

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

In the Matter of the Accusation Against:

DEVIN ALLAN STEUBER, Respondent

Intern Pharmacist Registration No. INT 40804

Agency Case No. 7209

OAH No. 2022040726

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 October 5, 2022.

It is so ORDERED on September 6, 2022.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh", is written over a light gray rectangular background.

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 DAVID E. BRICE
Supervising Deputy Attorney General
3 SUMMER D. HARO
Deputy Attorney General
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10 **BEFORE THE**
BOARD OF PHARMACY
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

13 **DEVIN ALLAN STEUBER**

14 15 Houghton St.
Madison, ME 04950

15 **Intern Pharmacist Registration No. 40804**

16 Respondent.
17

Case No. 7209

OAH No. 2022040726

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

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

20 **PARTIES**

21 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
22 (Board). She brought this action solely in her official capacity and is represented in this matter by
23 Rob Bonta, Attorney General of the State of California, by Summer D. Haro, Deputy Attorney
24 General.

25 2. Devin Allan Steuber (Respondent) is representing himself in this proceeding and has
26 chosen not to exercise his right to be represented by counsel.

27 3. On or about September 1, 2017, the Board issued Intern Pharmacist Registration No.
28 40804 to Respondent. The Intern Pharmacist Registration expired on May 31, 2019, and has not

1 been renewed.

2 **JURISDICTION**

3 4. Accusation No. 7209 was filed before the Board, and is currently pending against
4 Respondent. The Accusation and all other statutorily required documents were properly served
5 on Respondent on February 4, 2022. Respondent timely filed his Notice of Defense contesting
6 the Accusation. A copy of Accusation No. 7209 is attached as **Exhibit A** and incorporated by
7 reference.

8 **ADVISEMENT AND WAIVERS**

9 5. Respondent has carefully read, and understands the charges and allegations in
10 Accusation No. 7209. Respondent also has carefully read, and understands the effects of this
11 Stipulated Surrender of License and Order.

12 6. Respondent is fully aware of his legal rights in this matter, including the right to a
13 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
14 his own expense; the right to confront and cross-examine the witnesses against him; the right to
15 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
16 the attendance of witnesses and the production of documents; the right to reconsideration and
17 court review of an adverse decision; and all other rights accorded by the California
18 Administrative Procedure Act and other applicable laws.

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

21 **CULPABILITY**

22 8. Respondent admits the truth of each and every charge and allegation in Accusation
23 No. 7209, agrees that cause exists for discipline and hereby surrenders his Intern Pharmacist
24 Registration No. 40804 for the Board's formal acceptance.

25 9. Respondent understands that by signing this stipulation he enables the Board to issue
26 an order accepting the surrender of his Intern Pharmacist Registration without further process.

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28 ///

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 he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated 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 Intern Pharmacist Registration No. 40804, issued to Respondent Devin Allan Steuber is surrendered and accepted by the Board.

1. The surrender of Respondent's Intern Pharmacist Registration and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as an intern pharmacist in California as of the effective date of the Board's Decision and Order.

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

4. If he ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 7209 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

5. Respondent may not apply, reapply, or petition for any licensure or registration of the Board for three (3) years from the effective date of the Decision and Order.

6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$6,459.50 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Intern Pharmacist Registration. 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: _____

DEVIN ALLAN STEUBER
Respondent

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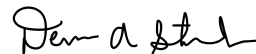
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I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Intern Pharmacist Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: July 20, 2022



DEVIN ALLAN STEUBER
Respondent

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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
DAVID E. BRICE
Supervising Deputy Attorney General

SUMMER D. HARO
Deputy Attorney General
Attorneys for Complainant

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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: July 21, 2022

Respectfully submitted,

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



SUMMER D. HARO
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7209

1 ROB BONTA
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2 DAVID E. BRICE
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3 SUMMER D. HARO
Deputy Attorney General
4 State Bar No. 245482
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Attorneys for Complainant
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10 **BEFORE THE**
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13 In the Matter of the Accusation Against:

Case No. 7209

14 **DEVIN ALLAN STEUBER**
15 15 Houghton St.
Madison, ME 04950

ACCUSATION

16 **Intern Pharmacist Registration No. 40804**

17 Respondent.
18

19 **PARTIES**

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

22 2. On or about September 1, 2017, the Board issued Intern Pharmacist Registration
23 Number 40804 to Devin Allan Steuber (Respondent). The Intern Pharmacist Registration expired
24 on May 31, 2019, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board, under the authority of the following
27 laws. All section references are to the Business and Professions Code (Code) unless otherwise
28 indicated.

1 4. Code section 4300 states, in pertinent part:

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

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

5 (1) Suspending judgment.

6 (2) Placing him or her upon probation.

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

9 (4) Revoking his or her license.

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

11 5. Code section 4300.1 states:

12 The expiration, cancellation, forfeiture, or suspension of a board-issued license
13 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
14 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
15 a decision suspending or revoking the license.

16 **STATUTORY PROVISIONS**

17 6. Code section 4301 states, in pertinent part:

18 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
19 conduct shall include, but is not limited to, any of the following:

20 ...

21 (h) The administering to oneself, of any controlled substance, or the use of any
dangerous drug or of alcoholic beverages to the extent or in a manner as to be
22 dangerous or injurious to oneself, to a person holding a license under this chapter, or
to any other person or to the public, or to the extent that the use impairs the ability of
23 the person to conduct with safety to the public the practice authorized by the license.

24 ...

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

26 ...

27 (n) The revocation, suspension, or other discipline by another state of a license
28 to practice pharmacy, operate a pharmacy, or do any other act for which a license is
required by this chapter that would be grounds for revocation, suspension, or other

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

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

...

7. Health & Safety Code section 11170 states "No person shall prescribe, administer, or furnish a controlled substance for himself."

COST RECOVERY

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

DRUG CLASSIFICATIONS

9. Amphetamine is a Schedule II controlled substance as designated by Health and Safety Code section 11055, subdivision (d)(1), and a dangerous drug within the meaning of Code section 4022. "Adderall" is a brand name for amphetamine.

10. Methylphenidate ER is a Schedule II controlled substance as designated by Health and Safety Code section 11055, subdivision (d)(6), and a dangerous drug within the meaning of Code section 4022. "Ritalin" and "Concerta" are brand names for Methylphenidate ER.

11. Alprazolam is a Schedule IV controlled substance as designated by Health and Safety Code section 11057, subdivision (d)(1), and a dangerous drug within the meaning of Code section 4022. "Xanax" is a brand name for alprazolam.

12. Diazepam is a Schedule IV controlled substance as designated by Health and Safety Code section 11057, subdivision (d)(9), and a dangerous drug within the meaning of Code section 4022. "Valium" is a brand name for diazepam.

FACTUAL ALLEGATIONS

13. On or about April 1, 2021, the Board received an online complaint from Respondent stating “I’d like to file a complaint against myself” and informing the Board that in 2017, while Respondent was a pharmacy intern on rotations at Beverly Hospital in Montebello, California, and at Walgreens, in Los Angeles, California, Respondent purchased Valium and Adderall “from the street” and took them by mouth. The address listed for Respondent on the complaint was in Maine.

14. The Board conducted an investigation into Respondent’s complaint. On or about April 19, 2021, the Board inspector searched the Maine Board of Pharmacy’s (Maine Board) website and learned that Respondent had been issued a pharmacist license in Maine, with an expiration date of December 31, 2021. The status of the Maine pharmacist license was “Suspended, Suspended Until: Open End Date,” with the suspension beginning on March 5, 2021. The Board inspector also learned that on or about March 16, 2021, Respondent had entered into an Interim Consent Agreement with the Maine Board in *In re: Devin Steuber* (Maine Board case number 2021-PHA-17285), in which Respondent agreed to an immediate voluntary suspension of his Maine pharmacist license that will remain in effect until the Maine Board takes final action regarding the case.

15. On or about April 20, 2021, the Board inspector spoke with Respondent on the phone. During that call, Respondent stated that he had struggled with substance abuse and had notified the Board as part of his 12-step recovery program. Respondent also admitted that before he started his pharmacist intern rotation in California, he had obtained Valium and Adderall in Maine and brought them with him to California. Respondent further admitted and that when he ran out of those controlled substances, he purchased Xanax and Methylphenidate in California without a prescription and ingested them while on his intern rotation. Respondent told the Board inspector that he had also self-reported his substance abuse problem to the Maine Board, which resulted in the suspension of his pharmacist license in Maine, pending his participation in their recovery program.

16. On or about April 28, 2021, the Board inspector received an e-mail from Respondent

1 with a signed statement by Respondent in which Respondent admitted the following: (1) in 2017,
2 he brought Valium and Adderall from Maine to California and took those drugs by mouth on days
3 when he had his intern rotations, and (2) in 2017, he purchased Methylphenidate ER and Xanax
4 on the streets of California and that he took those drugs by mouth on days when he had his intern
5 rotations.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Self-Administration of Controlled Substance)**

8 17. Respondent is subject to disciplinary action for unprofessional conduct, in violation
9 of Code section 4301, subdivision (h), and Health & Safety Code section 11170, by and through
10 Code section 4301, subdivision (o), in that in 2017 while working as an intern pharmacist,
11 Respondent administered to himself controlled substances without a prescription, as set forth
12 above in paragraphs 13 through 16.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Violation of Statute Regulating Controlled Substances)**

15 18. Respondent is subject to disciplinary action for unprofessional conduct, in violation
16 of Code section 4301, subdivision (j), and Health & Safety Code section 11170, by and through
17 Code section 4301, subdivision (o), in that in 2017, while working as an intern pharmacist,
18 Respondent violated statutes of this state regulating controlled substances by administering
19 controlled substances to himself without a prescription, as set forth above in paragraphs 13
20 through 16.

21 **THIRD CAUSE FOR DISCIPLINE**

22 **(Out of State Discipline)**

23 19. Respondent is subject to disciplinary action for unprofessional conduct in violation of
24 Code section 4301, subdivision (n), in that Respondent's pharmacist license in the State of Maine
25 was suspended by the Maine Board of Pharmacy, as set forth above in paragraphs 14 through 15.

26 **PRAYER**

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

1 1. Revoking or suspending Intern Pharmacist Registration Number 40804, issued to
2 Devin Allan Steuber;

3 2. Ordering Devin Allan Steuber to pay the Board of Pharmacy the reasonable costs of
4 the investigation and enforcement of this case, pursuant to Business and Professions Code section
5 125.3; and,

6 3. Taking such other and further action as deemed necessary and proper.
7
8

9 1/28/2022
10 DATED: _____

Signature on File

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

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