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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:

Case No. 7219

13 **AMANVEER SINGH**  
14 **2536 5th Street**  
**Ceres, CA 95307**

**DEFAULT DECISION AND ORDER**

15 **Pharmacy Technician Registration No. TCH**  
16 **136678**

[Gov. Code, §11520]

17 Respondent.  
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21 **FINDINGS OF FACT**

22 1. On or about February 21, 2022, Complainant Anne Sodergren, in her official capacity  
23 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed  
24 Accusation No. 7219 against Amanveer Singh (Respondent) before the Board of Pharmacy.  
25 (Accusation attached as Exhibit A.)

26 2. On or about December 31, 2013, the Board of Pharmacy (Board) issued Pharmacy  
27 Technician Registration No. TCH 136678 to Respondent. The Pharmacy Technician Registration  
28

1 was in full force and effect at all times relevant to the charges brought in Accusation No. 7219  
2 and will expire on January 31, 2023, unless renewed.

3 3. On or about February 25, 2022, Respondent was served by Certified and First Class  
4 Mail copies of the Accusation No. 7219, Statement to Respondent, Notice of Defense, Request  
5 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
6 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
7 section 4100, is required to be reported and maintained with the Board. Respondent's address of  
8 record was and is: 2536 5th Street, Ceres, CA 95307.

9 4. Service of the Accusation was effective as a matter of law under the provisions of  
10 Government Code section 11505(c) and/or Business and Professions Code section 124.

11 5. Government Code section 11506(c) states, in pertinent part:

12 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
13 files a notice of defense . . . and the notice shall be deemed a specific denial of all  
14 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense  
15 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its  
16 discretion may nevertheless grant a hearing.

17 6. The Board takes official notice of its records and the fact that Respondent failed to  
18 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore  
19 waived his right to a hearing on the merits of Accusation No. 7219.

20 7. California Government Code section 11520(a) states, in pertinent part:

21 (a) If the respondent either fails to file a notice of defense . . . or to appear at  
22 the hearing, the agency may take action based upon the respondent's express  
23 admissions or upon other evidence and affidavits may be used as evidence without  
24 any notice to respondent . . . .

25 8. Pursuant to its authority under Government Code section 11520, the Board finds  
26 Respondent is in default. The Board will take action without further hearing and, based on the  
27 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,  
28 as well as taking official notice of all the investigatory reports, exhibits and statements contained  
therein on file at the Board's offices regarding the allegations contained in Accusation No. 7219,  
finds that the charges and allegations in Accusation No. 7219, are separately and severally, found  
to be true and correct by clear and convincing evidence.

9. The Board finds that the actual costs for Investigation and Enforcement are \$2,845.00 as of March 18, 2022.

## **DETERMINATION OF ISSUES**

1. Based on the foregoing findings of fact, Respondent Amanveer Singh has subjected his Pharmacy Technician Registration No. TCH 136678 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician Registration based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case:

a. Respondent has subjected his license to disciplinary action under Code section 4301, subdivision (f);

b. Respondent is subject to disciplinary action for unprofessional conduct pursuant to Code section 4301, subdivision (j), in that Respondent violated Code section 4059, subdivision (a);

c. Respondent is subject to disciplinary action for unprofessional conduct pursuant to Code section 4301, subdivision (o), in that Respondent violated Code section 4059, subdivision (a);

d. Respondent has subjected his license to disciplinary action under section 4301 of the Code.

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**ORDER**

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 136678, issued to Respondent Amanveer Singh, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective at 5:00 p.m. on May 25, 2022.

It is so ORDERED on April 25, 2022.



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Seung W. Oh, Pharm.D.  
Board President  
FOR THE BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS

SINGH DEFAULT - KRD EDITS.DOCX  
DOJ Matter ID:SA2021305584

Attachment:  
Exhibit A: Accusation

# Exhibit A

Accusation

1 ROB BONTA  
Attorney General of California  
2 KAREN R. DENVIR  
Supervising Deputy Attorney General  
3 KATELYN E. DOCHERTY  
Deputy Attorney General  
4 State Bar No. 322028  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-6277  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 7219

13 **AMANVEER SINGH**  
14 **2536 5th Street**  
**Ceres, CA 95307**

**ACCUSATION**

15 **Pharmacy Technician Registration No. TCH**  
16 **136678**

17 Respondent.

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20  
21 **PARTIES**

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

24 2. On or about December 31, 2013, the Board of Pharmacy issued Pharmacy Technician  
25 Registration Number TCH 136678 to Amanveer Singh (Respondent). The Pharmacy Technician  
26 Registration was in full force and effect at all times relevant to the charges brought herein and  
27 will expire on January 31, 2023, unless renewed.

28 ///

1 **JURISDICTION**

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

5 4. Section 4300, subdivision (a), of the Code states, "Every license issued may be  
6 suspended or revoked."

7 5. Section 4300.1 of the Code states:

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

12 **STATUTORY PROVISIONS**

13 6. Section 482 of the Code states:

14 Each board under the provisions of this code shall develop criteria to evaluate  
15 the rehabilitation of a person when:

16 (a) Considering the denial of a license by the board under Section 480; or

17 (b) Considering suspension or revocation of a license under Section 490.

18 Each board shall take into account all competent evidence of rehabilitation  
19 furnished by the applicant or licensee.

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

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

24 ...

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

28 ...

(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.

...

(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.

...

8. Section 4022 of the Code states:

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

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

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

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

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

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

10. Section 4060 of the Code states:

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

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



1 **REGULATORY PROVISIONS**

2 11. California Code of Regulations, title 16, section 1769, subdivision (c), states:

3 When considering the suspension or revocation of a facility or a personal license  
4 on the ground that the licensee or the registrant has been convicted of a crime, the  
5 board, in evaluating the rehabilitation of such person and his present eligibility for a  
6 license will consider the following criteria:

7 (1) Nature and severity of the act(s) or offense(s).

8 (2) Total criminal record.

9 (3) The time that has elapsed since commission of the act(s) or offense(s).

10 (4) Whether the licensee has complied with all terms of parole, probation,  
11 restitution or any other sanctions lawfully imposed against the licensee.

12 (5) Evidence, if any, of rehabilitation submitted by the licensee.

13 12. California Code of Regulations, title 16, section 1770, states:

14 For the purpose of denial, suspension, or revocation of a personal or facility  
15 license pursuant to Division 1.5 (commencing with Section 475) of the Business and  
16 Professions Code, a crime or act shall be considered substantially related to the  
17 qualifications, functions or duties of a licensee or registrant if to a substantial degree it  
18 evidences present or potential unfitness of a licensee or registrant to perform the  
19 functions authorized by his license or registration in a manner consistent with the public  
20 health, safety, or welfare.

21 **COST RECOVERY**

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

26 **DRUG DESCRIPTIONS**

27 14. "Methamphetamine," is a Schedule II controlled substance as designated by Health  
28 and Safety Code section 11055, subdivision (d)(2), and is categorized as a dangerous drug  
pursuant to section 4022.

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1 **FACTUAL ALLEGATIONS**

2 15. On or about February 5, 2021, an officer with the Ripon Police Department  
3 conducted a license plate reading on an unoccupied vehicle at a gas station in Ripon, California,  
4 and discovered the plates on the vehicle belonged to a different vehicle. The officer questioned  
5 two subjects who were inside the gas station regarding the car, one of them was Respondent, and  
6 both denied having any connections to the vehicle. Officers observed the stolen vehicle from afar  
7 and watched another vehicle pick up Respondent and the other subject at a nearby location and  
8 then pull into the gas station behind the stolen vehicle. Respondent got out of the second vehicle,  
9 went to the stolen vehicle and began rummaging through it. Officers then proceeded to perform a  
10 stop on the vehicle and to search all the passengers. Respondent admitted to the officers that he  
11 had driven the vehicle, and that he did not know it was stolen, but was suspicious that it may have  
12 been stolen because the license plates did not match the paperwork in the vehicle. Upon a search  
13 of the vehicle, officers found two glass pipes, as well as a backpack containing mail with  
14 Respondent's name/address on it. Respondent informed the officers that the glass pipes were not  
15 his, but that he had taken "two puffs" of methamphetamine in the morning and left his pipe at  
16 home. Respondent was arrested and taken to Ripon County Jail.

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18 **FIRST CAUSE FOR DISCIPLINE**

19 **(Commission of Act Involving Moral Turpitude and Dishonesty)**

20 16. Respondent has subjected his license to disciplinary action under Code section 4301,  
21 subdivision (f), for unprofessional conduct in that he committed an act of moral turpitude and  
22 dishonesty, as described in paragraph 10 above.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Violation of Laws/Regulations Governing Controlled Substances and Dangerous Drugs)**

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

1 a. Respondent violated Code section 4059, subdivision (a), in that on or about  
2 February 5, 2022, when Respondent admitted to furnishing to himself a controlled substance and  
3 dangerous drug, specifically methamphetamine, as set forth in paragraph 15, above.

4 **THIRD CAUSE FOR DISCIPLINE**

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

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

9 a. Respondent violated Code section 4059, subdivision (a), by furnishing a  
10 controlled substance/dangerous drug, specifically methamphetamine, to himself when she was not  
11 in possession of a valid prescription for said controlled substance/dangerous drug, as set forth in  
12 paragraph 15, above.

13 **FOURTH CAUSE FOR DISCIPLINE**

14 **(Unprofessional Conduct)**

15 19. Respondent has subjected his license to disciplinary action under section 4301 of the  
16 Code, in that Respondent engaged in unprofessional conduct, as described in paragraphs 15  
17 through 18, above.

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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 Technician Registration Number TCH 136678, issued to Amanveer Singh;
2. Ordering Amanveer Singh 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,
3. Taking such other and further action as deemed necessary and proper.

DATED: 2/21/2022

Signature on File

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

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