

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

In the Matter of the Accusation Against:

**GHAYDA ALRASS,
Original Pharmacist License No. RPH 49210,**

Respondent.

Agency Case No. 7188

DECISION AND ORDER

The attached Stipulated Surrender of License 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 March 2, 2022.

It is so ORDERED on January 31, 2022.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

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 visible.

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 KAREN R. DENVIR
Supervising Deputy Attorney General
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7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 7188

13 **GHAYDA ALRASS**
14 **404 Luciana Dr.**
Reno, NV 89521

15 **Registered Pharmacist License No. RPH**
16 **49210**

17 Respondent.

STIPULATED SURRENDER OF
LICENSE AND ORDER

18
19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
24 (Board). She brought this action solely in her official capacity and is represented in this matter by
25 Rob Bonta, Attorney General of the State of California, by Katelyn E. Docherty, Deputy Attorney
26 General.

27 2. Ghayda Alrass (Respondent) is representing herself in this proceeding and has chosen
28 not to exercise her right to be represented by counsel.

3. On or about November 7, 1996, the Board issued Registered Pharmacist License No. RPH 49210 to Ghayda Alrass (Respondent). The Registered Pharmacist License was in full force and effect at all times relevant to the charges brought in the First Amended Accusation No. 7188 and will expire on August 3, 2022, unless renewed.

JURISDICTION

4. First Amended Accusation No. 7188 was filed before the Board, and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on November 1, 2021. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of First Amended Accusation No. 7188 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in First Amended Accusation No. 7188. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right 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.

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

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in the First Amended Accusation No. 7188, agrees that cause exists for discipline and hereby surrenders her Registered Pharmacist License No. RPH 49210 for the Board's formal acceptance.

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9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Pharmacist License without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her 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 Surrender 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.

11. 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.

12. 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.

13. 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 Registered Pharmacist License No. RPH 49210, issued to Respondent Ghayda Alrass, is surrendered and accepted by the Board.

1. The surrender of Respondent's Registered Pharmacist License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against

1 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
2 Respondent's license history with the Board.

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

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

7 4. If Respondent ever files an application for licensure or a petition for reinstatement in
8 the State of California, the Board shall treat it as a new application. Respondent must comply
9 with all the laws, regulations and procedures for licensure in effect at the time the petition is filed,
10 and all of the charges and allegations contained in Accusation No. 7188 shall be deemed to be
11 true, correct and admitted by Respondent when the Board determines whether to grant or deny the
12 petition.

13 5. Respondent shall pay the agency its costs of investigation and enforcement in the
14 amount of \$6,780.75 prior to issuance of a new or reinstated license.

15 6. If Respondent should ever apply or reapply for a new license or certification, or
16 petition for reinstatement of a license, by any other health care licensing agency in the State of
17 California, all of the charges and allegations contained in Accusation, No. 7188 shall be deemed
18 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
19 other proceeding seeking to deny or restrict licensure.

20 7. Respondent shall not apply for licensure for three (3) years from the effective date of
21 the Board's Decision and Order.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered 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: _____
GHAYDA ALRASS
Respondent

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
KAREN R. DENVIR
Supervising Deputy Attorney General

KATELYN E. DOCHERTY
Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered 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: 12/23/2021 Ghayda Alrass
GHAYDA ALRASS
Respondent

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: 12/23/2021

Respectfully submitted,

ROB BONTA
Attorney General of California
KAREN R. DENVIR
Supervising Deputy Attorney General

Katelyn E. Docherty
KATELYN E. DOCHERTY
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7188

1 ROB BONTA
Attorney General of California
2 KAREN R. DENVIR
Supervising Deputy Attorney General
3 KATELYN E. DOCHERTY
Deputy Attorney General
4 State Bar No. 322028
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11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

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13 **GHAYDA ALRASS**
14 **404 Luciana Dr.**
Reno, NV 89521

FIRST AMENDED ACCUSATION

15 **Registered Pharmacist License No. RPH**
16 **49210**

17 Respondent.

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20
21 **PARTIES**

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

25 2. On or about November 7, 1996, the Board of Pharmacy issued Registered Pharmacist
26 License Number RPH 49210 to Ghayda Alrass (Respondent). The Registered Pharmacist License
27 was in full force and effect at all times relevant to the charges brought herein and will expire on
28 August 31, 2022, unless renewed.

JURISDICTION

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

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

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

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

(1) Suspending judgment.

(2) Placing him or her upon probation.

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

(4) Revoking his or her license.

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

...

(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 Government Code, and the board shall have all the powers granted therein. The 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.

5. Section 4300.1 of the Code states:

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

6. Section 4301 of the Code 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 issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

...

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

4 ...

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

7 ...

8 (n) The revocation, suspension, or other discipline by another state of a license
9 to practice pharmacy, operate a pharmacy, or do any other act for which a license is
10 required by this chapter that would be grounds for revocation, suspension, or other
11 discipline under this chapter. Any disciplinary action taken by the board pursuant to
12 this section shall be coterminous with action taken by another state, except that the
13 term of any discipline taken by the board may exceed that of another state, consistent
14 with the board's enforcement guidelines. The evidence of discipline by another state
15 is conclusive proof of unprofessional conduct.

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

21 ...

22 7. Section 4022 of the Code states:

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

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

27 (b) Any device that bears the statement: Caution: federal law restricts this
28 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.

8. Section 4059, subdivision (a), of the Code states:

(a) A person may not furnish any dangerous drug, except upon the prescription
of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor
pursuant to Section 3640.7. A person may not furnish any dangerous device, except
upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or
naturopathic doctor pursuant to Section 3640.7.

1 9. Section 4060 of the Code states:

2 No person shall possess any controlled substance, except that furnished to a
3 person upon the prescription of a physician, dentist, podiatrist, optometrist,
4 veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished pursuant
5 to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a
6 nurse practitioner pursuant to Section 2836.1, or a physician assistant pursuant to
7 Section 3502.1, or naturopathic doctor pursuant to Section 3640.5, or a pharmacist
8 pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of
9 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section
10 shall not apply to the possession of any controlled substance by a manufacturer,
11 wholesaler, pharmacy, pharmacist, physician, podiatrist, dentist, optometrist,
12 veterinarian, naturopathic doctor, certified nurse-midwife, nurse practitioner, or
13 physician assistant, when in stock in containers correctly labeled with the name and
14 address of the supplier or producer.

15 Nothing in this section authorizes a certified nurse-midwife, a nurse
16 practitioner, a physician assistant, or a naturopathic doctor, to order his or her own
17 stock of dangerous drugs and devices.

18 **CALIFORNIA CODE OF REGULATIONS**

19 10. California Code of Regulations Section 1714 of the Code states, in pertinent part:

20 ...

21 (d) Each pharmacist while on duty shall be responsible for the security of the
22 prescription department, including provisions for effective control against theft or
23 diversion of dangerous drugs and devices, and records for such drugs and devices.
24 Possession of a key to the pharmacy where dangerous drugs and controlled
25 substances are stored shall be restricted to a pharmacist.

26 ...

27 **COST RECOVERY**

28 11. 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.

29 **DRUG DESCRIPTIONS**

30 12. Amlodipine is the generic name for Norvasc and is a dangerous drug pursuant to
Code section 4022. Amlodipine is indicated for use for the treatment of hypertension.

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1 13. Finasteride is the generic name for Propecia and is a dangerous drug pursuant to Code
2 section 4022. Finasteride is indicated for use for the treatment of hair loss/benign prostatic
3 hyperplasia.

4 14. Diazepam is the generic name for Valium and is a dangerous drug pursuant to Code
5 section 4022, and a schedule IV controlled substance pursuant to Health and Safety Code section
6 11057(d)(9). Diazepam is indicated for use for the treatment of anxiety and seizures.

7 15. Hydromorphone is the generic name for Dilaudid and is a dangerous drug pursuant to
8 Code section 4022, and a Schedule II controlled substance pursuant to Health and Safety Code
9 section 11055(b)(1)(J). Hydromorphone is a narcotic drug indicated for used to treat severe pain.

10 16. Hydrocodone/APAP is the generic name for Norco, Vicodin, Vicodin ES, Lorcet, and
11 Lortab, and is a dangerous drug pursuant to Code section 4022, and a Schedule II controlled
12 substance pursuant to Health and Safety Code section 11055(I)(i). Hydrocodone/APAP is a
13 narcotic drug indicated for used to treat moderate to severely moderate pain.

14 **FACTUAL ALLEGATIONS**

15 17. On and between January 28, 2021 and May 20, 2021, Respondent worked for Raley's
16 Corporation as a floater pharmacist in Reno, Nevada (hereinafter Raley's).

17 18. On or about May 12, 2021, Raley's notified the Board that it had suffered a theft of
18 controlled substances by an employee.

19 19. On and around May 1, 2021 to May 8, 2021, Respondent worked as a floater
20 pharmacist at Raley's Pharmacy No. 103.

21 20. On or about May 4, 2021, security footage from Raley's Pharmacy No. 103 showed
22 Respondent taking items from the supply closet and placing them in a shopping bag. The items
23 that are observed being placed into the shopping bag are pens, sharpies, post-it notes, paper
24 bowls, and rubber bands. Raley's reported Respondent took the bag with her when she left work
25 for the day.

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1 21. On or about May 4, 2021, security footage from Raley's Pharmacy No. 103 showed
2 Respondent during her lunch break take an unidentified drug off the pharmacy drug shelf, open
3 the cap of the bottle, tear off the seal, then put the contents of the bottle into an amber vial.
4 Respondent then took a tablet from the vial and put it in her mouth, then proceeded to place the
5 amber vial into her purse. The footage also showed Respondent take another full bottle off the
6 pharmacy drug shelf and put the contents into an amber vial, and proceed to place the amber vial
7 in her purse.

8 22. On or about May 7, 2021, Raley's asset protection interviewed Respondent, and she
9 admitted to diverting over the counter acetaminophen and stealing office supplies. Respondent
10 wrote a statement as part of Raley's' investigation confirming these admissions.

11 23. On or about May 20, 2021, Respondent was terminated from Raley's.

12 24. On or about May 22, 2021, a Board of Pharmacy Investigator contacted Respondent
13 via phone and Respondent admitted to the Board inspector to taking a full stock bottle of
14 amlodipine 10 mg and placing the contents in an empty prescription vial, and that she consumed 1
15 tablet before placing the prescription vial in her purse. Respondent also admitted to the Board
16 inspector to taking an open stock bottle of finasteride from the drug shelf and placing the contents
17 in an empty prescription vial, and then placing the prescription vial in her purse. Respondent also
18 admitted to stealing office supplies from Raley's.

19 25. On or about July 3, 2021, Respondent provided a written statement to Board
20 Investigator explaining the allegations set forth in paragraphs 17-23, above.

21 **FIRST CAUSE FOR DISCIPLINE**

22 **(Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

23 26. Respondent is subject to disciplinary action for unprofessional conduct pursuant to
24 Code section 4301, subdivision (f), in that Respondent committed acts involving moral turpitude,
25 dishonesty, fraud, deceit, or corruption. The circumstances are that Respondent diverted
26 dangerous drugs and other items from the Raley's pharmacy where she was employed, as set
27 forth in paragraphs 17-25, above.

28 ///

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Violation of Laws/Regulations Governing Pharmacy)**

3 27. Respondent is subject to disciplinary action for unprofessional conduct pursuant to
4 Code section 4301, subdivision (o), in that Respondent violated state laws and regulations
5 governing pharmacy. The circumstances are as follows:

6 a. Respondent violated Code section 4059, subdivision (a), by furnishing
7 dangerous drugs, specifically amlodipine 10 mg, and finasteride, to herself when she was not in
8 possession of a valid prescription for said dangerous drugs, as set forth in paragraphs 17-25,
9 above.

10 b. Respondent violated California Code of Regulations section 1714, subdivision
11 (d), by failing to maintain the security of the prescription department, including provisions for
12 effective control against theft or diversion of dangerous drugs and devices, and records for such
13 dangerous, when she diverted amlodipine 10 mg and finasteride while acting as the pharmacist on
14 duty, as set forth in paragraphs 17-25, above.

15 **THIRD CAUSE FOR DISCIPLINE**

16 **(Violation of Laws/Regulations Governing Dangerous Drugs)**

17 28. Respondent is subject to disciplinary action for unprofessional conduct pursuant to
18 Code section 4301, subdivision (j), in that Respondent violated state laws and regulations
19 governing dangerous drugs. The circumstances are as follows:

20 a. Respondent violated Code section 4059, subdivision (a), by furnishing
21 dangerous drugs, specifically amlodipine 10 mg, and finasteride, to herself when she was not in
22 possession of a valid prescription for said dangerous drugs, as set forth in paragraphs 17-25,
23 above.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Discipline by Another Licensing Agency)**

3 29. Respondent is subject to disciplinary action for unprofessional conduct pursuant to
4 Code section 4301, subdivision (j), (n), and (o) in that her Nevada certificate of registration as a
5 pharmacist was disciplined by the Nevada State Board of Pharmacy (Nevada Board), in the
6 disciplinary action entitled, "*Nevada State Board of Pharmacy v. Ghayda Alrass, RPH*", Case No.
7 21-065-RPH-N. Effective October 13, 2021, the Nevada Board revoked Respondent's Certificate
8 of Registration No. 13706, and ordered Respondent to pay a fine in the amount of five thousand
9 dollars (\$5,000). The Nevada Board found that while employed at several Raley's locations as a
10 pharmacist, Respondent stole for her personal use a total of 152 tablets of Diazepam 10mg, 61
11 tablets of Hydromorphone HCL 2mg, and 10 tablets Hydrocodone/APAP 10/325 mg, in addition
12 to the amlodipine that Respondent admitted to diverting from Raley's in May of 2021.

13 **PRAYER**

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

- 16 1. Revoking or suspending Registered Pharmacist License Number RPH 49210, issued
17 to Ghayda Alrass;
- 18 2. Ordering Ghayda Alrass to pay the Board of Pharmacy the reasonable costs of the
19 investigation and enforcement of this case, pursuant to Business and Professions Code section
20 125.3; and,
- 21 3. Taking such other and further action as deemed necessary and proper.

22
23 DATED: 11/18/2021

Signature on File

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

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