

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

In the Matter of the Accusation Against:

FAREED IQBAL RAHIMI, Respondent

Intern Pharmacist License No. INT 45593

Agency Case No. 7317

OAH No. 2022100219

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 March 1, 2023.

It is so ORDERED on January 30, 2023.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.
Board President

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8

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

13 In the Matter of the Accusation Against:
14 **FAREED IQBAL RAHIMI**
15 **1472 Farrell Court**
16 **Folsom, CA 95630**
17 **Intern Pharmacist License No. INT 45593**
18 Respondent.

Case No. 7317

OAH No. 2022100219

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

21 **PARTIES**

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

26 2. Respondent Fareed Iqbal Rahimi (Respondent) is representing himself in this
27 proceeding and has chosen not to exercise his right to be represented by counsel.

28 ///

1 issue a license to practice as a pharmacist to Respondent during the period of probation, the intern
2 license shall be cancelled and the pharmacist license shall be immediately revoked. The
3 revocation of such license shall be stayed, and the probation imposed by this decision and order
4 will continue. Respondent shall remain subject to the same terms and conditions imposed by this
5 disciplinary order. Notwithstanding this provision, the Board reserves the right to deny
6 Respondent's application for the pharmacist licensure exam.

7 **1. 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 for violation of any provision of the
12 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
13 substances laws
- 14 • a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal
15 criminal proceeding to any criminal complaint, information or indictment
- 16 • a conviction of any crime
- 17 • the filing of a disciplinary pleading, issuance of a citation, or initiation of another
18 administrative action filed by any state or federal agency which involves
19 respondent's license or which is related to the practice of pharmacy or the
20 manufacturing, obtaining, handling, distributing, billing, or charging for any drug,
21 device or controlled substance.

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

23 **2. Report to the Board**

24 Respondent shall report to the board quarterly, on a schedule as directed by the board or its
25 designee. The report shall be made either in person or in writing, as directed. Among other
26 requirements, respondent shall state in each report under penalty of perjury whether there has
27 been compliance with all the terms and conditions of probation.
28

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

6 **3. Interview with the Board**

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

12 **4. Cooperate with Board Staff**

13 Respondent shall timely cooperate with the board's inspection program and with the board's
14 monitoring and investigation of respondent's compliance with the terms and conditions of his
15 probation, including but not limited to: timely responses to requests for information by board
16 staff; timely compliance with directives from board staff regarding requirements of any term or
17 condition of probation; and timely completion of documentation pertaining to a term or condition
18 of probation. Failure to timely cooperate shall be considered a violation of probation.

19 **5. Continuing Education**

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

22 **6. Reporting of Employment and Notice to Employers**

23 During the period of probation, respondent shall notify all present and prospective
24 employers of the decision in case number 7317 and the terms, conditions and restrictions imposed
25 on respondent by the decision, as follows:

26 Within thirty days of the effective date of this decision, and within ten days of undertaking
27 any new employment, respondent shall report to the board in writing the name, physical address,
28 and mailing address of each of his employer(s), and the name(s) and telephone number(s) of all of

1 his direct supervisor(s), as well as any pharmacist(s)-in- charge, designated representative(s)-in-
2 charge, responsible manager, or other compliance supervisor(s) and the work schedule, if known.
3 Respondent shall also include the reason(s) for leaving the prior employment. Respondent shall
4 sign and return to the board a written consent authorizing the board or its designee to
5 communicate with all of respondent's employer(s) and supervisor(s), and authorizing those
6 employer(s) or supervisor(s) to communicate with the board or its designee, concerning
7 respondent's work status, performance, and monitoring. Failure to comply with the requirements
8 or deadlines of this condition shall be considered a violation of probation.

9 Within thirty days of the effective date of this decision, and within fifteen days of
10 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)
11 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
12 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the
13 board in writing acknowledging that the listed individual(s) has/have read the decision in case
14 number 7317, and terms and conditions imposed thereby. If one person serves in more than one
15 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's
16 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the
17 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
18 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in
19 writing within fifteen days of the change acknowledging that he or she has read the decision in
20 case number 7317, and the terms and conditions imposed thereby.

21 If respondent works for or is employed by or through an employment service, respondent
22 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board
23 of the decision in case number 7317, and the terms and conditions imposed thereby in advance of
24 respondent commencing work at such licensed entity. A record of this notification must be
25 provided to the board upon request.

26 Furthermore, within thirty days of the effective date of this decision, and within fifteen days
27 of respondent undertaking any new employment by or through an employment service,
28 respondent shall cause the person(s) described in (a), (b), and (c) above at the employment service

1 to report to the board in writing acknowledging that he or she has read the decision in case
2 number, and the terms and conditions imposed thereby. It shall be respondent's responsibility to
3 ensure that these acknowledgment(s) are timely submitted to the board.

4 Failure to timely notify present or prospective employer(s) or failure to cause the identified
5 person(s) with that/those employer(s) to submit timely written acknowledgments to the board
6 shall be considered a violation of probation.

7 "Employment" within the meaning of this provision includes any full-time, part-time,
8 temporary, relief, or employment/management service position as a registered intern pharmacist,
9 or any position for which a registered intern pharmacist is a requirement or criterion for
10 employment, whether the respondent is an employee, independent contractor or volunteer.

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

12 Respondent shall further notify the board in writing within ten days of any change in name,
13 residence address, mailing address, e-mail address or phone number.

14 Failure to timely notify the board of any change in employer, name, address, or phone
15 number shall be considered a violation of probation.

16 **8. Restrictions on Supervision and Oversight of Licensed Facilities**

17 During the period of probation, respondent shall not supervise any intern pharmacist, be the
18 pharmacist-in-charge, designated representative-in-charge, responsible manager or other
19 compliance supervisor of any entity licensed by the board, nor serve as a consultant. Assumption
20 of any such unauthorized supervision responsibilities shall be considered a violation of probation.

21 **9. Reimbursement of Board Costs**

22 As a condition precedent to successful completion of probation, respondent shall pay to the
23 board its costs of investigation and prosecution in the amount of \$5,036.75. Respondent shall
24 make said payments as follows:

25 There shall be no deviation from this schedule absent prior written approval by the board or
26 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of
27 probation.

28

1 Respondent shall be permitted to pay these costs in a payment plan approved by the board
2 or its designee, so long as full payment is completed no later than one (1) year prior to the end
3 date of probation.

4 **10. Probation Monitoring Costs**

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

9 **11. Status of License**

10 Respondent shall, at all times while on probation, maintain an active, current Intern
11 Pharmacist License with the board, including any period during which suspension or probation is
12 tolled. Failure to maintain an active, current Intern Pharmacist License shall be considered a
13 violation of probation.

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

18 **12. License Surrender While on Probation/Suspension**

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

27 Upon acceptance of the surrender, respondent shall relinquish his pocket and/or wall
28 license, including any indicia of licensure not previously provided to the board within ten days of

1 notification by the board that the surrender is accepted if not already provided. Respondent may
2 not reapply for any license from the board for three years from the effective date of the surrender.
3 Respondent shall meet all requirements applicable to the license sought as of the date the
4 application for that license is submitted to the board, including any outstanding costs.

5 **13. Practice Requirement – Extension of Probation**

6 Except during periods of suspension, respondent shall, at all times while on probation, be
7 employed as an Intern Pharmacist in California for a minimum of 80 hours per calendar month.
8 Any month during which this minimum is not met shall extend the period of probation by one
9 month. During any such period of insufficient employment, respondent must nonetheless comply
10 with all terms and conditions of probation, unless respondent receives a waiver in writing from
11 the board or its designee.

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

21 Should the Board issue a license to practice as a pharmacist to Respondent during the
22 period of probation, respondent shall, at all times while on probation, be employed as a
23 Pharmacist in California for a minimum of 80 hours per calendar month. Any month during
24 which this minimum is not met shall extend the period of probation by one month. During any
25 such period of insufficient employment, respondent must nonetheless comply with all terms and
26 conditions of probation, unless respondent receives a waiver in writing from the board or its
27 designee.
28

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 days
7 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 months. The board or its designee may post a notice of the extended
13 probation period on its website.

14 Notwithstanding the foregoing, the Board or its designee shall, in its sole discretion, have
15 authority to reduce the minimum number of hours required to comply with this term upon a
16 written request by Respondent, and upon Respondent establishing good cause.

17 During respondent's enrollment in a school or college of pharmacy, no minimum practice
18 hours shall be required. Instead, respondent shall report to the board quarterly in writing, in a
19 format and schedule as directed by the board or its designee, on his compliance with academic
20 and vocational requirements, and on his academic progress. Respondent must comply with all
21 other terms and conditions of probation, unless notified in writing by the board or its designee.

22 14. **Violation of Probation**

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

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

8 **15. Completion of Probation**

9 Upon written notice by the board or its designee indicating successful completion of
10 probation, respondent's license will be fully restored.

11 **16. Pharmacists Recovery Program (PRP)**

12 By no later than ten days after the effective date of this decision, respondent shall have
13 completed all of the following: contacted the Pharmacists Recovery Program (PRP) for
14 evaluation; enrolled in the PRP; completed, signed, and returned the treatment contract as well as
15 any addendums required or suggested by the PRP; successfully completed registration for any
16 drug or alcohol testing mandated by the treatment contract and/or by enrollment in the PRP; and
17 begun compliance with the drug or alcohol testing protocol(s). Respondent shall successfully
18 participate in the PRP and complete the treatment contract and any addendums required or
19 suggested by the PRP. The costs for PRP participation shall be borne by the respondent.

20 If respondent is currently enrolled in the PRP, said participation is now mandatory and as of
21 the effective date of this decision is no longer considered a self-referral under Business and
22 Professions Code section 4362 (a)(2). Respondent shall successfully participate in and complete
23 his current contract and any subsequent addendums with the PRP.

24 Respondent shall pay administrative fees as invoiced by the PRP or its designee. Fees not
25 timely paid to the PRP shall constitute a violation of probation. The board will collect unpaid
26 administrative fees as part of the annual probation monitoring costs if not submitted to the PRP.

27 Any of the following shall result in the automatic suspension of practice by respondent and
28 shall be considered a violation of probation:

1 Failure to contact, complete enrollment, and execute and return the treatment contract with
2 the PRP, including any addendum(s), within ten days of the effective date of the decision as
3 directed by the PRP;

4 Failure to complete registration for any drug or alcohol testing mandated by the treatment
5 contract and/or by the PRP, and begin compliance with the testing protocol(s), within ten days of
6 the effective date of the decision as directed by the PRP;

7 Failure to comply with testing protocols regarding daily check-in and/or failure to complete
8 a mandated test as directed by the PRP;

9 Any report from the PRP of material non-compliance with the terms and conditions of the
10 treatment contract and/or any addendum(s); or

11 Termination by the PRP for non-compliance, failure to derive benefit, or as a public risk.

12 Respondent may not resume the practice of pharmacy until notified by the board in writing.

13 Probation shall be automatically extended until respondent successfully completes the PRP.
14 The board will provide notice of any such suspension or extension of probation.

15 During any suspension, respondent shall not enter any pharmacy area or any portion of the
16 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug
17 retailer, or any other distributor of drugs which is licensed by the board, or any manufacturer, or
18 any area where dangerous drugs and/or dangerous devices or controlled substances are
19 maintained. Respondent shall not practice as Intern Pharmacist nor do any act involving drug
20 selection, selection of stock, manufacturing, compounding, dispensing or patient consultation; nor
21 shall respondent manage, administer, or be a consultant to any licensee of the board, or have
22 access to or control the ordering, distributing, manufacturing or dispensing of dangerous drugs
23 and/or dangerous devices or controlled substances.

24 During any suspension, respondent shall not engage in any activity that requires the
25 professional judgment of and/or licensure as an Intern Pharmacist. Respondent shall not direct or
26 control any aspect of the practice of pharmacy, or of the manufacturing, distributing, wholesaling,
27 or retailing of dangerous drugs and/or dangerous devices or controlled substances.

28

1 Failure to comply with any requirement or deadline stated by this term shall be considered a
2 violation of probation.

3 **17. Drug and Alcohol Testing**

4 Respondent, at his own expense, shall participate in testing as directed by the board or its
5 designee for the detection of alcohol, controlled substances, and dangerous drugs and/or
6 dangerous devices. Testing protocols may include biological fluid testing (urine, blood),
7 breathalyzer, hair follicle testing, or other testing protocols as directed by the board or its
8 designee. All testing must be pursuant to an observed testing protocol, unless respondent is
9 informed otherwise in writing by the board or its designee. Respondent may be required to
10 participate in testing for the entire probation period and frequency of testing will be determined
11 by the board or its designee.

12 By no later than thirty (30) days after the effective date of this decision, respondent shall
13 have completed all of the following tasks: enrolled and registered with an approved drug and
14 alcohol testing vendor; provided that vendor with any documentation, and any information
15 necessary for payment by respondent; commenced testing protocols, including all required
16 contacts with the testing vendor to determine testing date(s); and begun testing. At all times,
17 respondent shall fully cooperate with the testing vendor, and with the board or its designee, with
18 regard to enrollment, registration, and payment for, and compliance with, testing. Any failure to
19 cooperate timely shall be considered a violation of probation.

20 Respondent may be required to test on any day, including weekends and holidays.
21 Respondent is required to make daily contact with the testing vendor to determine if a test is
22 required, and if a test is required must submit to testing on the same day.

23 Prior to any vacation or other period of absence from the area where the approved testing
24 vendor provides services, respondent shall seek and receive approval from the board or its
25 designee to use an alternate testing vendor to ensure testing can occur. Upon approval,
26 respondent shall enroll and register with the approved alternate drug testing vendor, provide to
27 that alternate vendor any documentation required by the vendor, including any necessary payment
28 by respondent. During the period of absence of the area, respondent shall commence testing

1 protocols with the alternate vendor, including required daily contacts with the testing vendor to
2 determine if testing is required, and required testing. Any failure to timely seek or receive
3 approval from the board or its designee, or to timely enroll and register with, timely commence
4 testing protocols with, or timely undergo testing with, the alternate testing vendor, shall be
5 considered a violation of probation.

6 Upon detection of an illicit drug, controlled substance or dangerous drug, the board or its
7 designee may require respondent to timely provide documentation from a licensed practitioner
8 authorized to prescribe the detected substance demonstrating that the substance was administered
9 or ingested pursuant to a legitimate prescription issued as a necessary part of treatment. All such
10 documentation shall be provided by respondent within ten (10) days of being requested.

11 Any of the following shall be considered a violation of probation and shall result in
12 respondent being immediately suspended from practice as a registered intern pharmacist until
13 notified by the board in writing that he may resume practice: failure to timely complete all of the
14 steps required for enrollment/registration with the drug testing vendor, including making
15 arrangements for payment; failure to timely commence drug testing protocols; failure to contact
16 the drug testing vendor as required to determine testing date(s); failure to test as required; failure
17 to timely supply documentation demonstrating that a detected substance was taken pursuant to a
18 legitimate prescription issued as a necessary part of treatment; and/or detection through testing of
19 alcohol, or of an illicit drug, or of a controlled substance or dangerous drug absent documentation
20 that the detected substance was taken pursuant to a legitimate prescription and a necessary
21 treatment. In the event of a suspension ordered after detection through testing of alcohol, an illicit
22 drug, or of a controlled substance or dangerous drug absent documentation that the detected
23 substance was taken pursuant to a legitimate prescription and a necessary treatment, the board or
24 its designee shall inform respondent of the suspension and inform him to immediately leave work,
25 and shall notify respondent's employer(s) and work site monitor(s) of the suspension.

26 During any such suspension, respondent shall not enter any pharmacy area or any portion of
27 the licensed premises of a wholesaler, third-party-logistics provider, veterinary food-animal drug
28 retailer, or any other distributor of drugs which is licensed by the board, or any manufacturer, or

1 any area where dangerous drugs and/or dangerous devices or controlled substances are
2 maintained. Respondent shall not practice pharmacy nor do any act involving drug selection,
3 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall
4 respondent manage, administer, or be a consultant to any licensee of the board, or have access to
5 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or
6 dangerous devices and controlled substances.

7 During any such suspension, respondent shall not engage in any activity that requires the
8 professional judgment of and/or licensure as a registered intern pharmacist. Respondent shall not
9 direct or control any aspect of the practice of pharmacy, or of the manufacturing, distributing,
10 wholesaling, or retailing of dangerous drugs and/or dangerous devices.

11 Failure to comply with any such suspension shall be considered a violation of probation.
12 Failure to comply with any requirement or deadline stated by this term shall be considered a
13 violation of probation.

14 **18. Notification of Departure**

15 Prior to leaving the probationary geographic area designated by the board or its designee for
16 a period greater than twenty-four (24) hours, respondent shall notify the board verbally and in
17 writing of the dates of departure and return. Failure to comply with this provision shall be
18 considered a violation of probation.

19 **19. Abstain from Drugs and Alcohol**

20 Respondent shall completely abstain from the possession or use of alcohol, controlled
21 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated
22 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a
23 necessary part of treatment. Respondent shall ensure that he is not in the same physical location
24 as individuals who are using illicit substances even if respondent is not personally ingesting the
25 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled
26 substances, or their associated paraphernalia for which a legitimate prescription has not been
27 issued as a necessary part of treatment, or any physical proximity to persons using illicit
28 substances, shall be considered a violation of probation.

1 **20. Prescription Coordination and Monitoring of Prescription Use**

2 Within thirty (30) days of the effective date of this decision, respondent shall submit to the
3 board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,
4 physician assistant, or psychiatrist of respondent's choice, who shall be aware of the respondent's
5 history with the use of alcohol and who will coordinate and monitor any prescriptions for
6 respondent for dangerous drugs and/or dangerous devices, controlled substances or mood-altering
7 drugs. The approved practitioner shall be provided with a copy of the board's Accusation and
8 decision. A record of this notification must be provided to the board or its designee upon request.
9 Respondent shall sign a release authorizing the practitioner to communicate with the board or its
10 designee about respondent's treatment(s). The coordinating physician, nurse practitioner,
11 physician assistant, or psychiatrist shall report to the board on a quarterly basis for the duration of
12 probation regarding respondent's compliance with this condition. If any substances considered
13 addictive have been prescribed, the report shall identify a program for the time limited use of any
14 such substances. The board or its designee may require that the single coordinating physician,
15 nurse practitioner, physician assistant or psychiatrist be a specialist in addictive medicine, or
16 consult a specialist in addictive medicine. Should respondent, for any reason, cease supervision
17 by the approved practitioner, respondent shall notify the board or its designee immediately and,
18 within thirty (30) days of ceasing supervision, submit the name of a replacement physician, nurse
19 practitioner, physician assistant, or psychiatrist of respondent's choice to the board or its designee
20 for its prior approval. Failure to timely submit the selected practitioner or replacement
21 practitioner to the board or its designee for approval, or to ensure the required quarterly reporting
22 thereby, shall be considered a violation of probation.

23 If at any time an approved practitioner determines that respondent is unable to practice
24 safely or independently as a registered intern pharmacist, the practitioner shall notify the board or
25 its designee immediately by telephone and follow up by written letter within three (3) working
26 days. Upon notification from the board or its designee of this determination, respondent shall be
27 automatically suspended and shall not resume practice as a registered intern pharmacist until
28 notified by the board or its designee that practice may be resumed.

1 During any suspension, respondent shall not enter any pharmacy area or any portion of the
2 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug
3 retailer, or any other distributor of drugs which is licensed by the board, or any manufacturer, or
4 any area where dangerous drugs and/or dangerous devices or controlled substances are
5 maintained. Respondent shall not practice pharmacy nor do any act involving drug selection,
6 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall
7 respondent manage, administer, or be a consultant to any licensee of the board, or have access to
8 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or
9 dangerous devices and controlled substances. Respondent shall not resume practice until notified
10 by the board.

11 During any suspension, respondent shall not engage in any activity that requires the
12 professional judgment and/or licensure as a registered intern pharmacist. Respondent shall not
13 direct or control any aspect of the practice of pharmacy or of the manufacturing, distributing,
14 wholesaling, or retailing of dangerous drugs and/or dangerous devices or controlled substances.

15 Failure to comply with any requirement or deadline stated by this term shall be considered a
16 violation of probation.

17 **21. Facilitated Group Recovery and/or Support Meetings**

18 Within thirty (30) days of the effective date of this decision, respondent shall begin regular
19 attendance at a group recovery and/or support meeting that is run by a trained facilitator approved
20 in advance by the board or its designee. The required frequency of group meeting attendance
21 shall be determined by the board or its designee. Respondent shall continue regular attendance as
22 directed at an approved facilitated group meeting until the board or its designee advises the
23 respondent in writing that he may cease regular attendance. Respondent shall provide signed and
24 dated documentation of attendance as required with each quarterly report. Failure to attend as
25 required or to submit documentation of attendance shall be considered a violation of probation.

26 If respondent is required to participate in the PRP, compliance with this term can be
27 demonstrated through that program. Where respondent is enrolled in the PRP, participation as
28 required in a facilitated group meeting approved by the PRP shall be sufficient for satisfaction of

1 this requirement. Any deviation from participation requirements for the PRP-approved group
2 shall be considered a violation of probation.

3 **22. Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

4 Within thirty (30) days of the effective date of this decision, respondent shall begin regular
5 attendance at a recognized and established substance abuse recovery support group in California
6 (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved by the board
7 or its designee. Respondent must attend the number of group meetings per week or month
8 directed by the board or its designee, which shall typically be at least one per week. Respondent
9 shall continue regular attendance and submit signed and dated documentation confirming
10 attendance with each quarterly report for the duration of probation. Failure to attend or submit
11 documentation thereof shall be considered a violation of probation.

12 Where respondent is enrolled in the PRP, participation as required in a recovery group
13 meeting approved by the PRP shall be sufficient for satisfaction of this requirement. Any
14 deviation from participation requirements for the PRP-approved group shall be considered a
15 violation of probation.

16 **23. Work Site Monitor**

17 Within ten (10) days of the effective date of this decision, respondent shall identify a work
18 site monitor, for prior approval by the board or its designee, who shall be responsible for
19 supervising respondent during working hours. Respondent shall be responsible for ensuring that
20 the work site monitor reports in writing to the board monthly or on another schedule as directed
21 by the board or its designee. Should the designated work site monitor suspect at any time during
22 the probationary period that respondent has abused alcohol or drugs, he or she shall notify the
23 board immediately.

24 In the event of suspected abuse, the monitor shall make at least oral notification within one
25 (1) business day of the occurrence, and shall be followed by written notification within two (2)
26 business days of the occurrence. If, for any reason, including change of employment, respondent
27 is no longer able to be monitored by the approved work site monitor, within ten (10) days
28 respondent shall designate a new work site monitor for approval by the board or its designee.

1 Failure to timely identify an acceptable initial or replacement work site monitor, or to ensure
2 monthly reports are submitted to the board by the monitor, shall be considered a violation of
3 probation.

4 Within thirty (30) days of being approved by the board or its designee, the work site
5 monitor shall sign an affirmation that he or she has reviewed the terms and conditions of
6 respondent's disciplinary order and agrees to monitor respondent. The work site monitor shall at
7 least:

- 8 1) Have regular face-to-face contact with respondent in the work environment, at least
9 once per week or with greater frequency if required by the board or its designee;
- 10 2) Interview other staff in the office regarding respondent's behavior, if applicable; and
- 11 3) Review respondent's work attendance.

12 The written reports submitted to the board or its designee by the work site monitor shall
13 include at least the following information: respondent's name and license number; the monitor's
14 name, license number (if applicable) and work site location; the date(s) the monitor had face-to-
15 face contact with respondent; the staff interviewed, if applicable; an attendance report; notes on
16 any changes in respondent's behavior or personal habits; notes on any indicators that may lead to
17 substance abuse; and the work site monitor's signature.

18 Respondent shall complete the required consent forms and sign an agreement with the work
19 site monitor and the board to allow the board to communicate with the work site monitor.

20 **24. No Ownership or Management of Licensed Premises**

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

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ENDORSEMENT

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

DATED: _____

Respectfully submitted,

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

PATRICIA WEBBER HEIM
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

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

DATED: December 9, 2022

Respectfully submitted,

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



PATRICIA WEBBER HEIM
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 45593

1 ROB BONTA
Attorney General of California
2 DAVID E. BRICE
Supervising Deputy Attorney General
3 PATRICIA WEBBER HEIM
Deputy Attorney General
4 State Bar No. 230889
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6 Telephone: (916) 210-7519
Facsimile: (916) 327-8643
7 E-mail: Patricia.Heim@doj.ca.gov
Attorneys for Complainant
8

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

13 In the Matter of the Accusation Against:

Case No. 7317

14 **FAREED IQBAL RAHIMI**
15 **1472 Farrell Court**
Folsom, CA 95630

ACCUSATION

16 **Intern Pharmacist License No. INT 45593**

17 Respondent.

18
19 **PARTIES**

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

22 2. On or about September 18, 2019, the Board issued Intern Pharmacist License Number
23 INT 45593 to Fareed Iqbal Rahimi (Respondent). The Intern Pharmacist License was in full
24 force and effect at all times relevant to the charges brought herein and will expire on May 31,
25 2024, unless renewed.

26 ///

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28 ///

JURISDICTION

1
2 3. This Accusation is brought before the Board under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Business and Professions Code section 4300 states, in pertinent part:

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

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

10 (1) Suspending judgment.

11 (2) Placing him or her upon probation.

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

13 (4) Revoking his or her license.

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

16 5. Code section 4300.1 states, in pertinent part:

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

STATUTORY PROVISIONS

23 6. Section 4301 of the Code states, in pertinent part:

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

27

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

. . . .

1
2 (l) The conviction of a crime substantially related to the qualifications,
3 functions, and duties of a licensee under this chapter. The record of conviction of a
4 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United
5 States Code regulating controlled substances or of a violation of the statutes of this
6 state regulating controlled substances or dangerous drugs shall be conclusive
7 evidence of unprofessional conduct. In all other cases, the record of conviction shall
8 be conclusive evidence only of the fact that the conviction occurred. The board may
9 inquire into the circumstances surrounding the commission of the crime, in order to
10 fix the degree of discipline or, in the case of a conviction not involving controlled
11 substances or dangerous drugs, to determine if the conviction is of an offense
12 substantially related to the qualifications, functions, and duties of a licensee under this
13 chapter. A plea or verdict of guilty or a conviction following a plea of nolo
14 contendere is deemed to be a conviction within the meaning of this provision. The
15 board may take action when the time for appeal has elapsed, or the judgment of
16 conviction has been affirmed on appeal or when an order granting probation is made
17 suspending the imposition of sentence, irrespective of a subsequent order under
18 Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of
19 guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
20 dismissing the accusation, information, or indictment.

21

22 7. Section 490 of the Code states, in pertinent part,

23 (a) In addition to any other action that a board is permitted to take against a licensee,
24 a board may suspend or revoke a license on the ground that the licensee has been
25 convicted of a crime, if the crime is substantially related to the qualifications,
26 functions, or duties of the business or profession for which the license was issued.

27 (b) Notwithstanding any other provision of law, a board may exercise any authority to
28 discipline a licensee for conviction of a crime that is independent of the authority
granted under subdivision (a) only if the crime is substantially related to the
qualifications, functions, or duties of the business or profession for which the
licensee's license was issued.

(c) A conviction within the meaning of this section means a plea or verdict of guilty
or a conviction following a plea of nolo contendere. Any action that a board is
permitted to take following the establishment of a conviction may be taken when the
time for appeal has elapsed, or the judgment of conviction has been affirmed on
appeal, or when an order granting probation is made suspending the imposition of
sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of
the Penal Code.

COST RECOVERY

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

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Self-Administration of a Controlled Substance and**
3 **Use of Alcohol and Drugs in a Dangerous Manner)**

4 13. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),
5 on the grounds of unprofessional conduct, in that on or about December 3, 2021, Respondent
6 administered a controlled substance to himself and used a dangerous drug and alcoholic
7 beverages to an extent or in a manner as to be dangerous or injurious to oneself, to any other
8 person or to the public, as more particularly set forth above in paragraphs 11 and 12, and
9 incorporated herein by reference.

10 **PRAYER**

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

13 1. Revoking or suspending Intern Pharmacist License Number INT 45593, issued to
14 Fareed Iqbal Rahimi;

15 2. Ordering Fareed Iqbal Rahimi to pay the Board of Pharmacy the reasonable costs of
16 the investigation and enforcement of this case, pursuant to Business and Professions Code section
17 125.3; and,

18 3. Taking such other and further action as deemed necessary and proper.

19
20
21 DATED: 8/31/2022

Signature on File

22 _____
23 ANNE SODERGREN
24 Executive Officer
25 Board of Pharmacy
26 Department of Consumer Affairs
27 State of California
28 *Complainant*

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