

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

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

**SHIN SOOK PARK, DBA LOMA LINDA HEALTH PHARMACY  
Pharmacy Permit No. PHY 55643,**

**and**

**SHIN SOOK SUZANN PARK  
Registered Pharmacist License No. RPH 40465**

**Respondents.**

**Agency Case No. 7194**

**OAH NO. 2023030221**

## 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 November 8, 2023.

It is so ORDERED on October 9, 2023.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is fluid and cursive, with the first name "Seung" and last name "Oh" clearly visible.

Seung W. Oh, Pharm.D.  
Board President

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Attorney General of California  
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8 **BEFORE THE**  
9 **BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **SHIN SOOK PARK, DBA LOMA LINDA**  
14 **HEALTH PHARMACY**  
11382 Mountain View Ave., Suite #A2  
Loma Linda, CA 92354

15 **Pharmacy Permit No. PHY 39477,**

16 **and**

17 **SHIN SOOK SUZANN PARK**  
11382 Mountain View Ave., Suite #A2  
18 Loma Linda, CA 92354

19 **Registered Pharmacist License No. RPH**  
20 **40465**

21 Respondent.

Case No. 7194  
OAH No. 2023030221

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

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

24 **PARTIES**

25 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
26 (Board). She brought this action solely in her official capacity and is represented in this matter by  
27 Rob Bonta, Attorney General of the State of California, by Matthew A. King, Deputy Attorney  
28 General.

2. Respondent Shin Sook Park, doing business as Loma Linda Health Pharmacy (Respondent or Loma Linda Health Pharmacy) and Respondent Shin Sook Suzann Park (Respondent or PIC Park) are represented in this proceeding by attorney Tony J. Park, whose address is: 55 Cetus, 1st Floor, Irvine, CA 92618-1320

3. On or about October 29, 1993, the Board issued Pharmacy Permit No. PHY 39477 to Respondent or Loma Linda Health Pharmacy. The Pharmacy Permit was in full force and effect at all times relevant to the charges brought in Accusation No. 7194, and will expire on October 1, 2024, unless renewed.

4. On October 9, 1986, the Board issued Registered Pharmacist License Number RPH 40465 to Respondent or PIC Park. The Registered Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2023, unless renewed.

5. Pharmacist Park has been the individual licensed owner of Loma Linda Health Pharmacy since October 29, 1993.

6. Pharmacist Park is and has been the Pharmacist-in-Charge since October 29, 1993.

### **JURISDICTION**

7. Accusation No. 7194 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 25, 2022. Respondent timely filed a Notice of Defense contesting the Accusation.

8. A copy of Accusation No. 7194 is attached as exhibit A and incorporated herein by reference.

### **ADVISEMENT AND WAIVERS**

9. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 7194. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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10. 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 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.

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

## CULPABILITY

12. Respondent admits the truth of each and every charge and allegation in Accusation No. 7194.

13. Respondent agrees that her Registered Pharmacist License No. RPH 40465 and Pharmacy Permit No. PHY 39477 are subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

14. 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 her counsel. 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 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.

15. 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.

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16. 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.

17. 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 AS TO REGISTERED PHARMACIST LICENSE**

**NO. RPH 40465**

IT IS HEREBY ORDERED that Registered Pharmacist License No. RPH 40465, issued to Respondent Shin Sook Park, is revoked. However, the revocation is stayed and Respondent is placed on probation for four (4) years on the following terms and conditions:

**1. Definition: Respondent**

For the purposes of the terms and conditions under the section entitled “DISCIPLINARY ORDER AS TO REGISTERED PHARMACIST LICENSE NO. RPH 40465,” “Respondent” shall refer to Respondent Shin Sook Park and Registered Pharmacist License No. RPH 40465.

**2. 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.

### **3. 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.

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

### **4. Interview with the Board**

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

### **5. Cooperate with Board Staff**

Respondent shall timely cooperate with the Board's inspection program and with the Board's monitoring and investigation of Respondent's compliance with the terms and conditions of her probation, including but not limited to: timely responses to requests for information by Board staff; timely compliance with directives from Board staff regarding requirements of any term or condition of probation; and timely completion of documentation pertaining to a term or

condition of probation. Failure to timely cooperate shall be considered a violation of probation.

#### **6. Continuing Education**

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

#### **7. Reporting of Employment and Notice to Employers**

During the period of probation, Respondent shall notify all present and prospective employers of the decision in case number 7194 and the terms, conditions and restrictions imposed on Respondent by the decision, as follows:

Within thirty (30) days of the effective date of this decision, and within ten (10) days of undertaking any new employment, Respondent shall report to the Board in writing the name, physical address, and mailing address of each of her employer(s), and the name(s) and telephone number(s) of all of her direct supervisor(s), as well as any pharmacist(s)-in-charge, designated representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work schedule, if known. Respondent shall also include the reason(s) for leaving the prior employment. Respondent shall sign and return to the Board a written consent authorizing the Board or its designee to communicate with all of Respondent's employer(s) and supervisor(s), and authorizing those employer(s) or supervisor(s) to communicate with the Board or its designee, concerning Respondent's work status, performance, and monitoring. Failure to comply with the requirements or deadlines of this condition shall be considered a violation of probation.

Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of Respondent undertaking any new employment, Respondent shall cause (a) her direct supervisor, (b) her pharmacist-in-charge, designated representative-in-charge, responsible manager, or other compliance supervisor, and (c) the owner or owner representative of her employer, to report to the Board in writing acknowledging that the listed individual(s) has/have read the decision in case number 7194, and terms and conditions imposed thereby. If one person serves in more than one role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the Respondent's responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term



1 of probation, Respondent shall cause the person(s) taking over the role(s) to report to the Board in  
2 writing within fifteen (15) days of the change acknowledging that he or she has read the decision  
3 in case number 7194, and the terms and conditions imposed thereby.

4 If Respondent works for or is employed by or through an employment service, Respondent  
5 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board  
6 of the decision in case number 7194, and the terms and conditions imposed thereby in advance of  
7 Respondent commencing work at such licensed entity. A record of this notification must be  
8 provided to the Board upon request.

9 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
10 (15) days of Respondent undertaking any new employment by or through an employment service,  
11 Respondent shall cause the person(s) described in (a), (b), and (c) above at the employment  
12 service to report to the Board in writing acknowledging that he or she has read the decision in  
13 case number, and the terms and conditions imposed thereby. It shall be Respondent's  
14 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board.

15 Failure to timely notify present or prospective employer(s) or failure to cause the identified  
16 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board  
17 shall be considered a violation of probation.

18 "Employment" within the meaning of this provision includes any full-time, part-time,  
19 temporary, relief, or employment/management service position as a pharmacist, or any position  
20 for which a pharmacist is a requirement or criterion for employment, whether the Respondent is  
21 an employee, independent contractor or volunteer.

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

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

25 Failure to timely notify the Board of any change in employer, name, address, or phone  
26 number shall be considered a violation of probation.

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1           **9.     Restrictions on Supervision and Oversight of Licensed Facilities**

2           During the period of probation, Respondent shall not supervise any intern pharmacist or  
3           serve as a consultant to any entity licensed by the Board. Respondent may be a pharmacist-in-  
4           charge, designated representative-in-charge, responsible manager or other compliance supervisor  
5           of any single entity licensed by the Board, but only if Respondent or that entity retains, at her  
6           expense, an independent consultant who shall be responsible for reviewing the operations of the  
7           entity on a quarterly basis for compliance by Respondent and the entity with state and federal  
8           laws and regulations governing the practice of the entity, and compliance by Respondent with the  
9           obligations of her supervisory position. Respondent may serve in such a position at only one  
10          entity licensed by the Board, only upon approval by the Board or its designee. Any such approval  
11          shall be site specific. The consultant shall be a pharmacist licensed by and not on probation with  
12          the Board, who has been approved by the Board or its designee to serve in this position.  
13          Respondent shall submit the name of the proposed consultant to the Board or its designee for  
14          approval within thirty (30) days of the effective date of the decision or prior to assumption of  
15          duties allowed in this term. Assumption of any unauthorized supervision responsibilities shall be  
16          considered a violation of probation. In addition, failure to timely seek approval for, timely retain,  
17          or ensure timely reporting by the consultant shall be considered a violation of probation.

18           **10.    Reimbursement of Board Costs**

19          As a condition precedent to successful completion of probation, Respondent shall pay to the  
20          Board its costs of investigation and prosecution in the amount of \$15,000. This amount is jointly  
21          and severally owed by Respondent Shin Sook Park under Registered Pharmacist License No.  
22          RPH 40465 and by Respondent Shin Sook Park, doing business as Loma Linda Health Pharmacy,  
23          under Pharmacy Permit No. PHY 39477. Respondent shall make said payments within 60 (sixty)  
24          days of this decision or else on a Board-approved payment plan. There shall be no deviation from  
25          this schedule absent prior written approval by the Board or its designee. Failure to pay costs by  
26          the deadline(s) as directed shall be considered a violation of probation. Respondent shall be  
27          permitted to pay these costs in a payment plan approved by the Board or its designee, so long as  
28          full payment is completed no later than one (1) year prior to the end date of probation.

1           **11. Probation Monitoring Costs**

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

6           **12. Status of License**

7           Respondent shall, at all times while on probation, maintain an active, current Registered  
8 Pharmacist License with the Board, including any period during which suspension or probation is  
9 tolled. Failure to maintain an active, current Registered Pharmacist License shall be considered a  
10 violation of probation.

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

15           **13. License Surrender While on Probation/Suspension**

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

24           Upon acceptance of the surrender, Respondent shall relinquish her pocket and/or wall  
25 license, including any indicia of licensure not previously provided to the Board within ten (10)  
26 days of notification by the Board that the surrender is accepted if not already provided.  
27 Respondent may not reapply for any license from the Board for three (3) years from the effective  
28 date of the surrender. Respondent shall meet all requirements applicable to the license sought as

1 of the date the application for that license is submitted to the Board, including any outstanding  
2 costs.

3 **14. Practice Requirement—Extension of Probation**

4 Except during periods of suspension, Respondent shall, at all times while on probation, be  
5 employed as a pharmacist in California for a minimum of 100 hours per calendar month. Any  
6 month during which this minimum is not met shall extend the period of probation by one month.  
7 During any such period of insufficient employment, Respondent must nonetheless comply with  
8 all terms and conditions of probation, unless Respondent receives a waiver in writing from the  
9 Board or its designee.

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

19 It is a violation of probation for Respondent's probation to be extended pursuant to the  
20 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
21 exceeding thirty-six (36) months. The Board or its designee may post a notice of the extended  
22 probation period on its website.

23 **15. Violation of Probation**

24 If Respondent has not complied with any term or condition of probation, the Board shall  
25 have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent  
26 that probation shall automatically be extended, until all terms and conditions have been satisfied  
27 or the Board has taken other action as deemed appropriate to treat the failure to comply as a  
28 violation of probation, to terminate probation, and to impose the penalty that was stayed. The

1 Board or its designee may post a notice of the extended probation period on its website.

2 If Respondent violates probation in any respect, the Board, after giving Respondent notice  
3 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
4 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during  
5 probation, or the preparation of an accusation or petition to revoke probation is requested from  
6 the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of  
7 probation shall be automatically extended until the petition to revoke probation or accusation is  
8 heard and decided.

9 **16. Completion of Probation**

10 Upon written notice by the Board or its designee indicating successful completion of  
11 probation, Respondent's license will be fully restored.

12 **17. Board's One-Day Training Program**

13 Within the first year of probation, Respondent shall enroll in the Board's one-day, six (6)  
14 hour, training program, "Inspection Expectations, Diversion Trends, Loss Prevention, Legal  
15 Updates and CURES." Respondent shall provide proof of enrollment within five (5) days of  
16 enrollment. Within five (5) days of completion, Respondent shall submit a copy of the certificate  
17 of completion to the Board.

18 Failure to timely enroll in the training program, to initiate the training program during the  
19 first year of probation, to successfully complete it before the end of the second year of probation,  
20 or to timely submit proof of completion to the Board, shall be considered a violation of probation.

21 **18. Remedial Education**

22 Within sixty (60) days of the effective date of this decision, Respondent shall submit to the  
23 Board or its designee, for prior approval, an appropriate program of remedial education in  
24 Pharmacy Law and Operations. The program of remedial education shall consist of at least ten  
25 (10) hours, which shall be completed within three (3) months before the completion of probation.  
26 All remedial education shall be in addition to, and shall not be credited toward, continuing  
27 education (CE) courses used for license renewal purposes for pharmacists.

28 Failure to timely submit for approval or complete the approved remedial education shall be

1 considered a violation of probation. The period of probation will be automatically extended until  
2 such remedial education is successfully completed and written proof, in a form acceptable to the  
3 Board, is provided to the Board or its designee.

4 Following the completion of each course, the Board or its designee may require the  
5 Respondent, at her own expense, to take an approved examination to test the Respondent's  
6 knowledge of the course. If the Respondent does not achieve a passing score on the examination  
7 that course shall not count towards satisfaction of this term. Respondent shall take another course  
8 approved by the Board in the same subject area.

9 **19. Ethics Course**

10 Within sixty (60) calendar days of the effective date of this decision, Respondent shall  
11 enroll in a course in ethics, at Respondent's expense, approved in advance by the Board or its  
12 designee that complies with Title 16 California Code of Regulations section 1773.5. Respondent  
13 shall provide proof of enrollment upon request. Within five (5) days of completion, Respondent  
14 shall submit a copy of the certificate of completion to the Board or its designee. Failure to timely  
15 enroll in an approved ethics course, to initiate the course during the first year of probation, to  
16 successfully complete it before the end of the second year of probation, or to timely submit proof  
17 of completion to the Board or its designee, shall be considered a violation of probation.  
18 Respondent may satisfy this term by submitting to the Board within sixty (60) calendar days of  
19 the effective date of this decision Respondent's certificate of completion, issued on April 3, 2023  
20 by PBI Education, for a 22-hour course on March 25–26, 2023 entitled "PBI Pharmacy Ethics and  
21 Professionalism."

22 **20. No New Ownership or Management of Licensed Premises**

23 Respondent shall not acquire any new ownership, legal or beneficial interest nor serve as a  
24 manager, administrator, member, officer, director, trustee, associate, or partner of any additional  
25 business, firm, partnership, or corporation licensed by the Board. If Respondent currently owns or  
26 has any legal or beneficial interest in, or serves as a manager, administrator, member, officer,  
27 director, trustee, associate, or partner of any business, firm, partnership, or corporation currently  
28 or hereinafter licensed by the Board, Respondent may continue to serve in such capacity or hold

that interest, but only to the extent of that position or interest as of the effective date of this decision. Violation of this restriction shall be considered a violation of probation.

**DISCIPLINARY ORDER AS TO PHARMACY PERMIT NO. PHY 39477**

IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 39477, issued to Respondent Shin Sook Park, doing business as Loma Linda Health Pharmacy, is revoked. However, the revocation is stayed and Respondent is placed on probation for four (4) years on the following terms and conditions:

**1. Definition: Respondent**

For the purposes of the terms and conditions under the section entitled “DISCIPLINARY ORDER AS TO PHARMACY PERMIT NO. PHY 39477,” “Respondent” shall refer to Respondent Shin Sook Park, doing business as Loma Linda Health Pharmacy, and Pharmacy Permit No. PHY 39477. All terms and conditions stated herein shall bind and be applicable to the licensed premises and to all owners, managers, officers, administrators, members, directors, trustees, associates, or partners thereof. For purposes of compliance with any term or condition, any report, submission, filing, payment, or appearance required to be made by Respondent to or before the Board or its designee shall be made by an owner or executive officer with authority to act on behalf of and legally bind the licensed entity.

**2. 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; or
- discipline, citation, or other administrative action filed by any state or federal agency which involves Respondent’s pharmacy premises permit or which is related to the practice of

1 pharmacy or the manufacturing, obtaining, handling or distributing, billing, or charging  
2 for any dangerous drug, and/or dangerous device or controlled substance.

3 Failure to timely report any such occurrence shall be considered a violation of probation.

4 **3. Report to the Board**

5 Respondent shall report to the Board quarterly, on a schedule as directed by the Board or its  
6 designee. The report shall be made either in person or in writing, as directed. Among other  
7 requirements, Respondent shall state in each report under penalty of perjury whether there has  
8 been compliance with all the terms and conditions of probation. Failure to submit timely reports  
9 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency in  
10 submission of reports as directed may be added to the total period of probation. Moreover, if the  
11 final probation report is not made as directed, probation shall be automatically extended until  
12 such time as the final report is made and accepted by the Board.

13 **4. Interview with the Board**

14 Upon receipt of reasonable prior notice, Respondent shall appear in person for interviews  
15 with the Board or its designee, at such intervals and locations as are determined by the Board or  
16 its designee. Failure to appear for any scheduled interview without prior notification to Board  
17 staff, or failure to appear for two (2) or more scheduled interviews with the Board or its designee  
18 during the period of probation, shall be considered a violation of probation.

19 **5. Cooperate with Board Staff**

20 Respondent shall timely cooperate with the Board's inspection program and with the  
21 Board's monitoring and investigation of Respondent's compliance with the terms and conditions  
22 of the probation, including but not limited to: timely responses to requests for information by  
23 Board staff; timely compliance with directives from Board staff regarding requirements of any  
24 term or condition of probation; and timely completion of documentation pertaining to a term or  
25 condition of probation. Failure to timely cooperate shall be considered a violation of probation.

26 **6. Reimbursement of Board Costs**

27 As a condition precedent to successful completion of probation, Respondent shall pay to the  
28 Board its costs of investigation and prosecution in the amount of \$15,000. This amount is jointly



1 and severally owed by Respondent Shin Sook Park under Registered Pharmacist License No.  
2 RPH 40465 and by Respondent Shin Sook Park, doing business as Loma Linda Health Pharmacy,  
3 under Pharmacy Permit No. PHY 39477. Respondent shall make said payments within 60 (sixty)  
4 days of this decision or else on a Board-approved payment plan. There shall be no deviation from  
5 this schedule absent prior written approval by the Board or its designee. Failure to pay costs by  
6 the deadline(s) as directed shall be considered a violation of probation. Respondent shall be  
7 permitted to pay these costs in a payment plan approved by the Board or its designee, so long as  
8 full payment is completed no later than one (1) year prior to the end date of probation.

9 **7. Probation Monitoring Costs**

10 Respondent shall pay any costs associated with probation monitoring as determined by the  
11 Board each and every year of probation. Such costs shall be payable to the Board on a schedule as  
12 directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed shall  
13 be considered a violation of probation.

14 **8. Status of License**

15 Respondent shall, at all times while on probation, maintain a current pharmacy permit with  
16 the Board. Failure to maintain current licensure shall be considered a violation of probation.

17 If Respondent's license expires or is cancelled by operation of law or otherwise at any time  
18 during the period of probation, including any extensions thereof or otherwise, upon renewal or  
19 reapplication Respondent's license shall be subject to all terms and conditions of this probation  
20 not previously satisfied.

21 **9. License Surrender While on Probation/Suspension**

22 Following the effective date of this decision, should Respondent wish to discontinue  
23 business, Respondent may tender the premises license to the Board for surrender. The Board or its  
24 designee shall have the discretion whether to grant the request for surrender or take any other  
25 action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the  
26 license, Respondent will no longer be subject to the terms and conditions of probation.

27 Respondent may not apply for any new license from the Board for three (3) years from the  
28 effective date of the surrender. Respondent shall meet all requirements applicable to the license

sought as of the date the application for that license is submitted to the Board.

Respondent shall also, by the effective date of this decision, arrange for the continuation of care for ongoing patients of the pharmacy by, at minimum, providing a written notice to ongoing patients that specifies the anticipated closing date of the pharmacy and that identifies one or more area pharmacies capable of taking up the patients' care, and by cooperating as may be necessary in the transfer of records or prescriptions for ongoing patients. Within five days of its provision to the pharmacy's ongoing patients, Respondent shall provide a copy of the written notice to the Board. For the purposes of this provision, "ongoing patients" means those patients for whom the pharmacy has on file a prescription with one or more refills outstanding, or for whom the pharmacy has filled a prescription within the preceding sixty (60) days.

Respondent further stipulates that it shall reimburse the Board for its costs of investigation and prosecution prior to the acceptance of the surrender.

#### **10. Sale or Discontinuance of Business**

During the period of probation, should Respondent sell, trade or transfer all or part of the ownership of the licensed entity, discontinue doing business under the license issued to Respondent, or should practice at that location be assumed by another full or partial owner, person, firm, business, or entity, under the same or a different premises license number, the Board or its designee shall have the sole discretion to determine whether to exercise continuing jurisdiction over the licensed location, under the current or new premises license number, and/or carry the remaining period of probation forward to be applicable to the current or new premises license number of the new owner.

#### **11. Notice to Employees**

Respondent shall, upon or before the effective date of this decision, ensure that all employees involved in permit operations are made aware of all the terms and conditions of probation, either by posting a notice of the terms and conditions, circulating such notice, or both. If the notice required by this provision is posted, it shall be posted in a prominent place and shall remain posted throughout the probation period. Respondent shall ensure that any employees hired or used after the effective date of this decision are made aware of the terms and conditions of

1 probation by posting a notice, circulating a notice, or both. Additionally, Respondent shall submit  
2 written notification to the Board, within fifteen (15) days of the effective date of this decision,  
3 that this term has been satisfied. Failure to timely provide such notification to employees, or to  
4 timely submit such notification to the Board shall be considered a violation of probation.

5 "Employees" as used in this provision includes all full-time, part-time, volunteer, temporary  
6 and relief employees and independent contractors employed or hired at any time during  
7 probation.

#### 8 **12. Owners and Officers: Knowledge of the Law**

9 Respondent shall provide, within thirty (30) days after the effective date of this decision,  
10 signed and dated statements from its owners, including any owner or holder of ten percent (10%)  
11 or more of the interest in Respondent or Respondent's stock, and all of its officer, stating under  
12 penalty of perjury that said individuals have read and are familiar with state and federal laws and  
13 regulations governing the practice of pharmacy. The failure to timely provide said statements  
14 under penalty of perjury shall be considered a violation of probation.

#### 15 **13. Premises Open for Business**

16 Respondent shall remain open and engaged in its ordinary business as a pharmacist in  
17 California for a minimum of 100 hours per calendar month. Any month during which this  
18 minimum is not met shall toll the period of probation, i.e., the period of probation shall be  
19 extended by one month for each month during with this minimum is not met. During any such  
20 period of tolling of probation, Respondent must nonetheless comply with all terms and conditions  
21 of probation, unless Respondent is informed otherwise in writing by the Board or its designee. If  
22 Respondent is not open and engaged in its ordinary business as a pharmacist for a minimum of  
23 100 hours in any calendar month, for any reason (including vacation), Respondent shall notify the  
24 Board in writing within ten (10) days of the conclusion of that calendar month. This notification  
25 shall include at minimum all of the following: the date(s) and hours Respondent was open; the  
26 reason(s) for the interruption or why business was not conducted; and the anticipated date(s) on  
27 which Respondent will resume business as required. Respondent shall further notify the Board in  
28 writing with ten (10) days following the next calendar month during which Respondent is open

1 and engaged in its ordinary business as a pharmacist in California for a minimum of 100 hours.  
2 Any failure to timely provide such notification(s) shall be considered a violation of probation.

3 **14. Posted Notice of Probation**

4 Respondent shall prominently post a probation notice provided by the Board or its designee  
5 in a place conspicuous to and readable by the public within two (2) days of receipt thereof from  
6 the Board or its designee. Failure to timely post such notice, or to maintain the posting during the  
7 entire period of probation, shall be considered a violation of probation.

8 Respondent shall not, directly or indirectly, engage in any conduct or make any statement  
9 which is intended to mislead or is likely to have the effect of misleading any patient, customer,  
10 member of the public, or other person(s) as to the nature of and reason for the probation of the  
11 licensed entity.

12 **15. Violation of Probation**

13 If Respondent has not complied with any term or condition of probation, the Board shall  
14 have continuing jurisdiction over Respondent, and probation shall be automatically extended,  
15 until all terms and conditions have been satisfied or the Board has taken other action as deemed  
16 appropriate to treat the failure to comply as a violation of probation, to terminate probation, and  
17 to impose the penalty that was stayed.

18 If Respondent violates probation in any respect, the Board, after giving Respondent notice  
19 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
20 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during  
21 probation, the Board shall have continuing jurisdiction and the period of probation shall be  
22 automatically extended until the petition to revoke probation or accusation is heard and decided.

23 **16. Completion of Probation**

24 Upon written notice by the Board or its designee indicating successful completion of  
25 probation, Respondent's license will be fully restored.

26 **17. No Additional Ownership or Management of Licensed Premises**

27 Respondent shall not acquire any additional ownership, legal or beneficial interest in, nor  
28 serve as a manager, administrator, member, officer, director, associate, partner or any business,

1 firm , partnership, or corporation currently or hereinafter licensed by the Board except as  
2 approved by the Board or its designee. Violations of this restriction shall be considered a  
3 violation of probation.

4 **18. Consultant Review of Pharmacy Operations**

5 Respondent shall retain, at Respondent's own expense, an independent consultant who shall  
6 review the operations of the facility, during the period of probation, on a quarterly basis for  
7 compliance of the facility with state and federal laws and regulations governing the practice of  
8 pharmacy, and compliance by Respondent. The consultant shall provide the Board with an  
9 inspection agenda for approval prior to conducting the inspection. Any inspection conducted  
10 without prior approval of the inspection agenda shall not be accepted. The consultant shall also  
11 provide the Board with reports documenting the inspection. The reports shall be provided directly  
12 to the Board, and receive confirmation of receipt from the Board, prior to providing to the  
13 Respondent. Should the Board determine that the consultant is not appropriately assessing the  
14 operations of Respondent, or providing the appropriate written reports, the Board shall require  
15 Respondent to obtain a different consultant through the same process outlined above, by  
16 submitting a new name of an expert within sixty (60) days of Respondent being notified of the  
17 need for a new consultant. During the period of probation, the Board shall retain discretion to  
18 reduce the frequency of the consultant's review.

19 Respondent shall submit the name of the proposed consultant for approval within thirty (30)  
20 days of the effective date of this decision. The consultant shall be a pharmacist licensed by and  
21 not on probation with the Board or other professional as appropriate and not on probation with the  
22 Board, who has been approved by the Board to serve in this position. The consultant shall have  
23 sufficient education, training, and professional experience to be able to provide guidance to  
24 Respondent related to the causes for discipline in Case No. 7194. Assumption of any  
25 unauthorized supervision responsibilities shall be considered a violation of probation.

26 Failure to timely seek approval for, timely retain, or ensure timely reporting by the  
27 consultant shall be considered a violation of probation.

28 ///

1 ///

2 **ACCEPTANCE**

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

8  
9 DATED: \_\_\_\_\_  
10 SHIN SOOK PARK, DBA LOMA LINDA HEALTH  
11 PHARMACY  
12 *Respondent*

13 DATED: \_\_\_\_\_  
14 SHIN SOOK PARK  
15 *Respondent*

16 I have read and fully discussed with my client the terms and conditions and other matters  
17 contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and  
18 content.

19 DATED: \_\_\_\_\_  
20 TONY J. PARK  
21 California Pharmacy Lawyers  
22 *Attorney for Respondent*

23 **ENDORSEMENT**

24 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
25 submitted for consideration by the Board of Pharmacy.  
26  
27  
28

1 DATED: \_\_\_\_\_  
2  
3  
4  
5

Respectfully submitted,

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

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MATTHEW A. KING  
Deputy Attorney General  
*Attorneys for Complainant*

1 ///

2 ACCEPTANCE

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

8  
9 DATED: Aug 4. 23 Sh. Sook Park Loma Linda Health Pharmacy  
10 SHIN SOOK PARK, DBA LOMA LINDA HEALTH  
11 PHARMACY  
Respondent

12  
13 DATED: Aug 4. 23 Sh. Sook Park  
14 SHIN SOOK PARK  
Respondent

15 I have read and fully discussed with my client the terms and conditions and other matters  
16 contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and  
17 content.

18 DATED: 08/04/2023 Tony J. Park  
19 TONY J. PARK  
20 California Pharmacy Lawyers  
Attorney for Respondent

21 ENDORSEMENT

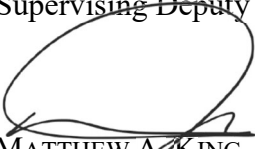
22 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
23 submitted for consideration by the Board of Pharmacy.  
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DATED: August 6, 2023

Respectfully submitted,

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

  
MATTHEW A. KING  
Deputy Attorney General  
*in*

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**Exhibit A**

**Accusation No. 7194**

1 ROB BONTA  
Attorney General of California  
2 SHAWN P. COOK  
Supervising Deputy Attorney General  
3 MATTHEW A. KING  
Deputy Attorney General  
4 State Bar No. 265691  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6303  
6 Facsimile: (916) 731-2126  
E-mail: Matthew.King@doj.ca.gov  
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 7194

12 **SHIN SOOK PARK, DBA LOMA LINDA**  
13 **HEALTH PHARMACY**

**ACCUSATION**

11382 Mountain View Ave., Suite #A-2  
Loma Linda, CA 92354

14 **Pharmacy Permit No. PHY 39477,**

15 **and**

16 **SHIN SOOK SUZANN PARK**  
17 11382 Mountain View Ave., Suite #A-2  
Loma Linda, CA 92354

18 **Registered Pharmacist License No.**  
19 **RPH 40465**

20 Respondent.

21 **PARTIES**

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

25 2. On October 29, 1993, the board issued Pharmacy Permit Number PHY 39477 to Shin  
26 Sook Suzann Park, doing business as Loma Linda Health Pharmacy (respondent or Loma Linda  
27 Health Pharmacy). The Pharmacy Permit was in full force and effect at all times relevant to the  
28 charges brought herein and will expire on October 1, 2022, unless renewed.

3. On October 9, 1986, the board issued Registered Pharmacist License Number RPH 40465 to respondent Shin Sook Suzann Park (respondent or PIC Park). The Registered Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2023, unless renewed.

4. Pharmacist Park has been the individual licensed owner of Loma Linda Health Pharmacy since October 29, 1993.

5. Pharmacist Park is and has been the Pharmacist-in-Charge since October 29, 1993.

## JURISDICTION

6. This Accusation is brought before the board under the authority of the following laws.

All section references are to the Business and Professions Code (Code) unless otherwise indicated.

7. Section 118, subdivision (b), of the Code states:

The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

8. 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

9. Section 4169 of the Code states, in pertinent part:

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

(1) Purchase, trade, sell, warehouse, distribute, or transfer dangerous drugs or dangerous devices at wholesale with a person or entity that is not licensed with the board as a wholesaler, third-party logistics provider, or pharmacy.

1 (2) Purchase, trade, sell, or transfer dangerous drugs that the person knew or  
2 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.

3 (3) Purchase, trade, sell, or transfer dangerous drugs that the person knew or  
4 reasonably should have known were misbranded, as defined in Section 111335 of the  
Health and Safety Code.

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

7 (5) Fail to maintain records of the acquisition or disposition of dangerous drugs  
8 or dangerous devices for at least three years.

9 10. Section 4301 of the Code states:

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

12 ...

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

15 ...

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

18 ...

19 (o) Violating or attempting to violate, directly or indirectly, or assisting in or  
20 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,  
21 including regulations established by the board or by any other state or federal  
regulatory agency.

22 11. Code section 4306.5 states, in pertinent part:

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

24 (a) Acts or omissions that involve, in whole or in part, the inappropriate  
25 exercise of his or her education, training, or experience as a pharmacist, whether or  
26 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  
27 licensed by the board.

28 ///

12. Code section 4307 states:

(a) 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, partner, or any other person with management or control of any partnership, corporation, trust, 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, partner, or any other person with management or control had knowledge of 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, partner, or in any other position with management or control 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.

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

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

### **REGULATORY PROVISIONS**

13. California Code of Regulations, title 16, section 1764 states:

No pharmacist shall exhibit, discuss, or reveal the contents of any prescription, the therapeutic effect thereof, the nature, extent, or degree of illness suffered by any patient or any medical information furnished by the prescriber with any person other than the patient or his or her authorized representative, the prescriber or other licensed practitioner then caring for the patient, another licensed pharmacist serving the patient, or a person duly authorized by law to receive such information.

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## **COST RECOVERY**

14. 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, with failure of the licensee to comply subjecting the license to not being renewed or reinstated.

## **FACTUAL ALLEGATIONS**

### **A. First Inspection on November 12, 2020**

15. On or about November 12, 2020, a board inspector inspected Loma Linda Health Pharmacy, located in Loma Linda, California.

16. The board inspector found three boxes in the current pharmacy inventory that contained bubble pack cards with dispensing dates that in many cases significantly preceded the inspection date, as follows:

No.	Rx No.	Drug	Date Dispensed	Age at Time of Inspection (End Date Included)
1.	520318	Divalproex DR 125 mg Capsule	May 1, 2020	196 Days
2.	521967	Chlorpromazine 50 mg Tablet	May 20, 2020	177 Days
3.	522020	SM Vitamin B-1 100 mg Tablet	July 1, 2020	135 Days
4.	523500	Trazodone 50 mg Tablet	September 1, 2020	73 Days
5.	515251	Pramipexole 0.25 mg Tablet	September 15, 2020	59 Days
6.	515615	Lamotrigine 150 mg Tablet	October 1, 2020	43 Days

No.	Rx No.	Drug	Date Dispensed	Age at Time of Inspection (End Date Included)
7.	517558	Hydrochlorothiazide 12.5 mg CP Microzide	October 1, 2020	43 Days
8.	522781	Fluoxetine HCL 20 mg Capsule	October 1, 2020	43 Days
9.	523937	Aripiprazole 10 mg Tablet	October 1, 2020	43 Days
10.	524550	Benazepril HCL 10 mg Tablet	October 1, 2020	43 Days
11.	524556	Metformin HCL 500 mg Tablet	October 1, 2020	43 Days
12.	525132	Vitamin D3 2,000 Unit Tablet	October 1, 2020	43 Days
13.	524500	Levothyroxine 25 mcg Tablet	October 1, 2020	29 Days
14.	524849	Memantine HCL 10 mg Tablet	October 15, 2020	29 Days
15.	519709	Calcium Citrate 250 mg Caplet	October 15, 2020	20 Days
16.	522282	Bisacodyl EC 5 mg	November 1, 2020	12 Days

17. The inspector asked PIC Park why she kept the bubble packs. In reply, PIC Park admitted that the bubble packs were returns to the pharmacy from assisted living facilities. The board inspector asked PIC Park if Loma Linda Health Pharmacy was registered with the board for drug take-back services or had a Drug Enforcement Administration (DEA) collector's



1 registration. PIC Park admitted that the pharmacy was not registered with the board for drug take-  
2 back services and that the pharmacy did not have a DEA collector's registration.

3 18. The inspector asked PIC Park if there were any other returned medications beyond  
4 the bubble packs in the three boxes. PIC Park said "no." The inspector would later discover that  
5 this answer was false.

6 19. The inspector observed a wheeled rack blocking a door. The rack had six wire shelves  
7 with no back. The rack's bottom shelf was inches from the floor. The top shelf rose several feet to  
8 almost the height of the door. There were nine containers arranged on the various shelves,  
9 partially obscuring the view of the door behind. The door was wooden with ten inset windows.  
10 On the other side of the door, a curtain was drawn across the windows. The lights were out and  
11 the room was dark.

12 20. The board inspector asked PIC Park about the dark room. PIC Park said it contained  
13 only contained brooms and cleaning items. The inspector would later learn that this statement was  
14 false.

15 21. During the inspection, the inspector recovered from the counting room several  
16 manufacturer bottles and counted the pills inside, with the following results:

No.	Drug	Expected Count	Actual Count	Amount of Overfill
1.	Movantik 12.5 mg Tablets	30 Tablets	128 Tablets	98 Tablets
2.	Janumet 50/500 mg Tablets	60 Tablets	148 Tablets	88 Tablets
	Bystolic 10 mg Tablets	90 Tablets	113 Tablets	23 Tablets

23 22. The inspector exited the building and inspected the pharmacy's dumpster. The  
24 dumpster was not locked or otherwise secured and was accessible to the public. In the dumpster,  
25 the inspector found two bubble packs that had no pills remaining but still bore the prescription  
26 label, which included private health information such as the patient's name, drug prescribed, and  
27 prescriber, as follows:

28 ///

No.	Rx No.	Drug	Date Dispensed
1.	519797	Calcium Citrate 250 mg Caplet	June 25, 2020
2.	526196	Tramadol HCL Tablet	November 5, 2020

**B. Second Inspection on November 25, 2020**

23. On November 25, 2020, the inspector returned to Loma Linda Health Pharmacy for a follow-up inspection.

24. The inspector asked PIC Park if she had taken any other returned medications from any facilities. PIC Park said that she did not take back any medication since the last inspection on November 12, 2020.

25. The inspector asked PIC Park about the room behind the storage rack with the lights off and curtains drawn across the windows. PIC Park described the dark room as a cleaning supply room. The inspector demanded access to the room. The rack was moved, the door opened, and the lights turned on. The room contained two wheeled storage racks, each with six shelves, and a set of two shelves built into the wall. On the shelves were cardboard boxes and plastic containers filled with drugs. There were many expired manufacturer drug bottles, dispensed prescription vials, bottles, and inhalers. There were drug returns from seven other pharmacies. One container filled with drug stock had a handwritten sign taped to it that read "Expired Brand." Another container filled with drug stock had a handwritten sign taped to it that read "Expired." Several boxes and containers with drug stock had handwritten signs taped to them that read "Destruction."

26. The inspector reminded PIC Park that on the first inspection, he asked her if the pharmacy possessed returned medications besides the bubble packs in the three boxes and she said "no." PIC Park was given an opportunity to explain her prior answer and she gave no explanation.

27. The inspector also confronted PIC Park with her answer given during the second inspection that she did not take back any other medication. PIC Park was given an opportunity to explain her answer. She did not explain why she failed to disclose the existence of the medications in the storeroom.

**C. Third Inspection on December 2, 2020**

28. On December 2, 2020, the inspector visited the pharmacy and inspected the dumpster. He found it unlocked and open to the public. The inspector located several white plastic trash bags with discarded bubble packs, prescriptions from other pharmacies containing drug tablets, liquids, and a used injectable medication with a syringe. He found bubble packs containing prescription labels, which included private health information such as the patient's name, drug prescribed, and prescriber, as follows:

No.	Rx No.	Drug	Date Dispensed	Pharmacy
1.	525884	Bubble Pack Levetiracetam 500 mg (Empty)	December 1, 2020	Respondent
2.	3369582	Box Nicotine Patches 14 mg (14 Patches)	November 25, 2020	ABC Pharmacy
3.	3409769	Vial Benztropine 1 mg (Empty)	November 25, 2020	ABC Pharmacy
4.	526163	Bubble Pack Metformin 500 mg (25 Tablets)	November 3, 2020	Respondent
5.	522277AM	Bubble Pack Glipizide 10 mg (25 Tablets)	November 1, 2020	Respondent
6.	523326	Bubble Pack Divalproex ER 500 mg (Empty)	November 1, 2020	Respondent
7.	525917	Bubble pack Divalproex ER 500 mg (30 Tablets)	November 1, 2020	Respondent
8.	7045961	Bubble Pack Divalproex 500 mg (20 Tablets)	October 27, 2020	Orange Express Pharmacy
9.	7045963	Bubble Pack Divalproex DR 125 mg (20 Capsules)	October 27, 2020	Orange Express Pharmacy

No.	Rx No.	Drug	Date Dispensed	Pharmacy
10.	522491	Injectable Syringe Invega 117 mg (Empty)	October 19, 2020	Respondent
11.	3409769	Vial Benztropine 2 mg (Empty)	October 15, 2020	ABC Pharmacy
12.	3403434	Bubble Pack Divalproex 500 mg (2 Tablets)	October 13, 2020	ABC Pharmacy
13.	3403435	Bubble Pack Olanzapine 15 mg (14 Patches)	October 13, 2020	ABC Pharmacy
14.	526287	Bubble Pack Farxiga 10 mg (1 Tablet)	October 9, 2020	Respondent
15.	30009101	Vial Benztropine 1 mg (34 Tablets)	October 6, 2020	RUHS-Behavioral Health Retail Pharmacy
16.	30009109	Vial Divalproex 500 mg (9 Tablets)	October 6, 2020	RUHS-Behavioral Health Retail Pharmacy
17.	30009110	Vial Risperidone 3 mg (Empty)	October 6, 2020	RUHS-Behavioral Health Retail Pharmacy
18.	30009111	Vial Quetiapine 300 mg	October 6, 2020	RUHS-Behavioral Health Retail Pharmacy
19.	3407261	Bubble Pack Olanzapine 10 mg (1 Tablet)	October 5, 2020	ABC Pharmacy
20.	3407262	Bubble Pack Benztropine 1 mg (Empty)	October 5, 2020	ABC Pharmacy
21.	3407263	Bubble Pack Haloperidol 10 mg (Empty)	October 5, 2020	ABC Pharmacy

No.	Rx No.	Drug	Date Dispensed	Pharmacy
22.	3407204	Bubble Pack Lithium 300 mg (Empty)	October 5, 2020	ABC Pharmacy
23.	526194	Bubble Pack Ibuprofen 800 mg (4 Tablets)	October 4, 2020	Respondent
24.	522856	Bubble Pack Haloperidol 10 mg (6 Tablets)	October 1, 2020	Respondent
25.	522855	Bubble Pack Benztropine 1 mg (6 Tablets)	October 1, 2020	Respondent
26.	522277PM	Bubble Pack Glipizide 10 mg (26 Tablets)	October 1, 2020	Respondent
27.	523867	Bubble Pack Niacin ER 500 mg (60 Tablets)	October 1, 2020	Respondent
28.	523225	Bubble Pack Olanzapine 5 mg (10 Tablets)	October 1, 2020	Respondent
29.	523326	Bubble Pack Divalproex ER 500 mg (2 Tablets)	October 1, 2020	Respondent
30.	525314	Bubble Pack Pioglitazone 15 mg (20 Tablets)	October 1, 2020	Respondent
31.	520235	Bubble Pack Metformin 1000 mg (30 Tablets)	October 1, 2020	Respondent
32.	5221234	Bubble Pack Lisinopril 5 mg (30 Tablets)	October 1, 2020	Respondent
33.	522857	Bubble Pack Divalproex ER 500 mg (6 Tablets)	October 1, 2020	Respondent

No.	Rx No.	Drug	Date Dispensed	Pharmacy
34.	519281	Bubble Pack Levothyroxine 100 mcg (5 Tablets)	October 1, 2020	Respondent
35.	519283	Bubble Pack Atorvastatin 10 mg (6 Tablets)	October 1, 2020	Respondent
36.	523325	Bubble Pack Latuda 80 mg (4 Tablets)	October 1, 2020	Respondent
37.	519284	Bubble Pack Glipizide ER 10 mg (5 Tablets)	October 1, 2020	Respondent
38.	522858	Bubble Pack Quetiapine 400 mg (5 Tablets)	October 1, 2020	Respondent
39.	519285	Bubble Pack Metformin 1000 mg (5 Tablets)	October 1, 2020	Respondent
40.	522855AM	Bubble Pack Benzotropine 1 mg (5 Tablets)	October 1, 2020	Respondent
41.	519282	Bubble pack Losartan 100 mg (5 Tablets)	October 1, 2020	Respondent
42.	522790	Bubble pack Clozapine 100 mg (Empty)	September 24, 2020	Respondent
43.	9714369	Vial Lisinopril 5 mg (Empty)	September 1, 2020	VA Loma Linda Pharmacy
44.	524709	Bottle Promethazine with Dextromethorphan (Empty)	August 31, 2020	Respondent
45.	9174345a	Vial Topiramate 200 mg (Empty)	August 13, 2020	VA Loma Linda Pharmacy

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**D. Fourth Inspection on December 3, 2020**

29. On December 3, 2020, the inspector visited Loma Linda Health Pharmacy and surveilled the pharmacy's dumpster. He observed a pharmacy staff member in scrubs leave the pharmacy and, in full view of PIC Park, throw a white trash bag into the pharmacy's dumpster.

30. The inspector retrieved the trash bag and found bubble packs containing prescription labels, which included private health information such as the patient's name, drug prescribed, and prescriber, as follows:

No.	Rx No.	Drug	Date Dispensed
1.	522858	Quetiapine Fumarate 400 mg Tablet	October 1, 2020
2.	526916	Quetiapine Fumarate 300 mg Tablet	December 2, 2020

**FIRST CAUSE FOR DISCIPLINE**

**(Misbranded, Adulterated, or Expired Drug Stock)**

31. Respondent is subject to disciplinary action under Code section 4301, subdivisions (j), and (o), for violating a statute of this state regulating controlled dangerous drugs or for 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 the Pharmacy Law: to wit, Health and Safety Code sections 111330, 111335, 111440, 111445, 111450, and Code section 4169, subdivisions (a)(2) and (a)(3). Subdivisions (a)(2) and (a)(3) of Code section 4169 prohibit a person or entity from purchasing, trading, selling, or transferring dangerous drugs that the person knew or reasonably should have known were adulterated (as defined by Article 2, commencing with Section 111250, of Chapter 6 of Part 5 of Division 104 of the Health and Safety Code) or misbranded (as defined in section 111335 of the Health and Safety Code). Respondent violated subdivisions (a)(2) and (a)(3) of Code section 4169 by transferring and storing drugs previously dispensed by respondent and other pharmacies; by overfilling manufacturers' prescription bottles; and by storing expired drug stock. Complainant realleges paragraphs 15 through 30.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Illegal Operation of Drug Take-Back Service)**

3 32. Respondent is subject to disciplinary action under Code section 4301, subdivision (o),  
4 for violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation  
5 of or conspiring to violate an applicable state regulation governing pharmacy, including  
6 regulations established by the board: to wit, California Code of Regulations, title 16, section  
7 1776.1, subdivision (g). Subdivision (g) of section 1776.1 prohibits pharmacies not licensed in  
8 good standing with the board or not registered with the DEA as collectors to offer a  
9 pharmaceutical take-back service. Respondent violated this provision by taking back drugs when  
10 not registered with the DEA as a collector. Complainant realleges paragraphs 15 through 30.

11 **THIRD CAUSE FOR DISCIPLINE**

12 **(Unauthorized Disclosure of Prescription Contents)**

13 33. Respondent is subject to disciplinary action under Code section 4301, subdivision (o),  
14 for violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation  
15 of or conspiring to violate an applicable state regulation governing pharmacy, including  
16 regulations established by the board: to wit, California Code of Regulations, title 16, section  
17 1764. Respondent violated section 1764 by revealing the contents of prescriptions without patient  
18 authorization, within the meaning of Civil Code section 56.11. In particular, respondent disposed  
19 of pharmacy material in an unsecured pharmacy dumpster. The material included prescription  
20 labels bearing the name of the drug dispensed, the prescriber, and the name of the patient.  
21 Complainant realleges paragraphs 15 through 30.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 **(As to RPH 40465)**

4 34. Respondent is subject to disciplinary action under Code sections 4301 and 4306.5,  
5 subdivision (a), for unprofessional conduct in that respondent committed acts or omissions that  
6 involved, in whole or in part, the inappropriate exercise of her education, training, or experience  
7 as a pharmacist. In particular, PIC Park supervised the return of medications via an unpermitted  
8 drug-take back collection service operated by Loma Linda Health Pharmacy. PIC Park permitted  
9 pharmacy materials bearing private health information to be disposed of in an unsecured  
10 dumpster accessible to the public. Complainant realleges paragraphs 15 through 30.

11 **FIFTH CAUSE FOR DISCIPLINE**

12 **(Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

13 **(As to RPH 40465)**

14 35. Respondent is subject to disciplinary action under Code section 4301, subdivision (f),  
15 for unprofessional conduct in that she committed an act involving moral turpitude, dishonesty,  
16 fraud, deceit, or corruption. In particular, PIC Park lied to a board inspector about the existence of  
17 returned drugs beyond the three boxes of returned drugs discovered in the first inspection.  
18 Additionally, PIC Park twice lied to a board inspector about the contents of a room within the  
19 licensed pharmacy premises. Complainant realleges paragraphs 15 through 30.

20 **CITATION HISTORY**

21 36. To determine the degree of discipline, if any, to be imposed on respondent,  
22 complainant alleges the following prior citation history:

23 37. On or about January 29, 2018, the board cited Loma Linda Health Pharmacy and PIC  
24 Park in citation numbers CI 2016 72152 and CI 2017 78569, respectively, for failing to maintain  
25 medication profiles for each prescription dispensed by the pharmacy and for manufacturing,  
26 selling, delivering, holding, or offering for sale any drug or device that is adulterated. (Cal. Code  
27 Regs., tit. 16, § 1707.1, subd. (a)(1)(B); Health & Saf. Code, § 111295.) Respondent complied  
28 with the citations.

38. On or about December 7, 2018, the board cited Loma Linda Health Pharmacy and PIC Park in citation numbers CI 2015 69488 and CI 2018 82471, respectively, for failing to keep records open for inspection, failing to maintain records, or failing to maintain a current inventory; and for manufacturing, selling, delivering, holding, or offering for sale any drug or device that is adulterated or misbranded. (Bus. & Prof. Code, § 4081, subd. (a); Cal. Code Regs., tit. 16, § 1718; Health & Saf. Code, §§ 111295, 111330 & 111440.)

## OTHER MATTERS

39. Pursuant to section 4307 of the Code, if while acting as the manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control, PIC Park had knowledge of or knowingly participated in any conduct for which Pharmacy Permit Number PHY 39477 is revoked or placed on probation, then PIC Park shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, partner, or in any other position with management or control of a licensee for a period not to exceed five years if Pharmacy Permit Number PHY 39477 is placed on probation, or if Pharmacy Permit Number PHY 39477 is revoked, the prohibition shall continue until reinstatement

40. Pursuant to section 4307 of the Code, if discipline is imposed on Pharmacist License Number RPH 40465 issued to PIC Park, then PIC Park shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for 1) a period not to exceed five years if Pharmacist License Number RPH 40465 is placed on probation; or, 2) if the pharmacist license is revoked, the prohibition shall continue until the license is reinstated.

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**PRAYER**

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

1. Revoking or suspending Pharmacy Permit Number PHY 39477, issued to Shin Sook Park, doing business as Loma Linda Health Pharmacy;

2. Revoking or suspending Registered Pharmacist License Number RPH 40465, issued to Shin Sook Suzann Park;

3. Prohibiting Shin Sook Suzann Park from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for a period not to exceed five years if Pharmacist License Number RPH 40465 is placed on probation, or, if Pharmacist License Number RPH 40465 is revoked, the prohibition shall continue until the license is reinstated;

4. Prohibiting Shin Sook Suzann Park from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee if, while acting as the manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control, he had knowledge of or knowingly participated in any conduct for which Pharmacy Permit Number PHY 39477 is revoked or placed on probation, in which case the prohibition shall last for a period not to exceed five years if Pharmacy Permit Number PHY 39477 is placed on probation, or, if Pharmacy Permit Number PHY 39477 is revoked, the prohibition shall continue until reinstatement;

5. Ordering Shin Sook Suzann Park, doing business as Loma Linda Health Pharmacy (PHY 39477), and Shin Sook Suzann Park (RPH 40465) to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

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

DATED: 5/19/2022\_\_\_\_\_

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Signature on File

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