

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

In the Matter of the Accusation Against:

**ADVANTAGE HEALTH CARE HIV & COMPOUNDING INC., dba
GARDEN GROVE COMMUNITY PHARMACY, VIMAL BHANVADIA
AND SHEKHA DASHRATH PATEL, OFFICERS AND SHAREHOLDERS,
Pharmacy License No. PHY 51109;**

**AHCS SPECIALTY CARE, LLC AND INNOVATIVE HEALTHCARE
CAPITAL, LLC, dba AHCS SPECIALTY CARE, VIMAL BHANVADIA,
SHEKHA DASHRATH PATEL AND KINJAL GHANSHYAM PATEL,
OFFICERS AND/OR SHAREHOLDERS,
Pharmacy Permit No. PHY 55932;**

**ADVANTAGE HEALTH CARE SERVICES, dba MISSION PLAZA
PHARMACY, KINJAL GHANSHYAM PATEL, VIMAL BHANVADIA
AND SHEKHA DASHRATH PATEL, OFFICERS AND SHAREHOLDERS,
Pharmacy Permit No. PHY 51550;**

**KINJAL GHANSHYAM PATEL,
Pharmacist License No. RPH 61294;**

**SHITAL J. PATEL,
Pharmacist License No. RPH 50125;**

SHEKHA DASHRATH PATEL,

Pharmacist License No. RPH 60337;

Respondents.

Agency Case Nos. 7223, 7538, and 7539

OAH Nos. 2024070440 and 2024090336

and

In the Matter of the Statement of Issues Against:

**AHCS SPECIALTY CARE, LLC
Applicant for Pharmacy Permit**

Respondent.

Agency Case No. 7210

and

In the Matter of the Statement of Issues Against:

**ADVANTAGE HEALTH CARE SERVICES-MISSION INC., dba MISSION
PLAZA PHARMACY 3
Applicant for Pharmacy Permit**

Respondent.

Agency Case No. 7211

and

In the Matter of the Accusation Against:

**AHCS SPECIALTY CARE, LLC, dba AHCS SPECIALTY CARE, NEVIL
PRAKASH JHAVERI, MEMBER,
Pharmacy Permit No. PHY 55932;**

**INNOVATIVE HEALTHCARE CAPITAL, LLC, and AHCS SPECIALTY
CARE LLC, dba AHCS SPECIALTY CARE,
NEVIL PRAKASH JHAVERI, MEMBER,
Pharmacy Permit No. PHY 58059;**

**ANIL KANWAR,
Pharmacist License No. RPH 81880;**

and

**SHITAL J. PATEL,
Pharmacist License No. RPH 50125;**

Respondents.

Agency Case No. 7618

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 June 27, 2025.

It is so ORDERED on May 28, 2025.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

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

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 DESIREE I. KELLOGG
Deputy Attorney General
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8 *Attorneys for Complainant*

9 JOSHUA A. ROOM
Supervising Deputy Attorney General
10 State Bar Number 214663
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Attorneys for Complainant

13
14 **BEFORE THE**
BOARD OF PHARMACY
15 **DEPARTMENT OF CONSUMER AFFAIRS**
16 **STATE OF CALIFORNIA**

17 In the Matter of the Accusation Against:

18 **ADVANTAGE HEALTH CARE HIV &**
19 **COMPOUNDING INC., DBA GARDEN**
20 **GROVE COMMUNITY PHARMACY,**
21 **VIMAL BHANVADIA AND SHEKHA**
22 **DASHRATH PATEL, OFFICERS AND**
23 **SHAREHOLDERS**
24 **12665 Garden Grove Blvd., Ste. 108**
25 **Garden Grove, CA 92843**

26 **Pharmacy License No. PHY 51109,**

27 **AHCS SPECIALTY CARE, LLC AND**
28 **INNOVATIVE HEALTHCARE CAPITAL,**
LLC, DBA AHCS SPECIALTY CARE,
VIMAL BHANVADIA, SHEKHA
DASHRATH PATEL AND KINJAL
GHANSHYAM PATEL, OFFICERS
AND/OR SHAREHOLDERS
12832 Valley View Street, Suite A
Garden Grove, CA 92845

Pharmacy Permit No. PHY 55932,

Case Nos. 7223, 7538, and 7539

OAH Nos. 2024070440 and 2024090336

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER ONLY AS TO
SHEKHA DASHRATH PATEL

ADVANTAGE HEALTH CARE SERVICES, DBA MISSION PLAZA PHARMACY, KINJAL GHANSHYAM PATEL, VIMAL BHANVADIA AND SHEKHA DASHRATH PATEL, OFFICERS AND SHAREHOLDERS
26800 Crown Valley Parkway #185
Mission Viejo, CA 92691

Pharmacy Permit No. PHY 51550,

KINJAL GHANSHYAM PATEL
4631 Teller Avenue #110
Newport Beach, CA 92660

Pharmacist License No. RPH 61294,

SHITAL J. PATEL
7302 Spruce Circle
La Palma, CA 90623

Pharmacist License No. RPH 50125,
and

SHEKHA DASHRATH PATEL
12665 Garden Grove Blvd., Ste. 108
Garden Grove, CA 92843

Pharmacist License No. 60337

Respondents.

In the Matter of the Statement of Issues
Against:

AHCS SPECIALTY CARE, LLC

Applicant for Pharmacy Permit

Respondent.

In the Matter of the Statement of Issues
Against:

ADVANTAGE HEALTH CARE SERVICES-MISSION INC., DBA MISSION PLAZA PHARMACY 3

Applicant for Pharmacy Permit

Respondent.

Case No. 7210

Case No. 7211

1 In the Matter of the Accusation Against:

Case No. 7618

2 **AHCS SPECIALTY CARE, LLC, DBA**
3 **AHCS SPECIALTY CARE, NEVIL**
4 **PRAKASH JHAVERI, MEMBER**
5 **12832 Valley View St., Ste. A**
6 **Garden Grove, CA 92845**

7 **Pharmacy Permit No. PHY 55932,**

8 **INNOVATIVE HEALTHCARE CAPITAL,**
9 **LLC, AND AHCS SPECIALTY CARE,**
10 **LLC, DBA AHCS SPECIALTY CARE,**
11 **NEVIL PRAKASH JHAVERI, MEMBER**
12 **12832 Valley View St., Ste. A**
13 **Garden Grove, CA 92845**

14 **Pharmacy Permit No. PHY 58059,**

15 **ANIL KANWAR**
16 **5639 E. Elsinore Ave**
17 **Orange, CA 92869**

18 **Pharmacist License No. RPH 81880,**

19 **and**

20 **SHITAL J. PATEL**
21 **7302 Spruce Circle**
22 **La Palma, CA 90623**

23 **Pharmacist License No. RPH 50125,**

24 **Respondents.**

25 The following stipulation is agreed to by and resolves the administrative cases pending as to
26 Respondent Shekha Dashrath Patel (Respondent). This stipulation does not apply to or alter the
27 administrative cases pending against any other named Respondents.

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

PARTIES

1. Anne Sodergren (Complainant), Executive Officer of the Board of Pharmacy (Board),
Department of Consumer Affairs, brought this action solely in her official capacity and is
represented in this matter by Rob Bonta, Attorney General of the State of California, by Desiree I.
Kellogg, Deputy Attorney General, and Joshua A. Room, Supervising Deputy Attorney General.

1 **DISCIPLINARY ORDER**

2 **IT IS HEREBY ORDERED** that Pharmacist License Number RPH 60337, issued to
3 Shekha Dashrath Patel (Respondent), is revoked. However, the revocation is stayed and
4 Respondent is placed on probation for four (4) years on the following terms and conditions:

5 **1. Remedial Education**

6 Within sixty (60) calendar days of the effective date of this decision, Respondent shall
7 submit to the Board, for prior approval, an appropriate program of remedial education related to
8 pharmacy and pharmacist requirements of and compliance with the DSCSA. The program shall
9 be at least four (4) hours, to be completed within one (1) year, at Respondent’s own expense. All
10 remedial education shall be in addition to, and not be credited toward, continuing education (CE)
11 courses used for license renewal purposes for pharmacists. For the purposes of this section,
12 “successfully completed” shall mean respondent personally attended each educational program or
13 course (“course”) and completed all required course hours and work as determined by the
14 remedial education provider, including the taking and passing of any required examination(s).

15 Failure to timely submit for approval or complete the approved remedial education shall be
16 considered a violation of probation. The period of probation will be automatically extended until
17 such remedial education is successfully completed and written proof, in a form acceptable to the
18 Board, is provided to the Board.

19 Following the completion of each course, the Board may require Respondent, at her own
20 expense, to take an approved examination to test Respondent’s knowledge of the course. If the
21 Respondent does not achieve a passing score, as determined by the provider, on the examination,
22 that course shall not count towards satisfaction of this term. Respondent shall take another course
23 approved by the Board in the same subject area.

24 **2. Ethics Course**

25 Within sixty (60) calendar days of the effective date of this decision, Respondent shall
26 enroll in a course in ethics, at Respondent’s expense, approved in advance by the Board, that
27 complies with California Code of Regulations, title 16, section 1773.5. Within five (5) days of
28 enrollment, Respondent shall provide proof of enrollment to the Board.

1 Respondent is required to complete the 6-month and 12- month ethics follow up courses in
2 order to be compliance with this condition. Within five (5) days of completion, Respondent shall
3 submit a copy of the certificate of completion to the Board.

4 Failure to timely enroll in an approved ethics course, to initiate the course during the first
5 year of probation, to successfully complete it before the end of the second year of probation, or to
6 timely submit proof of completion to the Board, shall be considered a violation of probation.

7 **3. Obey All Laws**

8 Respondent shall obey all state and federal laws and regulations.

9 Respondent shall report any of the following occurrences to the Board, in writing, within
10 seventy- two (72) hours of such occurrence:

- 11 • an arrest or issuance of a criminal complaint, information, or indictment for violation
12 of any state and federal laws
- 13 • a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal
14 criminal proceeding to any criminal complaint, information or indictment
- 15 • a conviction of any crime
- 16 • the filing of a disciplinary pleading, issuance of a citation, or initiation of another
17 administrative action filed by any state or federal agency.

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

19 **4. Report to the Board**

20 Respondent shall report to the Board quarterly, on a schedule as directed by the Board. The
21 report shall be made either in person or in writing, as directed. Among other requirements,
22 Respondent shall state in each report under penalty of perjury whether there has been compliance
23 with all the terms and conditions of probation.

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

28 ///

1 **5. Interview with the Board**

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

7 **6. Cooperate with Board Staff**

8 Respondent shall timely cooperate with the Board’s inspection program and with the
9 Board’s monitoring and investigation of Respondent’s compliance with the terms and conditions
10 of her probation, including but not limited to: timely responses to requests for information by
11 Board staff; timely compliance with directives from Board staff regarding requirements of any
12 term or condition of probation; and timely completion of documentation pertaining to a term or
13 condition of probation. Failure to timely cooperate shall be considered a violation of probation.

14 **7. Continuing Education**

15 Respondent shall provide evidence of efforts to maintain skill and knowledge as a
16 pharmacist as directed by the Board and in compliance with California Code of Regulations, title
17 16, section 1732.3.

18 **8. Reporting of Employment and Notice to Employers**

19 During the period of probation, Respondent shall notify all present and prospective
20 employers of the decision in case numbers 7223, 7538, and 7539, and the terms, conditions and
21 restrictions imposed on Respondent by the decision, as follows:

22 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
23 undertaking any new employment, Respondent shall report to the Board in writing the name,
24 physical address, and mailing address of each of her employer(s), and the name(s), telephone
25 number(s), and email address(es) of all of her direct supervisor(s), as well as any pharmacist(s)-
26 in- charge, designated representative(s)-in-charge, responsible manager, or other compliance
27 supervisor(s) and the work schedule, if known. Respondent shall also include the reason(s) for
28 leaving prior employment and the last day worked.

1 Respondent shall sign and return to the Board a written consent authorizing the Board to
2 communicate with all of Respondent's employer(s) and supervisor(s), and authorizing those
3 employer(s) or supervisor(s) to communicate with the Board, concerning Respondent's work
4 status, performance, and monitoring. Failure to comply with the requirements or deadlines of this
5 condition shall be considered a violation of probation.

6 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
7 Respondent undertaking any new employment, Respondent shall cause (a) her direct supervisor,
8 (b) her pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
9 compliance supervisor, and (c) the owner or owner representative of her employer, to report to the
10 Board in writing acknowledging that the listed individual(s) has/have read the decision in case
11 numbers 7223, 7538, and 7539, and the terms and conditions imposed thereby. If one person
12 serves in more than one role described in (a), (b), or (c), the acknowledgment shall so state. It
13 shall be Respondent's responsibility to ensure that these acknowledgment(s) are timely submitted
14 to the Board. In the event of a change in the person(s) serving the role(s) described in (a), (b), or
15 (c) during the term of probation, Respondent shall cause the person(s) taking over the role(s) to
16 report to the Board in writing within fifteen (15) days of the change acknowledging that they have
17 read the decision in case numbers 7223, 7538, and 7539, and the terms and conditions thereof.

18 If Respondent works for or is employed by or through an employment service, Respondent
19 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board
20 of the decision in case numbers 7223, 7538, and 7539, and the terms and conditions imposed
21 thereby in advance of respondent commencing work at such licensed entity. A record of this
22 notification must be provided to the Board upon request.

23 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
24 (15) days of Respondent undertaking any new employment by or through an employment service,
25 Respondent shall cause the person(s) described in (a), (b), and (c) above at the employment
26 service to report to the Board in writing acknowledging that they have read the decision in case
27 numbers 7223, 7538, and 7539, and the terms and conditions imposed thereby. It is Respondent's
28 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board.

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

4 "Employment" within the meaning of this provision includes any full-time, part-time,
5 temporary, relief, or employment/management service position as a Pharmacist, or any position
6 for which a Pharmacist License is a requirement or criterion for employment, whether the
7 Respondent is an employee, independent contractor, or volunteer.

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

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

11 Failure to timely notify the Board of any change in employer, name, address, or phone
12 number, within 10 days of the change, shall be considered a violation of probation.

13 **10. Restrictions on Supervision and Oversight of Licensed Facilities**

14 During the period of probation, Respondent shall not supervise any intern pharmacist, be
15 the pharmacist-in-charge, designated representative-in-charge, responsible manager, supervising
16 pharmacist, quality manager, designated individual (as defined in the United States Pharmacopeia
17 (USP), including an individual responsible and accountable for the performance and operations of
18 the facility and personnel in the preparation of compounded sterile products), or other supervisor
19 of any entity licensed by the Board, nor serve as a consultant to any entity licensed by the Board.
20 Assumption of any such unauthorized responsibilities shall be considered a violation of probation.

21 **11. No Ownership or Management of Licensed Premises**

22 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,
23 administrator, member, officer, director, trustee, associate, or partner of any business, firm,
24 partnership, or corporation currently or hereinafter licensed by the Board. Respondent shall sell
25 or transfer any legal or beneficial interest in any entity licensed by the Board within ninety (90)
26 days following the effective date of this decision and shall immediately thereafter provide written
27 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide
28 documentation thereof shall be considered a violation of probation.

1 **12. Reimbursement of Board Costs**

2 As a condition precedent to successful completion of probation, Respondent shall pay to the
3 Board its costs of investigation and prosecution in the amount of \$24,000.00. Respondent shall
4 be permitted to pay these costs in a payment plan approved by the Board, so long as full payment
5 is completed no later than one (1) year prior to the end date of probation.

6 There shall be no deviation from this schedule absent prior written approval by the Board.
7 Failure to pay costs by the deadline(s) as directed shall be considered a violation of probation.

8 **13. Probation Monitoring Costs**

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

13 **14. Status of License**

14 Respondent shall, at all times while on probation, maintain an active, current Pharmacist
15 License with the Board, including during any tolling period. Failure to maintain an active,
16 current Pharmacist License shall be considered a violation of probation.

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

21 **15. Practice Requirement – Extension of Probation**

22 Except during periods of suspension, Respondent shall, at all times while on probation, be
23 employed as a Pharmacist in California for a minimum of sixty (60) hours per calendar month.
24 Respondent shall complete all of these hours at a single worksite, and shall provide her probation
25 monitor with her work schedule, in advance, at the beginning of each quarter. Any month during
26 which this minimum is not met shall extend the period of probation by one month. During any
27 such period of insufficient employment, Respondent must nonetheless comply with all terms and
28 conditions of probation, unless Respondent receives a waiver in writing from the Board.

1 If Respondent does not practice as a Pharmacist in California for the minimum number of
2 hours in any calendar month, for any reason (including vacation), Respondent shall notify the
3 Board in writing within ten (10) days of the conclusion of that calendar month. This notification
4 shall include at least: the date(s), location(s), and hours of last practice; the reason(s) for the
5 interruption or reduction in practice; and the anticipated date(s) on which Respondent will resume
6 practice at the required level. Respondent shall further notify the Board in writing within ten (10)
7 days following the next calendar month during which Respondent practices as a Pharmacist in
8 California for the minimum of hours. Any failure to timely provide such notification(s) shall be
9 considered a violation of probation.

10 It is a violation of probation for Respondent's probation to be extended pursuant to the
11 provisions of this condition for a total period, counting consecutive and non-consecutive months,
12 exceeding thirty-six (36) months.

13 The Board may post a notice of the extended probation period on its website.

14 **16. License Surrender While on Probation**

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

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

1 **17. Violation of Probation**

2 If Respondent has not complied with any term or condition of probation, the Board shall
3 have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent
4 that probation shall automatically be extended, until all terms and conditions have been satisfied
5 or the Board has taken other action as deemed appropriate to treat the failure to comply as a
6 violation of probation, to terminate probation, and to impose the penalty that was stayed. The
7 Board may post a notice of the extended probation period on its website.

8 If Respondent violates probation in any respect, the Board, after giving Respondent notice
9 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
10 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during
11 probation, or the preparation of an accusation or petition to revoke probation is requested from
12 the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of
13 probation shall be automatically extended until the petition to revoke probation or accusation is
14 heard and decided, and the charges and allegations in First Amended Accusation Case Numbers
15 7223, 7359, and 7359 shall be deemed true, correct, and admitted by Respondent.

16 **18. Completion of Probation**

17 Upon written notice by the Board indicating successful completion of probation,
18 Respondent’s license will be fully restored.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorneys, including Armond Marcarian. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____
SHEKHA DASHRATH PATEL
Respondent

I have read and fully discussed with Respondent Shekha Dashrath Patel the terms contained in this Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____
ARMOND MARCARIAN
Attorney for Respondent

ENDORSEMENT

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

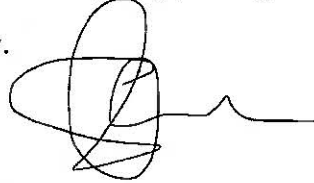
DATED: _____
Respectfully submitted,
ROB BONTA
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General
JOSHUA A. ROOM
Supervising Deputy Attorney General

DESIREE I. KELLOGG
Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorneys, including Armond Marcarian. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

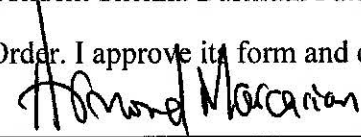


DATED: 3/19/2025

SHEKHA DASHRATH PATEL
Respondent

I have read and fully discussed with Respondent Shekha Dashrath Patel the terms contained in this Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: March 19, 2025


ARMOND MARCARIAN
Attorney for Respondent

ENDORSEMENT

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

DATED: March 21, 2025

Respectfully submitted,

ROB BONTA
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General
JOSHUA A. ROOM
Supervising Deputy Attorney General


DE .LOGG
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation Numbers 7223, 7538, and 7539

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Attorneys for Complainant

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18 **SHEKHA DASHRATH PATEL,**
19 **OFFICERS AND SHAREHOLDERS**
20 **12665 Garden Grove Blvd., Ste. 108**
21 **Garden Grove, CA 92843**

FIRST AMENDED ACCUSATION

22 **Pharmacy Permit No. PHY 51109,**

23 **AHCS SPECIALTY CARE, LLC AND**
24 **INNOVATIVE HEALTHCARE CAPITAL,**
25 **LLC, DBA AHCS SPECIALTY CARE,**
26 **VIMAL BHANVADIA, SHEKHA**
27 **DASHRATH PATEL AND KANJAL**
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AND/OR SHAREHOLDERS
12832 Valley View Street, Suite A
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Pharmacy Permit No. PHY 55932,

1 **ADVANTAGE HEALTH CARE**
2 **SERVICES, DBA MISSION PLAZA**
3 **PHARMACY, KINJAL GHANSHYAM**
4 **PATEL, VIMAL BHANVADIA AND**
5 **SHEKHA DASHRATH PATEL,**
6 **OFFICERS AND SHAREHOLDERS**
7 **26800 Crown Valley Parkway #185**
8 **Mission Viejo, CA 92691**

9 **Pharmacy Permit No. PHY 51550,**

10 **KINJAL GHANSHYAM PATEL**
11 **4631 Teller Avenue #110**
12 **Newport Beach, CA 92660**

13 **Pharmacist License No. RPH 61294,**

14 **SHITAL J. PATEL**
15 **7302 Spruce Circle**
16 **La Palma, CA 90623**

17 **Pharmacist License No. RPH 50125,**

18 **and**

19 **SHEKHA DASHRATH PATEL**
20 **12665 Garden Grove Blvd., Ste. 108**
21 **Garden Grove, CA 92843**

22 **Pharmacist License No. RPH 60337,**

23 Respondents.

24 In the Matter of the Statement of Issues
25 Against:

26 **AHCS SPECIALTY CARE, LLC**

27 **Applicant for Pharmacy Permit**

28 Respondent.

Case No. 7210

**FIRST AMENDED STATEMENT OF
ISSUES**

29 In the Matter of the Statement of Issues
30 Against:

31 **ADVANTAGE HEALTH CARE**
32 **SERVICES-MISSION INC., DBA**
33 **MISSION PLAZA PHARMACY 3**

34 **Applicant for Pharmacy Permit**

35 Respondent.

Case No. 7211

**FIRST AMENDED STATEMENT OF
ISSUES**

PARTIES

1
2 1. Anne Sodergren (Complainant) brings the First Amended Accusation and First
3 Amended Statements of Issues solely in her official capacity as the Executive Officer of the
4 Board of Pharmacy, Department of Consumer Affairs (Board).

5 2. On or about November 19, 2012, the Board issued Pharmacy Permit Number PHY
6 51109 to Respondent Advantage Health Care HIV & Compounding Inc., dba Garden Grove
7 Community Pharmacy, and identified Respondent Vimal Bhanvadia as the president and twenty
8 percent shareholder of Advantage Health Care HIV & Compounding, Inc. and Respondent
9 Shekha Dashrath Patel as the Vice-President, Pharmacist-in-Charge and twenty percent
10 shareholder of Respondent Advantage Health Care HIV & Compounding, Inc. (Respondent
11 Garden Grove Community Pharmacy). The Pharmacy Permit was in full force and effect at all
12 times relevant to the charges brought herein and expired on December 1, 2020. It was cancelled
13 on March 8, 2022.

14 3. On or about August 13, 2013, the Board issued Pharmacy Permit Number PHY
15 51550 to Respondent Advantage Health Care Services, doing business as Mission Plaza
16 Pharmacy and identified Respondent Vimal Bhanvadia as the president and seventeen percent
17 shareholder of Advantage Health Care Services, Respondent Shekha Dashrath Patel as the sixteen
18 percent shareholder of Advantage Health Care Services and Respondent Kinjal Ghanshyam Patel
19 as the Pharmacist-in-Charge and sixteen percent shareholder of Advantage Health Care Services
20 (Mission Plaza Pharmacy). The Pharmacy Permit was in full force and effect at all times relevant
21 to the charges brought herein and was cancelled on March 8, 2022.

22 4. On or about December 19, 2017, the Board issued Pharmacy Permit Number PHY
23 55932 to Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, doing
24 business as AHCS Specialty Care and identified Respondent Vimal Bhanvadia as a member and
25 forty-three percent shareholder of AHCS Specialty Care, LLC, and Innovative Healthcare
26 Capital, LLC, Respondent Shekha Dashrath Patel as a member and seven percent shareholder of
27 AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, Respondent Kinjal
28 Ghanshyam Patel as a member and seven percent shareholder of AHCS Specialty Care, LLC and

1 Innovative Healthcare Capital, LLC and Shital J. Patel as the Pharmacist-in-Charge of AHCS
2 Specialty Care (AHCS Specialty Care). The Pharmacy Permit was in full force and effect at all
3 times relevant to the charges brought herein, expired on December 1, 2020 and was cancelled on
4 December 3, 2020.

5 5. On or about October 10, 2007, the Board of Pharmacy issued Pharmacist License
6 Number RPH 60337 to Respondent Shekha Dashrath Patel. The Pharmacist License was in full
7 force and effect at all times relevant to the charges brought herein and will expire on September
8 30, 2023, unless renewed.

9 6. On or about August 6, 2008, the Board of Pharmacy issued Pharmacist License
10 Number RPH 61294 to Respondent Kinjal Ghanshyam Patel. The Pharmacist License was in full
11 force and effect at all times relevant to the charges brought herein and will expire on August 30,
12 2024, unless renewed.

13 7. On or about June 29, 1998, the Board of Pharmacy issued Pharmacist License
14 Number RPH 50125 to Respondent Shital J. Patel. The Pharmacist License was in full force and
15 effect at all times relevant to the charges brought herein and will expire on December 31, 2023,
16 unless renewed.

17 8. On or about January 22, 2021, the Board received an application for a pharmacy
18 permit from Respondent Advantage Health Care Services-Mission, Inc., dba Mission Plaza
19 Pharmacy 3 with Respondent Vimal Bhanvadia identified as a fifteen percent shareholder and
20 officer and Respondent Shekha Dashrath Patel identified as a fourteen percent shareholder and
21 director. On or about October 8 and 13, 2020, Respondent Shekha Dashrath Patel and
22 Respondent Vimal Bhanvadia certified under penalty of perjury to the truthfulness of all
23 statements, answers, and representations in the application. On or about September 30, 2021, the
24 Board denied Respondent Advantage Health Care Services-Mission, Inc.'s application.

25 9. On or about February 16, 2021, the Board received an application for a pharmacy
26 permit from Respondent AHCS Specialty Care, LLC, with Respondent Vimal Bhanvadia
27 identified as a manager of AHCS Specialty Care, LLC. On or about October 23, 2020,
28 Respondent Vimal Bhanvadia certified under penalty of perjury to the truthfulness of all

1 statements, answers, and representations in the application. On or about September 30, 2021, the
2 Board denied Respondent AHCS Specialty Care, LLC's application.

3 **JURISDICTION**

4 10. The First Amended Accusation and First Amended Statements of Issues are brought
5 before the Board under the authority of the following laws. All section references are to the
6 Business and Professions Code (Code) unless otherwise indicated.

7 11. Code section 4011 provides that the Board shall administer and enforce both the
8 Pharmacy Law (Bus. & Prof. Code, § 4000 *et seq.*) and the Uniform Controlled Substances Act
9 (Health & Safety Code, § 11000 *et seq.*).

10 12. Code section 4300, subdivision (a) provides that every license issued by the Board
11 may be suspended or revoked.

12 13. Code section 4300, subdivision (c) states:

13 The board may refuse a license to any applicant guilty of unprofessional
14 conduct. The board may, in its sole discretion, issue a probationary license to any
15 applicant for a license who is guilty of unprofessional conduct and who has met all
16 other requirements for licensure. . .

17 14. Code section 4300.1 states:

18 The expiration, cancellation, forfeiture, or suspension of a board-issued license
19 by operation of law or by order or decision of the board or a court of law, the
20 placement of a license on a retired status, or the voluntary surrender of a license by a
21 licensee shall not deprive the board of jurisdiction to commence or proceed with any
22 investigation of, or action or disciplinary proceeding against, the licensee or to render
23 a decision suspending or revoking the license.

24 15. Code section 4307, subdivision (a) states:

25 Any person who has been denied a license or whose license has been revoked
26 or is under suspension, or who has failed to renew his or her license while it was
27 under suspension, or who has been a manager, administrator, owner member, officer,
28 director, associate, or partner of any partnership, corporation, 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 manger, administrator, owner,
member, officer, director, associate, or partner had knowledge 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 manger, administrator,
owner, member, officer, director, associate, or partner 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.

1 (2) Where the license is denied or revoked, the prohibition shall continue until
2 the license is issued or reinstated.

3 **INTRODUCTION**

4 16. This case is about the purchasing of adulterated drugs from suspicious entities or
5 persons and the dispensing of them which violates both federal and state law. Namely, such
6 actions violate state Pharmacy Law (*i.e.*, Business & Professions Code section 4169, subdivision
7 (a)), state drug laws (*i.e.*, Health & Safety Code section 111295), and federal law ([Drug Supply
8 Chain Security Act], *i.e.*, 21 U.S.C. § 331, subd. (t), 21 U.S.C. § 360eee-1, subds. (a),
9 (d)(1)(A)(i), (d)(3) and (d)(4)(i)).

10 17. Respondents failed to exercise due diligence when purchasing expensive HIV drugs
11 vulnerable to diversion and counterfeiting from entities or individuals posing as the legitimate
12 wholesalers or out of state distributors, Premier Rx Wholesale, LLC and PI Services, LLC.
13 Respondents ignored several red flags when purchasing these drugs from the persons or entities
14 posing as Premier Rx Wholesale, LLC and faux PI Services, LLC which include the fact that they
15 were not distributors authorized by the manufacturers to distribute their drugs, the addresses and
16 other contact information for the faux Premier Rx Wholesale, LLC and faux PI Supply Services,
17 LLC did not match the addresses and other contact information listed on the Board's website for
18 the legitimate wholesalers doing business with those same names, the drugs listed on the packing
19 lists enclosed with the drugs were different than the drugs listed on the invoices, many of the
20 drugs purchased from the faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC
21 were heavily discounted, not all the drugs purchased from the faux Premier Rx Wholesale, LLC
22 and faux PI Supply Services, LLC were received by Respondents, and the pedigrees received
23 from faux Premier Rx Wholesale, LLC and faux PI Services, LLC appeared to be incomplete or
24 questionable.

25 18. Drugs entering the drug supply chain through illegitimate means, can pose a threat to
26 public safety, particularly if they are counterfeit, stolen or contaminated. Indeed, Respondent
27 Garden Grove Community Pharmacy purchased a drug, Biktarvy, which contained rocks inside
28 its sealed bottle from the faux Premier Rx Wholesale, LLC and dispensed that drug (*i.e.*, the

1 rocks) to a patient. Respondents' actions compromised the integrity of the drug supply chain and
2 potentially harmed fragile and vulnerable patients relying on the efficacy of drugs used to treat
3 AIDS and HIV.

4 **STATUTORY PROVISIONS**

5 19. Code section 4022 states:

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

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

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

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

16 20. Code section 4043 states:

17 'Wholesaler' means and includes a person who acts as a wholesale merchant,
18 broker, jobber customs broker, reverse distributor, agent, or a nonresident wholesaler,
19 who sells for resale, or negotiates for distribution, or takes possession of, any drug or
20 device included in Section 4022. Unless otherwise authorized by law, a wholesaler
21 may not store, warehouse, or authorize the storage or warehousing of drugs with any
22 person or at any location not licensed by the board.

23 21. Code section 4059.5, subdivision (a) states:

24 Except as otherwise provided in this chapter, dangerous drugs or dangerous
25 devices may only be ordered by an entity licensed by the board and shall be delivered
26 to the licensed premises and signed for and received by a pharmacist. Where a
27 licensee is permitted to operate through a designated representative, or in the case of a
28 reverse distributor, a designated representative-reverse distributor, that individual
shall sign for and receive the delivery.

29 22. Code section 4113, subdivision (c) states:

The pharmacist-in-charge shall be responsible for a pharmacy's compliance
with all state and federal laws and regulations pertaining to the practice of pharmacy.

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23. Code section 4160, subdivision (a) states:

A person shall not act as a wholesaler or third-party logistics provider of any dangerous drug or dangerous device unless he or she has obtained a license from the board.

24. Code section 4169, subdivisions (a)(1) and (a)(2) state:

(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.

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

...

25. Code section 4300, subdivision (c) of the Code states, in pertinent part:

The board may refuse a license to any applicant guilty of unprofessional conduct. The board may, in its sole discretion, issue a probationary license to any applicant for a license who is guilty of unprofessional conduct and who has met all other requirements for licensure.

26. Code section 4301 states in pertinent part:

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

...

(j) The violation of any of the statutes of this state, or 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 any other state or federal regulatory agency.

...

27. Code section 4302 states:

The board may deny, suspend, or revoke any license where conditions exist in relation to any person holding 10 percent or more of the ownership interest or where

1 conditions exist in relation to any officer, director, or other person with management
2 or control of the license that would constitute grounds for disciplinary action against a
3 licensee.

4 28. Code section 4306.5, subdivision (a) states:

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

6 Acts or omissions that involve, in whole or in part, the inappropriate exercise of
7 his or her education, training, or experience as a pharmacist, whether or not the act or
8 omission arises in the course of the practice of pharmacy or the ownership,
9 management, administration, or operation of a pharmacy or other entity licensed by
10 the board.

11 29. Health and Safety Code section 111250 states:

12 Any drug or device is adulterated if it consists, in whole or in part, of any filthy,
13 putrid, or decomposed substance.

14 30. Health and Safety Code section 111255 states:

15 Any drug or device is adulterated if it has been produced, prepared, packed, or
16 held under conditions whereby it may have been contaminated with filth, or whereby
17 it may have been rendered injurious to health.

18 31. Health and Safety Code section 111295 states:

19 It is unlawful for any person to manufacture, sell, deliver, hold or offer for sale
20 any drug or device that is adulterated.

21 32. 21 U.S.C. § 331, subdivision (t) [Food, Drug & Cosmetic Act] states:

22 The following acts and the causing thereof are prohibited:

23 The importation of a drug in violation of section 381(d)(1) of this title, the sale,
24 purchase, or trade of a drug or drug sample or the offer to sell, purchase, or trade a
25 drug or drug sample in violation of section 353(c) of this title, the sale, purchase, or
26 trade of a coupon, the offer to sell, purchase, or trade such a coupon, or the
27 counterfeiting of such a coupon in violation of section 353(c)(2) of this title, the
28 distribution of a drug sample in violation of section 353(d) of this title or the failure to
otherwise comply with the requirements of section 353(d) of this title, the distribution
of drugs in violation of section 353(e) of this title, failure to comply with the
requirements under section 360eee-1 of this title, the failure to comply with the
requirements under section 360eee-3 of this title, as applicable, or the failure to
otherwise comply with the requirements of section 353(e) of this title.

33. 21 United States Code section 360eee, subdivision (2)(B), (2)(13), (2)(21),
(2)(23)(A) and (2)(24) [Drug Supply Chain Security Act, section 582] state:

(2)(B) The term “authorized” means---in the case of a wholesale distributor,
having a valid license under State law or section 360eee-2 of this title, in accordance
with section 360eee-1(a)(6) of this title, and complying with the licensure reporting
requirements under section 353(e) of this title.

1 ...

2 (2)(13) The term “product” means a prescription drug in a finished dosage form
3 for administration to a patient without substantial further manufacturing (such as
4 capsules, tablets, and lyophilized products before reconstitution), but for purposes of
5 section 360eee-1 of this title, does not include blood or blood components intended
6 for transfusion, radioactive drugs or radioactive biological products (as defined in
7 section 600.3(ee) of title 21, Code of Federal Regulations) that are regulated by the
8 Nuclear Regulatory Commission or by a State pursuant to an agreement with such
9 Commission under section 2021 of Title 42, imaging drugs, an intravenous product
10 described in clause (xiv), (xv), or (xvi) of paragraph (24)(B), any medical gas (as
11 defined in section 360ddd of this title), homeopathic drugs marketed in accordance
12 with applicable guidance under this chapter, or a drug compounded in compliance
13 with section 353a or 353b of this title.

14 (2)(21) The term “suspect product” means a product for which there is reason to
15 believe that such product—(A) is potentially counterfeit, diverted, or stolen; (B) is
16 potentially intentionally adulterated such that the product would result in serious
17 adverse health consequences or death to humans; (C) is potentially the subject of a
18 fraudulent transaction; or (D) appears otherwise unfit for distribution such that the
19 product would result in serious adverse health consequences or death to humans.

20 ...

21 (2)(23)(A) The term “trading partner” means—a manufacturer, repackager,
22 wholesale distributor, or dispenser from whom a manufacturer, repackager, wholesale
23 distributor, or dispenser accepts direct ownership of a product or to whom a
24 manufacturer, repackager, wholesale distributor, or dispenser transfers direct
25 ownership of a product.

26 ...

27 (2)(24) The term “transaction” means the transfer of product between persons
28 in which a change of ownership occurs.

...

34. 21 United States Code section 360eee-1, subdivisions (a), (d)(1)(A)(i), (d)(3)
and (d)(4)(i) [Drug Supply Chain Security Act, section 582] state:

(a) Each manufacturer, repackager, wholesale distributor, and dispenser shall
comply with the requirements set forth in this section with respect to the role of such
manufacturer, repackager, wholesale distributor, or dispenser in a transaction
involving product. If an entity meets the definition of more than one of the entities
listed in the preceding sentence, such entity shall comply with all applicable
requirements in this section, but shall not be required to duplicate requirements.

....

(d)(1)(A)(i) Beginning July 1, 2015, a dispenser—(i) shall not accept ownership

1 of a product, unless the previous owner prior to, or at the time of, the transaction,
2 provides transaction history, transaction information, and a transaction statement.

3 (d)(3) Beginning not later than January 1, 2015, the trading partners of a
4 dispenser may be only authorized trading partners.

5 (d)(4)(i) Beginning not later than January 1, 2015, a dispenser shall have
6 systems in place to enable the dispenser to comply with the following requirements:
7 Upon making a determination that a product in possession or control of the dispenser
8 is a suspect product, or upon receiving a request for verification from the Secretary
9 that has made a determination that a product within the possession or control of a
10 dispenser is a suspect product, a dispenser shall (I) quarantine such product within
11 the possession or control of the dispenser from product intended for distribution until
12 such product is cleared or dispositioned; and (II) promptly conduct an investigation in
13 coordination with its trading partners, as applicable to determine whether the product
14 is an illegitimate product.

15 **COST RECOVERY**

16 35. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
17 administrative law judge to direct a licentiate found to have committed a violation or violations of
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
19 enforcement of the case.

20 **DRUGS**

21 36. Atripla is an expensive drug used to treat Human Immunodeficiency Virus (HIV) and
22 a dangerous drug as defined by Business and Professions Code section 4022. Because of its high
23 dollar value, it often is the subject of diversion and counterfeiting efforts.

24 37. Biktarvy is an expensive drug used to treat Human Immunodeficiency Virus (HIV)
25 and a dangerous drug as defined by Business and Professions Code section 4022. Because of its
26 high dollar value, it often is the subject of diversion and counterfeiting efforts.

27 38. Descovy is an expensive drug used to treat Human Immunodeficiency Virus (HIV)
28 and a dangerous drug as defined by Business and Professions Code section 4022. Because of its
high dollar value, it often is the subject of diversion and counterfeiting efforts.

39. Genvoya is an expensive drug used to treat HIV and a dangerous drug as defined by
Business and Professions Code section 4022. Because of its high dollar value, it often is the
subject of diversion and counterfeiting efforts.

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1 47. PI Services, LLC was a legitimate wholesaler, which held an out of state distributor
2 license with the Board. Respondents Garden Grove Community Pharmacy, AHCS Specialty
3 Care and Mission Plaza Pharmacy did not purchase drugs from this legitimate, licensed
4 wholesaler. Rather, Respondents purchased drugs from individuals or entities posing as the
5 legitimate wholesaler, PI Services, LLC (faux PI Services, LLC).

6 *Respondent Garden Grove Community Pharmacy Drug Purchases:*

7 48. Respondent Garden Grove Community Pharmacy claimed to have “extensive
8 protocols in place to verify [its] secondary wholesalers, including verification on the BOP
9 website, which is conducted quarterly to ensure that the drug products we purchase are
10 unadulterated.”

11 49. Yet, on or about March 8, 2019, Respondent Garden Grove Community Pharmacy
12 did not require faux Premier Rx Wholesale, LLC to submit an application, nor did Garden Grove
13 Community Pharmacy verify all of the information listed for faux Premier Rx Wholesale, LLC on
14 the Board’s website, and on the out of state distributor license, including confirming the physical
15 address, telephone number and email address for faux Premier Rx Wholesale, LLC and resolving
16 any discrepancies between the information provided by faux Premier Rx Wholesale, LLC and the
17 information on the Board’s website and the out of state distributor license.

18 50. Similarly, Respondent Garden Grove Community Pharmacy did not verify all of the
19 information listed for faux PI Services, LLC on the Board’s website, and the out of state
20 distributor license, including confirming the physical address, telephone number and email
21 address for faux PI Services, LLC and resolving any discrepancies between the information
22 provided by faux PI Services, LLC and the information on the Board’s website and the out of
23 state distributor’s license.

24 51. From March 22, 2019 to May 26, 2020, Respondent Garden Grove Community
25 Pharmacy purchased 9,170 medication packages of the HIV drugs, Genvoya, Biktarvy, Truvada,
26 Triumeq and other medication packages from faux Premier Rx Wholesale, LLC. These purchases
27 comprised almost half of Garden Grove Community Pharmacy’s HIV drug inventory. Almost all
28 of these drugs were dispensed to patients.

1 52. From February 18, 2020 to May 28, 2020, Respondent Garden Grove Community
2 Pharmacy purchased 1921 medication packages of the HIV drugs including Atripla, Biktarvy and
3 Descovy from faux PI Services, LLC. All of these drugs were dispensed to patients.

4 53. Respondent Garden Grove Community Pharmacy purchased a drug, Biktarvy, which
5 contained rocks inside a sealed bottle from faux Premier Rx Wholesale, LLC and dispensed it to a
6 patient.

7 54. Respondent Garden Grove Community Pharmacy ignored the following
8 circumstances which increased the likelihood that it was purchasing suspect drug products from
9 faux Premier Rx Wholesale, LLC and faux PI Services, LLC. These circumstances included: (1)
10 Respondent Garden Grove Community Pharmacy purchased from sources which were new to it;
11 (2) Respondent Garden Grove Community Pharmacy purchased high dollar value HIV drugs that
12 have a history of being counterfeited or diverted; (3) Faux Premier Rx Wholesale, LLC and faux
13 PI Supply Services, LLC were not distributors authorized by manufacturers to distribute its HIV
14 drugs; (4) the addresses and other contact information for faux Premier Rx Wholesale LLC and
15 faux PI Supply Services, LLC did not match the addresses and other contact information listed on
16 the Board's website and the out of state distributor licenses; (5) the drugs listed on the packing
17 lists enclosed with the drugs were different than the drugs listed on the invoices; (6) many of the
18 drugs purchased from faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC were
19 heavily discounted; (7) Respondent Garden Grove Community Pharmacy did not receive all
20 drugs purchased from faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC; and
21 (8) the pedigrees received from faux Premier Rx Wholesale, LLC and faux PI Services, LLC
22 appeared to be incomplete or questionable.

23 55. Respondent Garden Grove Community Pharmacy paid \$19,531,015.26 to faux
24 Premier Rx Wholesale, LLC. Respondent Garden Grove Community Pharmacy paid for these
25 purchases via checks signed by Respondent Vimal Bhanvadia or Respondent Shekha Patel.
26 Respondent Garden Grove Community Pharmacy also paid faux Premier Rx Wholesale, LLC for
27 drugs never shipped or received by Respondent Garden Grove Community Pharmacy.

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1 56. Respondent Garden Grove Community Pharmacy paid \$4,165,233.00 to faux PI
2 Services, LLC. Respondent Garden Grove Community Pharmacy paid for these purchases via
3 checks signed by Respondent Vimal Bhanvadia. Respondent Garden Grove Community
4 Pharmacy also paid faux PI Services, LLC for drugs never shipped or received by Respondent
5 Garden Grove Community Pharmacy.

6 57. Respondent Garden Grove Community Pharmacy received invoices and pedigrees¹
7 for these drugs from faux Premier Rx Wholesale, LLC and faux PI Services, LLC. The invoices
8 and pedigrees listed a different physical and email address for faux Premier Rx Wholesale, LLC
9 and faux PI Services, LLC, than were listed on the Board’s website and the out of state distributor
10 licenses. Additionally, the invoices listed a telephone number for another entity, Wealth Transfer
11 Services Credit Repair in Florida, as the telephone number for faux Premier Rx Wholesale, LLC.

12 58. On December 9, 2019, Respondent Garden Grove Community Pharmacy asked faux
13 Premier Rx Wholesale, LLC to confirm its physical address because the address for the legitimate
14 Premier Rx Wholesale, LLC listed on the Board’s website was different than the address listed on
15 the faux Premier Rx Wholesale, LLC invoices. Faux Premier Rx Wholesale LLC did not provide
16 an explanation for the discrepancy and instead, merely re-sent a copy of the legitimate Premier
17 Rx Wholesale, LLC’s license. Despite those discrepancies, Respondent Garden Grove
18 Community Pharmacy continued to purchase drugs from faux Premier Rx Wholesale, LLC.

19 59. On May 27, 2020, the manufacturer of a HIV medication drug, Biktarvy, informed
20 Respondent Garden Grove Community Pharmacy that it may have purchased counterfeit or
21 diverted drugs from an unauthorized distributor, faux Premier Rx Wholesale, LLC and requested
22 that Respondent Garden Grove Community Pharmacy quarantine bottles of Biktarvy purchased
23 from faux Premier Rx Wholesale, LLC.

24 60. In June 2020, Respondent Garden Grove Community Pharmacy continued to
25 purchase drugs from faux Premier Rx Wholesale, LLC and expressed its desire to “reengage”
26 with faux Premier Rx, Wholesale LLC to purchase more drugs. After receiving notice that the
27

28 ¹ A drug pedigree is a statement of origin that identifies each prior sale, purchase, or trade
of a drug, including the date of those transactions and the names and addresses of all parties.

1 Board was investigating Respondent Garden Grove Community Pharmacy for its dispensing of
2 the bottle of Biktarvy which contained rocks, Respondent Garden Grove Community Pharmacy
3 finally informed faux Premier Rx Wholesale, LLC that it would no longer purchase drugs from
4 faux Premier Rx Wholesale, LLC, noting “there are concerns around product integrity with
5 Premier’s supply chain. As previously discussed, patient safety is our number one priority and
6 therefore we will be suspending purchases from Premier until further notice. Our primary
7 responsibility is to mitigate any risk to our patients and ensure compliance with BOP
8 regulations.”

9 61. On July 15, 2020, the Board issued a notice of non-compliance with Pharmacy Law
10 to Respondent Garden Grove Community Pharmacy for purchasing drugs from an unlicensed
11 wholesaler, faux Premier Rx Wholesale, LLC.

12 62. On July 20, 2020, Respondent Garden Grove Community Pharmacy augmented its
13 procedures for purchasing drugs from secondary wholesalers, to include a requirement to
14 quarantine drugs purchased from wholesalers whose address on invoices and pedigrees did not
15 match the addresses on their license and the Board’s website.

16 63. On September 3, 2020, the manufacturer of Biktarvy notified Respondent Garden
17 Grove Community Pharmacy that its investigation into the potentially counterfeit or diverted
18 drugs sold by faux Premier Rx Wholesale, LLC was on-going. The manufacturer advised
19 Respondent Garden Grove Community Pharmacy that drugs sold by faux Premier Rx Wholesale,
20 LLC were “sourced from non-[manufacturer] authorized distributors which increases the risks
21 that these bottles are suspect or illegitimate. If you chose to dispense the [potentially counterfeit
22 or diverted drugs], be aware of the serious risks, both to patients’ health and to Garden Grove’s
23 ability to operate as a pharmacy, associated with selling counterfeit medications.”

24 64. Despite knowing it had purchased a drug, Biktarvy, containing rocks, Respondent
25 Garden Grove Community Pharmacy continued to dispense drugs purchased from faux Premier
26 Rx Wholesale, LLC to patients until December 30, 2020.

27 ///

28 ///

1 *Respondent Mission Plaza Pharmacy Drug Purchases:*

2 65. Respondent Mission Plaza Pharmacy had a policy for verifying products received
3 against the purchase records and verifying the pedigree and invoice information.

4 66. Yet, Respondent Mission Plaza Pharmacy did not verify all of the information listed
5 for faux Premier Rx Wholesale, LLC and faux PI Services, LLC on the Board's website and the
6 out of state distributor licenses, including confirming the physical address, telephone number and
7 email address for faux Premier Rx Wholesale, LLC and faux PI Services, LLC, and resolving any
8 discrepancies between the information provided by faux Premier Rx Wholesale, LLC, and faux PI
9 Services, LLC, and resolving any discrepancies between the information provided by faux
10 Premier Rx Wholesale, LLC, and faux PI Services, LLC and the information on the Board's
11 website and the out of state licenses.

12 67. From May 9, 2019 to May 26, 2020, Respondent Mission Plaza Pharmacy purchased
13 2,482 medication packages of HIV drugs from faux Premier Rx Wholesale, LLC. All of these
14 drugs were dispensed to patients.

15 68. From February 18, 2020 to June 1, 2020, Respondent Mission Plaza Pharmacy
16 purchased 1,183 medication packages of HIV drugs from faux PI Services, LLC. All of these
17 drugs were dispensed to patients.

18 69. Respondent Mission Plaza Pharmacy paid \$5,615,862.80 for the purchase of drugs to
19 faux Premier Rx Wholesale, LLC and it paid \$2,254,545.00 for the purchase of drugs to faux PI
20 Services, LLC. Respondent Mission Plaza Pharmacy paid for many of these purchases via checks
21 signed by Respondent Kinjal Patel. Respondent Mission Plaza also paid faux Premier Rx
22 Wholesale, LLC and faux PI Services, LLC for drugs never shipped or received by Respondent
23 Mission Plaza Pharmacy.

24 70. Respondent Mission Plaza Pharmacy received invoices and pedigrees for these drugs
25 from faux Premier Rx Wholesale, LLC and PI Services, LLC. The invoices and pedigrees listed a
26 different physical and email address for faux Premier Rx Wholesale LLC and faux PI Services,
27 LLC, than were listed on the Board's website and the out of state distributor's licenses.

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1 71. Respondent Mission Plaza Pharmacy ignored the following circumstances which
2 increased the likelihood that it was purchasing suspect drug products from faux Premier Rx
3 Wholesale, LLC and faux PI Services, LLC. These circumstances included the fact that: (1)
4 Respondent Mission Plaza Pharmacy purchased from a source new to it; (2) Respondent Mission
5 Plaza Pharmacy purchased high dollar value HIV drugs that have a history being counterfeited or
6 diverted; (3) Faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC were not
7 distributors authorized by manufacturers to distribute their HIV drugs; (4) the addresses and other
8 contact information for faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC did
9 not match the addresses and other contact information listed on the Board’s website and the out of
10 state distributor licenses; (5) the drugs listed on the packing lists enclosed with the drugs were
11 different than the drugs listed on the invoices; (6) many of the drugs purchased from faux Premier
12 Rx Wholesale, LLC and faux PI Supply Services, LLC were heavily discounted; (7) Respondent
13 Mission Plaza Pharmacy did not receive all drugs purchased from those entities; and (8) the
14 pedigrees received from faux Premier Rx Wholesale, LLC and faux PI Services, LLC appeared to
15 be incomplete or questionable.

16 *Respondent AHCS Specialty Care Drug Purchases:*

17 72. Respondent AHCS Specialty Care had a policy for verifying drugs received against
18 the purchase records and verifying the pedigree and invoice information.

19 73. Yet, Respondent AHCS Specialty Care did not verify all of the information listed for
20 faux Premier Rx Wholesale, LLC and faux PI Services, LLC on the Board’s website and the out
21 of state distributor licenses, including confirming the physical address, telephone number and
22 email address for faux Premier Rx Wholesale, LLC and faux PI Services, LLC and resolving any
23 discrepancies between the information provided by faux Premier Rx Wholesale, LLC and faux PI
24 Services, LLC and resolving any discrepancies between the information provided by faux PI
25 Services, LLC and the information on the Board’s website and the out of state distributor’s
26 licenses.

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1 74. From May 9, 2019 to May 26, 2020, Respondent AHCS Specialty Care purchased
2 3,311 medication packages of HIV drugs from faux Premier Rx Wholesale, LLC. All of those
3 drugs were dispensed to patients.

4 75. From February 18, 2020 to May 28, 2020, Respondent AHCS Specialty Care
5 purchased 318 medication packages of HIV drugs from faux PI Services, LLC. All of those
6 drugs were dispensed to patients.

7 76. Respondent AHCS Specialty Care paid \$5,854,547.39 for the purchase of drugs to
8 faux Premier Rx Wholesale, LLC. It paid \$560,323.00 for the purchase of drugs to faux PI
9 Services, LLC. Respondent AHCS Specialty Care paid for these purchases via checks signed by
10 Respondent Vimal Bhanvadia. Respondent AHCS Specialty Care also paid faux Premier Rx
11 Wholesale, LLC and faux PI Services, LLC for drugs never shipped or received by Respondent
12 AHCS Specialty Care.

13 77. Respondent AHCS Specialty Care received invoices and pedigrees for these drugs
14 from faux Premier Rx Wholesale, LLC and faux PI Services, LLC. The invoices and pedigrees
15 listed a different physical and email address for faux Premier Rx Wholesale, LLC and faux PI
16 Services, LLC, than were listed on the Board's website and the out of state distributor's licenses.

17 78. Respondent AHCS Specialty Care ignored the following circumstances which
18 increased the likelihood that it was purchasing suspect drug products from faux Premier Rx
19 Wholesale, LLC and faux PI Services, LLC. These circumstances included the fact that: (1)
20 Respondent AHCS Specialty Care purchased from sources new to it; (2) Respondent AHCS
21 Specialty Care purchasing high dollar value HIV drugs that have a history of being counterfeited
22 or diverted; (3) Faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC were not
23 distributors authorized by manufacturers to distribute their HIV drugs; (4) the addresses and other
24 contact information for faux Premier Rx Wholesale, LLC and faux PI Supply Services, LLC did
25 not match the addresses and other contact information listed on the Board's website and the out of
26 state distributor licenses; (5) the drugs listed on the packing lists enclosed with the drugs were
27 different than the drugs listed on the invoices; (6) many of the drugs purchased from faux Premier
28 Rx Wholesale, LLC and faux PI Supply Services, LLC were heavily discounted; (7) Respondent

1 AHCS Specialty Care did not receive all drugs purchased from those entities; and (8) the
2 pedigrees received from faux Premier Rx Wholesale, LLC and faux PI Services, LLC appeared to
3 be incomplete or questionable.

4 79. Neither Respondents Garden Grove Community Pharmacy, AHCS Specialty Care nor
5 Mission Plaza Pharmacy quarantined all of the drugs purchased from faux Premier Rx Wholesale,
6 LLC and faux PI Services, LLC nor did they promptly investigate their purchases to determine if
7 the drug products were adulterated or otherwise an illegitimate product.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Purchased and/or Warehoused Dangerous Drugs**

10 **From Unlicensed Wholesalers Against Respondents)**

11 80. Respondents are subject to disciplinary action under Code section 4301, subdivisions
12 (j) and (o), for violating Business and Professions Code section 4169, subdivision (a)(1), because
13 they purchased and/or warehoused drugs from unlicensed individuals or organizations, as
14 described above in paragraphs 42 through 79.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Held or Offered for Sale Adulterated Drugs Against Respondents)**

17 81. Respondents are subject to disciplinary action under Code section 4301, subdivisions
18 (j) and (o), for violating Health and Safety Code sections 111250 and 111295 and Code section
19 4169, subdivision (a)(2), in that they held or offered for sale dangerous drugs that were
20 adulterated within the meaning of Health and Safety Code section 111255, as described above, in
21 paragraphs 42 through 79.

22 **THIRD CAUSE FOR DISCIPLINE**

23 **(Sold or Delivered Adulterated Drugs Against Respondents)**

24 82. Respondents are subject to disciplinary action under Code section 4301, subdivisions
25 (j) and (o), for violating Health and Safety Code section 111295 and Code section 4169,
26 subdivisions (a)(2), in that they sold or delivered dangerous drugs that were adulterated within the
27 meaning of Health and Safety Code sections 11250 and/or 111255, as described above, in
28 paragraphs 42 through 79.

1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Violations of Drug Supply Chain Security Act Against Respondents)**

3 83. Respondents are subject to disciplinary action under Code section 4301, subdivisions
4 (j) and (o), for violating 21 United States Code sections 331, subdivision (t) and 360eee-1,
5 subdivisions (d)(1)(A)(i), (d)(3) and(d)(4)(i), in that they failed to engage in transactions with
6 authorized trading partners, accepted ownership of drugs without valid transaction information
7 and transaction history (pedigrees) and failed to quarantine and promptly investigate suspect
8 product, within the meaning of section 360eee, as described above, in paragraphs 42 through 79.

9 **FIFTH CAUSE FOR DISCIPLINE**

10 **(Inappropriate Exercise of Education, Training or Experience**

11 **Against Respondents Shekha Dashrath Patel, Shital Patel and Kinjal Ghanshyam Patel)**

12 84. Respondents Shekha Dashrath Patel, Shital Patel and Kinjal Ghanshyam Patel are
13 subject to disciplinary action under Code section 4301, subdivisions (j) and (o), for violating
14 Business and Professions Code section 4306.5, subdivision (a), because they inappropriately
15 exercised their education, training, or experience as a pharmacist when acquiring and dispensing
16 dangerous drugs, as described above, in paragraphs 42 through 79.

17 **SIXTH CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct against All Respondents)**

19 85. Respondents are subject to disciplinary action under Code section 4301 for
20 unprofessional conduct because they engaged in the activities described above, in paragraphs 42
21 through 79.

22 **DISCIPLINE CONSIDERATIONS**

23 86. To determine the degree of discipline, if any, to be imposed on Respondents
24 Advantage Health Care HIV & Compounding, Inc., dba Garden Grove Community Pharmacy and
25 Shekha Dashrath Patel, Complainant alleges:

26 a. On or about May 11, 2021, the Board issued Citation and Fine No. CI 2019 88503 to
27 Respondent Advantage Health Care HIV & Compounding, Inc., dba Garden Grove Community
28 Pharmacy for violating Business and Professions Code section 4169, subdivision (a), purchasing

1 thirty-six dangerous drugs from two unlicensed wholesalers and Health & Safety Code sections
2 111250 and 111295 for dispensing an adulterated drug. That Citation is now final.

3 b. On May 11, 2021, the Board issued Citation No. CI 2020 91188 to Respondent
4 Shekha Dashrath Patel for violating Business & Professions Code section 4169, subdivision (a),
5 purchasing thirty-six dangerous drugs from two unlicensed wholesalers. That Citation is now
6 final.

7 87. To determine the degree of discipline, if any, to be imposed on Respondents
8 Advantage Health Care Services, dba Mission Plaza Pharmacy and Kinjal Ghanshyam Patel,
9 Complainant alleges:

10 a. On or about July 28, 2020, the Board issued Citation No. CI 2018 83685 to
11 Respondent Advantage Health Services, dba Mission Plaza Pharmacy for violating California
12 Code of Regulations, title 16, section 1793.7, subdivision (b)(e), failing to properly monitor
13 pharmacy technician activities. That Citation is now final.

14 b. On or about October 29, 2020, the Board issued Citation and Fine No. CI 2018 82811
15 to Respondent Advantage Health Services, dba Mission Plaza Pharmacy for violating Business
16 and Professions Code section 4301, subdivision (f), Health & Safety Code section 11170, title 16,
17 California Code of Regulations section 1761, subdivisions (a) and (b) and title 21 Code of Federal
18 Regulations, section 1306.04, subdivision (b), dispensing prescriptions with significant errors or
19 omissions and dispensing controlled substance prescriptions known not to be issued for a
20 legitimate medical purpose, engaging in dishonest acts and dispensing controlled substances for
21 unspecified patients or “office use.” That Citation is now final.

22 c. On or about October 29, 2020, the Board issued Citation and Fine and Order of
23 Abatement No. CI 2020 89458 to Respondent Kanjal Ghanshyam Patel for violating Business &
24 Professions Code section 4301, subdivision (f) and title 16, California Code of Regulations
25 section 1761, subdivisions (a) and (b), for engaging in dishonest acts and dispensing controlled
26 substances for unspecified patients or “office use.” That Citation is now final.

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OTHER MATTERS

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2 88. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
3 51109 issued to Respondent Advantage Health Care HIV & Compounding, Inc., dba Garden
4 Grove Community Pharmacy, it shall be prohibited from serving as a manager, administrator,
5 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
6 Permit Number PHY 51109 is placed on probation or until the Pharmacy Permit is reinstated if it
7 is revoked.

8 89. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
9 51550 issued to Respondent Advantage Health Care Services, dba Mission Plaza Pharmacy, it
10 shall be prohibited from serving as a manager, administrator, owner, member, officer, director,
11 associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 51550 is placed
12 on probation or until the Pharmacy Permit is reinstated if it is revoked.

13 90. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
14 55932 issued to Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC,
15 dba AHCS Specialty Care, it shall be prohibited from serving as a manager, administrator, owner,
16 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
17 Number PHY 55932 is placed on probation or until the Pharmacy Permit is reinstated if it is
18 revoked.

19 91. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
20 51109 issued to Respondents Advantage Health Care HIV & Compounding, Inc., dba Garden
21 Grove Community Pharmacy, Pharmacy Permit No. 55932 issued to AHCS Specialty Care, LLC
22 and Innovative Healthcare Capital, LLC, dba AHCS Specialty Care and/or Pharmacy Permit No.
23 PHY 51550 issued to Mission Plaza Pharmacy while Respondent Vimal Bhanvadia has been a
24 manager, owner, officer or director and had knowledge of or knowingly participated in any
25 conduct for which the licensees were disciplined, he shall be prohibited from serving as a
26 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
27 five years if the Pharmacy Permits are placed on probation or until the Pharmacy Permits are
28 reinstated, if they are revoked.

1 92. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
2 51550 issued to Respondents Advantage Health Care Services, dba Mission Plaza Pharmacy
3 and/or Pharmacy Permit No. PHY 55932 issued to AHCS Specialty Care, LLC and Innovative
4 Healthcare Capital, LLC, dba AHCS Specialty Care while Respondent Kinjal Ghanshyam Patel
5 has been a manager, owner, officer or director and had knowledge of or knowingly participated in
6 any conduct for which the licensees were disciplined, he shall be prohibited from serving as a
7 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
8 five years if the Pharmacy Permits are placed on probation or until the Pharmacy Permits are
9 reinstated, if they are revoked.

10 93. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
11 51109 issued to Respondents Advantage Health Care HIV & Compounding, Inc., dba Garden
12 Grove Community Pharmacy, Pharmacy Permit No. PHY 55932 issued to AHCS Specialty Care,
13 LLC and Innovative Healthcare Capital, LLC, dba AHCS Specialty Care and/or Pharmacy Permit
14 No. PHY 51550 issued to Advantage Health Care Services, dba Mission Plaza Pharmacy while
15 Respondent Shekha Dashrath Patel has been a manager, administrator, owner, member, officer or
16 director and had knowledge of or knowingly participated in any conduct for which the licensees
17 were disciplined, she shall be prohibited from serving as a manager, administrator, owner,
18 member, officer, director, associate, or partner of a licensee for five years if the Pharmacy Permits
19 are placed on probation or until the Pharmacy Permits are reinstated, if they are revoked.

20 94. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
21 55932 issued to Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC,
22 dba AHCS Specialty Care while Respondent Shital J. Patel has been a manager, administrator,
23 owner, member, officer or director and had knowledge of or knowingly participated in any
24 conduct for which the licensees were disciplined, he shall be prohibited from serving as a
25 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
26 five years if the Pharmacy Permit is placed on probation or until the Pharmacy Permit is
27 reinstated, if it is revoked.

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1 95. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
2 RPH 60337 issued to Respondent Shekha Dashrath Patel, she shall be prohibited from serving as
3 a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
4 five years if the Pharmacist License is placed on probation or until the Pharmacist License is
5 reinstated, if it is revoked.

6 96. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
7 RPH 61294 issued to Respondent Kinjal Ghanshyam Patel, he shall be prohibited from serving as
8 a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
9 five years if the Pharmacist License is placed on probation or until the Pharmacist License is
10 reinstated, if it is revoked.

11 97. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
12 RPH 50125 issued to Respondent Shital J. Patel, he shall be prohibited from serving as a
13 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
14 five years if the Pharmacist License is placed on probation or until the Pharmacist License is
15 reinstated, if it is revoked.

16 **FIRST AMENDED STATEMENT OF ISSUES AGAINST:**

17 **ADVANTAGE HEALTH CARE SERVICES-MISSION, INC., DBA MISSION PLAZA**

18 **PHARMACY 3**

19 **CAUSE FOR DENIAL**

20 **(Various)**

21 98. Respondent Advantage Health Care Services-Mission, Inc., dba Mission Plaza
22 Pharmacy 3's application is subject to denial under Code sections 4300, subdivision (c), 4301,
23 subdivisions (j) and (o) and 4302 for violating the statutes referenced in the First Amended
24 Accusation, which are incorporated herein by reference.

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1 **FIRST AMENDED STATEMENT OF ISSUES AGAINST**

2 **AHCS SPECIALTY CARE, LLC**

3 **CAUSE FOR DENIAL**

4 **(Various)**

5 99. Respondent AHCS Specialty Care, LLC's application is subject to denial under Code
6 sections 4300, subdivision (c), 4301, subdivisions (j) and (o) and 4302 for violating the statutes
7 and regulations referenced in the First Amended Accusation, which are incorporated herein by
8 reference.

9 **PRAYER**

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

12 1. Revoking or suspending Pharmacy License Number PHY 51109 issued to
13 Respondent Advantage Health Care HIV & Compounding, Inc., dba Garden Grove Community
14 Pharmacy;

15 2. Revoking or suspending Pharmacy License Number PHY 51550 issued to
16 Respondent Advantage Health Care Services, dba Mission Plaza Pharmacy;

17 3. Revoking or suspending Pharmacy License Number PHY 55932 issued to
18 Respondent AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, dba AHCS
19 Specialty Care;

20 4. Revoking or suspending Pharmacist License Number RPH 60337 issued to
21 Respondent Shekha Dashrath Patel;

22 5. Revoking or suspending Pharmacist License Number RPH 61294 issued to
23 Respondent Kinjal Ghanshyam Patel;

24 6. Revoking or suspending Pharmacist License Number RPH 61294 issued to
25 Respondent Shital J. Patel;

26 7. Prohibiting Respondent Advantage Health Care HIV & Compounding, Inc., dba
27 Garden Grove Community Pharmacy from serving as a manager, administrator, owner, member,
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1 officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number
2 PHY 51109 is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked;

3 8. Prohibiting Respondent Advantage Health Care Services, dba Mission Plaza
4 Pharmacy from serving as a manager, administrator, owner, member, officer, director, associate,
5 or partner of a licensee for five years if Pharmacy Permit Number PHY 51550 is placed on
6 probation or until the Pharmacy Permit is reinstated, if it is revoked;

7 9. Prohibiting Respondent AHCS Specialty Care, LLC and Innovative Healthcare
8 Capital, LLC, dba AHCS Specialty Care from serving as a manager, administrator, owner,
9 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
10 Number PHY 55932 is placed on probation or until the Pharmacy Permit is reinstated, if it is
11 revoked;

12 10. Prohibiting Respondent Shekha Dashrath Patel from serving as a manager,
13 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
14 Pharmacy Permit Numbers PHY 51109, 55932 or 51550 are placed on probation or until the
15 Pharmacy Permits are reinstated, if they are revoked;

16 11. Prohibiting Respondent Vimal Bhanvadia from serving as a manager, administrator,
17 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
18 Permit Numbers PHY 51109, 55932 and 51550 are placed on probation or until the Pharmacy
19 Permits are reinstated, if they are revoked;

20 12. Prohibiting Respondent Kinjal Ghanshyam Patel from serving as a manager,
21 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
22 Pharmacy Permit Numbers PHY 51550 and 55932 are placed on probation or until the Pharmacy
23 Permits are reinstated, if they are revoked;

24 13. Prohibiting Respondent Shital J. Patel from serving as a manager, administrator,
25 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
26 Permit Number PHY 55932 is placed on probation or until the Pharmacy Permit is reinstated, if
27 they are revoked;

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1 14. Prohibiting Respondent Shekha Dashrath Patel from serving as a manager,
2 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
3 Pharmacist License Number RPH 60337 is placed on probation or until the Pharmacist License is
4 reinstated, if it is revoked;

5 15. Prohibiting Respondent Kinjal Ghanshyam Patel from serving as a manager,
6 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
7 Pharmacist License Number RPH 61294 is placed on probation or until the Pharmacist License is
8 reinstated, if it is revoked;

9 16. Prohibiting Respondent Shital J. Patel from serving as a manager, administrator,
10 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist
11 License Number RPH 50125 is placed on probation or until the Pharmacist License is reinstated,
12 if it is revoked;

13 17. Ordering Respondents Advantage Health Care HIV & Compounding, Inc., dba
14 Garden Grove Community Pharmacy, Advantage Health Care Services, dba Mission Plaza
15 Pharmacy, AHCS Specialty Care, LLC and Innovative Healthcare Capital, LLC, dba AHCS
16 Specialty Care, Kinjal Ghanshyam Patel, Shital J. Patel and Shekha Dashrath Patel to pay the
17 Board of Pharmacy the reasonable costs of the investigation and enforcement of this case,
18 pursuant to Business and Professions Code section 125.3;

19 18. Denying the Application of Respondent Advantage Health Care Services-Mission,
20 Inc., dba Mission Plaza Pharmacy 3 for a pharmacy permit;

21 19. Denying the Application of Respondent AHCS Specialty Care, LLC for a pharmacy
22 permit; and,

23 20. Taking such other and further action as deemed necessary and proper.

24 DATED: 9/14/2023

Sodergren,
Anne@DCA

Digitally signed by Sodergren,
Anne@DCA
Date: 2023.09.14 08:07:45 -07'00'

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

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