciplinary Order for Public Repeval is intended by
27 the parties to be an integrated writing representing the complete, final, and exclusive embodiment
28 of their agreement. It supersedes any and all prior or contemporaneous agreements,

1 understandings, discussions, negotiations, and commitments (written or oral). This Stipulated
2 Settlement and Disciplinary Order for Public Repeval may not be altered, amended, modified,
3 supplemented, or otherwise changed except by a writing executed by an authorized representative
4 of each of the parties.

5 14. In consideration of the foregoing admissions and stipulations, the parties agree that
6 the Board may, without further notice or formal proceeding, issue and enter the following
7 Disciplinary Order:

8 **DISCIPLINARY ORDER**

9 IT IS HEREBY ORDERED that the Application of Respondent Meds for Vets LLC; Janice
10 Lee Erickson, Pharmacist-In-Charge for a Non-Resident Pharmacy Sterile Compounding License
11 is hereby granted. Upon successful completion of all licensing requirements, include a pre-
12 licensure inspection, a license shall be issued to Respondent. Said license shall be publicly
13 reproved by the Board of Pharmacy under Business and Professions Code section 495 in
14 resolution of Statement of Issues No. 7023, attached as exhibit A.

15 **Full Compliance.** As a resolution of the charges in Statement of Issues No. 7023, this
16 stipulated settlement is contingent upon Respondent's full compliance with all conditions of this
17 Order. If Respondent fails to satisfy any of these conditions, such failure to comply constitutes
18 cause for discipline, including outright revocation, of Respondent's Non-Resident Pharmacy
19 Sterile Compounding License.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Repeval and have fully discussed it with my attorney, Tony J. Park, Esq. I understand the stipulation and the effect it will have on my Non-Resident Pharmacy Sterile Compounding License. I enter into this Stipulated Settlement and Disciplinary Order for Public Repeval voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____
MEDS FOR VETS LLC; JANICE LEE
ERICKSON, PHARMACIST-IN-CHARGE
Respondent


I have read and fully discussed with Respondent Meds for Vets LLC; Janice Lee Erickson, Pharmacist-In-Charge the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Repeval. I approve its form and content.

DATED: _____
TONY J. PARK, ESQ.
Attorney for Respondent

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DATED: 4/26/21 
MEDI FOR VETS LLC; JANICE LEE
ERICKSON, PHARMACIST-IN-CHARGE
Respondent

I have read and fully discussed with Respondent Meds for Vets LLC; Janice Lee Erickson, Pharmacist-In-Charge the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Repeval. I approve its form and content.

DATED: _____
TONY J. PARK, ESQ.
Attorney for Respondent

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DATED: _____
MEDS FOR VETS LLC; JANICE LEE
ERICKSON, PHARMACIST-IN-CHARGE
Respondent

I have read and fully discussed with Respondent Meds for Vets LLC; Janice Lee Erickson, Pharmacist-In-Charge the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Repeval. I approve its form and content.

DATED: 04/28/2021 _____

TONY J. PARK, ESQ.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Repeval 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
DAVID E. BRICE
Supervising Deputy Attorney General

PATRICIA WEBBER HEIM
Deputy Attorney General
Attorneys for Complainant

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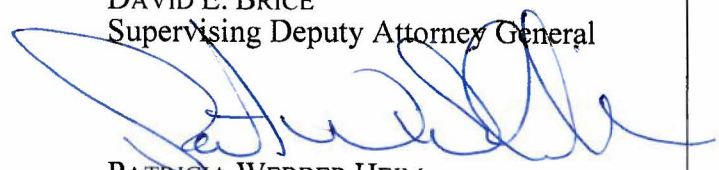
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Repeval is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: 4/29/2021

Respectfully submitted,

ROB BONTA
Attorney General of California
DAVID E. BRICE
Supervising Deputy Attorney General



PATRICIA WEBBER HEIM
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Statement of Issues No. 7023

1 XAVIER BECERRA
Attorney General of California
2 DAVID E. BRICE
Supervising Deputy Attorney General
3 PATRICIA WEBBER HEIM
Deputy Attorney General
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6 Telephone: (916) 210-7519
Facsimile: (916) 327-8643
7 E-mail: Patricia.Heim@doj.ca.gov
Attorneys for Complainant

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

13 In the Matter of the Statement of Issues
Against:

14 **MEDS FOR VETS LLC; JANICE LEE**
15 **ERICKSON, MEMBER**
16 **9550 S. State Street**
Sandy, UT 84070

17 **Original Non-Resident Pharmacy Sterile**
18 **Compounding License Applicant**

19 Respondent.

Case No. 7023

STATEMENT OF ISSUES

20
21
22 **PARTIES**

23
24 1. Anne Sodergren (Complainant) brings this Statement of Issues solely in her official
25 capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer
26 Affairs.

27 2. On or about February 28, 2020, the Board received an application for a Non-Resident
28 Pharmacy Sterile Compounding License from Meds for Vets LLC; Janice Lee Erickson, Member

1 (Respondent). Janice Lee Erickson is and has been the Pharmacist-in-Charge of Meds for Vets
2 LLC since May 3, 2014.

3 3. On or about February 7, 2020, Janice Lee Erickson certified under penalty of perjury
4 to the truthfulness of all statements, answers, and representations in the application. The Board
5 denied the application on August 4, 2020.

6 **JURISDICTION**

7 4. This Statement of Issues is brought before the Board under the authority of the
8 following laws. All section references are to the Business and Professions Code (Code) unless
9 otherwise indicated.

10 5. Section 4300.1 of the Code states:

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

17 6. Section 4300 of the Code states, in pertinent part:

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

24

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

26 **STATUTORY PROVISIONS**

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

28 The board shall take action against any holder of a license who is guilty of
unprofessional conduct . . . Unprofessional conduct shall include, but is not limited to,
any of the following:

. . . .

(n) The revocation, suspension, or other discipline by another state of a license
to practice pharmacy, operate a pharmacy, or do any other act for which a license is
required by this chapter that would be grounds for revocation, suspension, or other
discipline under this chapter. Any disciplinary action taken by the board pursuant to

1 this section shall be coterminous with action taken by another state, except that the
2 term of any discipline taken by the board may exceed that of another state, consistent
with the board's enforcement guidelines. The evidence of discipline by another state
is conclusive proof of unprofessional conduct.

3 **COST RECOVERY**

4 8. Code section 125.3 states, in pertinent part, that the Board may request the
5 administrative law judge to direct a licentiate found to have committed a violation or violations of
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
7 enforcement of the case.

8 **CAUSE FOR DENIAL OF APPLICATION**

9 **(Acts Warranting Denial of Application: Accusation No. 7009)**

10 9. Respondent's application for a Non-Resident Pharmacy Sterile Compounding License
11 is subject to denial pursuant to the Code, sections 4300, subdivision (c), and 4301, subdivision
12 (n), in that Respondent's license to practice or operate a pharmacy has been disciplined by
13 another state as follows:

14 a. Effective June 11, 2009, pursuant to the Consent Order in the matter entitled *In the*
15 *Matter of Meds for Vets, Respondent*, in Case Number 2009-0062, the Oregon Board of Pharmacy
16 imposed a \$5,000 civil penalty (with \$4,000 stayed pending no further violations of ORS 689.305
17 for three years). Respondent must appropriately register with the Oregon Board prior to shipping
18 prescriptions into Oregon without a nonresident pharmacy license.

19 b. Effective August 6, 2019, pursuant to the Agreed Board Order No. K-17-035 in the
20 matter entitled *In the Matter of Meds for Vets LLC (Pharmacy License #25697)*, the Texas State
21 Board of Pharmacy issued a \$1,000 fine to Respondent for operating without a Texas-licensed
22 pharmacist-in-charge.

23 c. On or about October 21, 2019, pursuant to the Stipulation and Order in the matter
24 entitled *In the Matter of the Licenses of: Meds for Vets, License Nos: 6769850-1703, and*
25 *6769850-8913 to Practice as a Pharmacy and to Dispense Controlled Substances in the State of*
26 *Utah*, the Division of Occupational and Professional Licensing Department of Commerce of the
27 State of Utah (DOPL) placed Respondent on probation for two years, with terms and conditions.

28

1 Respondent neither admitted nor denied the following, but agreed that DOPL might find the
2 following:

3 i. On or about October 10, 2017, the DOPL conducted Class A, sterile and non-sterile
4 inspections at Respondent's place of business. The inspection noted violations related to uneven
5 staffing ratios for pharmacy technicians and pharmacists, misplaced labels and/or labeling errors,
6 failure to adhere to current good manufacturing practices for sterile and non-sterile compounding,
7 and missing documentation for staff training and sanitation procedures.

8 ii. The terms and conditions of probation included, but were not limited to submission of
9 a Written Practice Plan for DOPL approval, undergo periodic inspections by a DOPL-approved
10 inspector, and pay a \$15,000 fine (with \$7,500 stayed pending successful completion of
11 probation), pursuant to Utah Code Ann. Section 58-17b-504. On or about January 13, 2020,
12 Respondent paid the required \$7,500 portion of the \$15,000 fine.

13 d. Effective December 11, 2019, pursuant to the Consent Order issued in the matter
14 entitled *In the Matter of Jan Erickson d/b/a/ Meds for Vets, Louisiana Pharmacy Permit No 6258*,
15 Case No. 18-0348, under La. R.S. 37:1241(A)(6), the Louisiana State Board of Pharmacy
16 suspended Respondent's Pharmacy Permit No. 6258 until October 21, 2021, stayed the
17 suspension, and placed Respondent on probation for two years. The Louisiana Board also
18 assessed Respondent a \$250 fine, as a reciprocal action to the Utah DOPL disciplinary order
19 issued on October 21, 2019.

20 e. Effective February 18, 2020, pursuant to the Consent Order issued in the matter
21 entitled *In the Matter of: Meds for Vets, LLC, Non-Resident Pharmacy Permit Number: 112999*,
22 Case No. 19-L-0151, the Alabama State Board of Pharmacy found that Respondent violated Code
23 of Alabama sections 34-23-22(2) and (13) [via Alabama Board Rule 680-X-2.22(2)(d)], 34-23-
24 34, 34-23-92(12), 20-2-213(e), and 41-22-12. The Alabama Board placed Respondent on
25 probation until October 15, 2021, subject to the same terms and conditions as the Utah Board
26 Stipulation and Order. The discipline was based on the above-referenced disciplinary actions by
27 the Texas and Oregon State Boards of Pharmacy, as well as the Utah DOPL order. The Alabama
28 Board also assessed Respondent a \$10,000 administrative fine.

1 f. Effective March 12, 2020, pursuant to the Order of Mandatory Suspension in the
2 matter entitled *In re: Meds for Vets*, Registration No. 0214-001210, Case No. 202896, the
3 Virginia Department of Health Professions suspended Respondent's license. Pursuant to Virginia
4 Code section 54.1-2409, the Virginia Board suspended Respondent's license as a reciprocal
5 action to Louisiana Board Case Number 18-0348. Respondent's Virginia license remained on
6 suspension as of a July 22, 2020, search of the Virginia Board's website.

7
8 **PRAYER**

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

- 11 1. Denying the application of Meds for Vets LLC; Janice Lee Erickson, Member for a
12 Non-Resident Pharmacy Sterile Compounding License; and
- 13 2. Taking such other and further action as deemed necessary and proper.

14
15 DATED: 9/19/2020

Anne Sodergren

16 ANNE SODERGREN
17 Executive Officer
18 Board of Pharmacy
19 Department of Consumer Affairs
20 State of California
21 *Complainant*

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