

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

In the Matter of the Accusation Against:

**MEMORIAL MEDICAL CENTER LONG BEACH DBA LONG BEACH
MEMORIAL MEDICAL CENTER,
JOHN BISHOP, RUSSELL HILL, WILLIAM WEBSTER, YAIR KATZ,
CLIFFORD HANCOCK
Hospital Pharmacy Permit No. HSP 22388,**

and

**JENNIFER TING-YANG CHANG
Pharmacist License No. RPH 52333**

and

**JULIE KWON
Pharmacist License No. RPH 84561**

Respondents.

Agency Case No. 7412

OAH NO. 2023120075

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order for Public Repeval 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 May 23, 2024.

It is so ORDERED on April 23, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

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

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 THOMAS L. RINALDI
Supervising Deputy Attorney General
3 DIANA PETIKYAN
Deputy Attorney General
4 State Bar No. 306153
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
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7 *Attorneys for Complainant*

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

10 In the Matter of the Accusation Against:

Case No. 7412

11 **MEMORIAL MEDICAL CENTER LONG**
12 **BEACH DBA LONG BEACH MEMORIAL**
13 **MEDICAL CENTER, JOHN BISHOP,**
14 **RUSSELL HILL, WILLIAM WEBSTER,**
15 **YAIR KATZ, CLIFFORD HANCOCK**
16 **2801 Atlantic Avenue**
17 **Long Beach, CA 90801**

OAH No. 2023120075

18 **Hospital Pharmacy Permit No. HSP 22388,**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL AS TO MEMORIAL
MEDICAL CENTER LONG BEACH
DBA LONG BEACH MEMORIAL
MEDICAL CENTER, JOHN BISHOP,
RUSSELL HILL, WILLIAM WEBSTER,
YAIR KATZ, CLIFFORD HANCOCK
[HSP 22388] ONLY

19 **and**

[Bus. & Prof. Code § 495]

20 **JENNIFER TING-YANG CHANG**
21 **7035 Hartcrest Dr.**
22 **Rancho Palos Verdes, CA 90275**

23 **Pharmacist License No. RPH 52333**

24 **and**

25 **JULIE KWON**
26 **25186 Huston Street,**
27 **Stevenson Ranch, CA 91381**

28 **Pharmacist License No. RPH 84561**

Respondents.

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

1 **PARTIES**

2 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
3 (Board). She brought this action solely in her official capacity and is represented in this matter by
4 Rob Bonta, Attorney General of the State of California, by Diana Petikyan, Deputy Attorney
5 General.

6 2. Respondent Memorial Medical Center Long Beach dba Long Beach Memorial
7 Medical Center, John Bishop, Russell Hill, William Webster, Yair Katz, Clifford Hancock
8 (Respondent LBMMC) is represented in this proceeding by attorney Hugh Burns of Sinclitico &
9 Burns, APLC, 111 W. Ocean Blvd., Suite 2400, Long Beach, CA 90802; Tel.: 562-628-1919.

10 **JURISDICTION**

11 3. On or about March 10, 1982, the Board issued Hospital Pharmacy Permit No. HSP
12 22388 to Respondent. The Hospital Pharmacy Permit was in full force and effect at all times
13 relevant to the charges brought in Accusation No. 7412 and will expire on April 1, 2025, unless
14 renewed.

15 4. Accusation No. 7412 was filed before the Board of Pharmacy (Board), Department of
16 Consumer Affairs and is currently pending against Respondent. The Accusation and all other
17 statutorily required documents were properly served on Respondent on July 27, 2023.
18 Respondent timely filed its Notice of Defense contesting the Accusation. A copy of Accusation
19 No. 7412 is attached as exhibit A and incorporated herein by reference.

20 **ADVISEMENT AND WAIVERS**

21 5. Respondent has carefully read, fully discussed with counsel, and understands the
22 charges and allegations in Accusation No. 7412. Respondent has also carefully read, fully
23 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
24 Order for Public Repeval.

25 6. Respondent is fully aware of its legal rights in this matter, including the right to a
26 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
27 the witnesses against them; the right to present evidence and to testify on its own behalf; the right
28 to the issuance of subpoenas to compel the attendance of witnesses and the production of

documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

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

CULPABILITY

8. Respondent understands and agrees that the charges and allegations in Accusation No. 7412, if proven at a hearing, constitute cause for imposing discipline upon its Hospital Pharmacy Permit

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up its right to contest those charges.

10. Respondent agrees that its Hospital Pharmacy Permit is subject to discipline and they agree to be bound by the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent understands and agrees that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public Reprimand shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order for Public Reprimand, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order for Public Reproval is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order for Public Reproval may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Hospital Pharmacy Permit No. HSP 22388 issued to Respondent Memorial Medical Center Long Beach dba Long Beach Memorial Medical Center, John Bishop, Russell Hill, William Webster, Yair Katz, Clifford Hancock shall be publicly reprovod by the Board of Pharmacy under Business and Professions Code section 495 in resolution of Accusation No. 7412, attached as exhibit A.

Cost Recovery. No later than one year from the effective date of the Decision, Respondent shall pay \$15,000 to the Board for its costs associated with the investigation and enforcement of this matter pursuant to Business and Professions Code Section 125.3. If Respondent fails to pay the Board costs as ordered, Respondent shall not be allowed to renew their Hospital Pharmacy Permit until Respondent pays costs in full. In addition, the Board may enforce this order for payment of its costs in any appropriate court, in addition to any other rights the Board may have.

Full Compliance. As a resolution of the charges in Accusation No. 7412, this stipulated settlement is contingent upon Respondent's full compliance with all conditions of this Order. If Respondent fails to satisfy any of these conditions, such failure to comply constitutes cause for discipline, including outright revocation, of Respondent's Hospital Pharmacy Permit No. HSP 22388.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reproval and have fully discussed it with my attorney, Hugh Burns. I understand the stipulation and the effect it will have on my Hospital Pharmacy Permit. I enter into this Stipulated Settlement and Disciplinary Order for Public Reproval voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____

MEMORIAL MEDICAL CENTER LONG
BEACH DBA LONG BEACH MEMORIAL
MEDICAL CENTER, JOHN BISHOP, RUSSELL
HILL, WILLIAM WEBSTER, YAIR KATZ,
CLIFFORD HANCOCK
Respondent

I have read and fully discussed with Respondent Memorial Medical Center Long Beach dba Long Beach Memorial Medical Center, John Bishop, Russell Hill, William Webster, Yair Katz, Clifford Hancock the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reproval. I approve its form and content.

DATED: _____

HUGH BURNS
Attorney for Respondent

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DATED:

Blair Kerst

DATED:

ic Reproval. I approve its form

STIP SETTLEMENT & DISC ORDER FOR PUBLIC REPROVAL AS TO HSP 22388 ONLY (7412)

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Reapproval 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
THOMAS L. RINALDI
Supervising Deputy Attorney General

DIANA PETIKYAN
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

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

DATED: 03/19/2024

Respectfully submitted,

ROB BONTA
Attorney General of California
THOMAS L. RINALDI
Supervising Deputy Attorney General



DIANA PETIKYAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7412

1 ROB BONTA
Attorney General of California
2 THOMAS L. RINALDI
Supervising Deputy Attorney General
3 DIANA PETIKYAN
Deputy Attorney General
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Telephone: (213) 269-6193
6 Facsimile: (916) 731-2126
E-mail: Diana.Petikyan@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

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13 **MEMORIAL MEDICAL CENTER LONG**
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17 **YAIR KATZ, CLIFFORD HANCOCK**
2801 Atlantic Avenue
Long Beach, CA 90801

ACCUSATION

18 **Hospital Pharmacy Permit No. HSP 22388,**

19 **and**

20 **JENNIFER TING-YANG CHANG**
7035 Hartcrest Dr.
Rancho Palos Verdes, CA 90275

21 **Pharmacist License No. RPH 52333**

22 **and**

23 **JULIE KWON**
24 **25186 Huston Street,**
Stevenson Ranch, CA 91381

25 **Pharmacist License No. RPH 84561**

26 Respondents.
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2 **PARTIES**

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

5 2. On or about March 10, 1982, the Board of Pharmacy issued Hospital Pharmacy
6 Permit Number HSP 22388 to Memorial Medical Center Long Beach dba Long Beach Memorial
7 Medical Center, John Bishop, Russell Hill, William Webster, Yair Katz, Clifford Hancock
8 (Respondent LBMMC). The Hospital Pharmacy Permit was in full force and effect at all times
9 relevant to the charges brought herein and will expire on April 1, 2024, unless renewed. Jennifer
10 Ting-Yang Chang is and has been the Pharmacist-in-Charge (PIC) for HSP 22388 since February
11 29, 2020.

12 3. On or about April 16, 2001, the Board of Pharmacy issued Pharmacist License
13 Number RPH 52333 to Jennifer Ting-Yang Chang (Respondent Chang). The Pharmacist License
14 was in full force and effect at all times relevant to the charges brought herein and will expire on
15 April 30, 2025, unless renewed.

16 4. On or about July 12, 2021 the Board of Pharmacy issued Pharmacist License Number
17 RPH 84561 to Julie Kwon (Respondent Kwon). The Pharmacist License was in full force and
18 effect at all times relevant to the charges brought herein and will expire on April 30, 2025, unless
19 renewed.

20 **JURISDICTION**

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

24 6. Code section 118, subdivision (b), provides that the suspension, expiration, surrender,
25 and/or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
26 disciplinary action during the period within which the license may be renewed, restored, reissued
27 or reinstated.

1 7. Code section 4011 states, “The board shall administer and enforce this chapter and
2 the Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the
3 Health and Safety Code).”

4 8. Code section 4300 states:

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

6 ...

7 (e) The proceedings under this article shall be conducted in accordance with
8 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government
9 Code, and the board shall have all the powers granted therein. The action shall be final,
10 except that the propriety of the action is subject to review by the superior court pursuant
11 to Section 1094.5 of the Code of Civil Procedure.

12 9. Code section 4300.1 states, “The expiration, cancellation, forfeiture, or suspension of
13 a board-issued license by operation of law or by order or decision of the board or a court of law,
14 the placement of a license on a retired status, or the voluntary surrender of a license by a licensee
15 shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or
16 action or disciplinary proceeding against, the licensee or to render a decision suspending or
17 revoking the license.”

18 10. Code section 4032 states, “‘License’ means and includes any license, permit,
19 registration, certificate, or exemption issued by the board and includes the process of applying for
20 and renewing the same.”

21 **STATUTORY PROVISIONS: BUSINESS AND PROFESSIONS CODE**

22 11. Section 4022 of the Code states

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

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

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

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

12. Section 4113 of the Code states, in pertinent part, “(c) 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.”

13. Section 4118.5 of the Code states

(a) A pharmacist at a hospital pharmacy shall obtain an accurate medication profile or list for each high-risk patient upon admission of the high-risk patient under the following conditions:

(1) The hospital has more than 100 beds.

(2) The accurate medication profile or list may be acquired by the pharmacist during the hospital pharmacy's hours of operation.

(b) Notwithstanding any other law, a pharmacy technician or an intern pharmacist may perform the task of obtaining an accurate medication profile or list for a high-risk patient if both of the following conditions are satisfied:

(1) The hospital pharmacy has a quality assurance program to monitor competency.

(2) The hospital has established policies and procedures for training and proctoring pharmacy technicians or intern pharmacists by the hospital pharmacy department and the pharmacy technician or intern pharmacist has completed that training and proctoring.

(c) The hospital shall establish criteria regarding who is a high-risk patient for purposes of this section, and shall determine the timeframe for completion of the medication profile or list, based on the patient populations served by the hospital.

(d) The board may adopt rules and regulations to carry out the purposes and objectives of this section.

(e) This section shall not apply to the State Department of State Hospitals.

(f) Nothing in this section shall be construed to prohibit a healing arts licensee licensed pursuant to this division from obtaining an accurate medication profile or list.

14. Section 4156 of the Code states, “A pharmacy corporation shall not do, or fail to do, any act where doing or failing to do the act would constitute unprofessional conduct under any statute or regulation. In the conduct of its practice, a pharmacy corporation shall observe and be bound by the laws and regulations that apply to a person licensed under this chapter.”

15. Section 4301 of the Code 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 issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

...

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

...

16. Section 4306.5 of the Code states:

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

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

(b) Acts or omissions that involve, in whole or in part, the failure to exercise or implement his or her best professional judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled substances, dangerous drugs, or dangerous devices, or with regard to the provision of services.

(c) Acts or omissions that involve, in whole or in part, the failure to consult appropriate patient, prescription, and other records pertaining to the performance of any pharmacy function.

(d) Acts or omissions that involve, in whole or in part, the failure to fully maintain and retain appropriate patient-specific information pertaining to the performance of any pharmacy function.

17. Section 4307 of the Code states:

(a) Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control of any partnership, corporation, trust, firm, or association whose application for a license has been denied or revoked, is under suspension or has been placed on probation, and while acting as the manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control had knowledge of or knowingly participated in any conduct for which the license was denied, revoked, suspended, or placed on probation, shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, partner, or in any other position with management or control of a licensee as follows:

(1) Where a probationary license is issued or where an existing license is placed on probation, this prohibition shall remain in effect for a period not to exceed five years.

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

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

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

16 **COST RECOVERY**

17 18. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
18 administrative law judge to direct a licensee found to have committed a violation or violations of
19 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
20 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
21 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
22 included in a stipulated settlement.

23 **DRUG CLASSIFICATIONS**

24 19. **Anastrozole** (brand name: Arimidex), is a prescription drug used to treat cancer. It
25 is considered a hazardous agent according to the National Institute for Occupational Safety
26 (NIOSH). It is categorized as a dangerous drug pursuant to Business and Professions Code
27 section 4022.

28 20. **Clopidogrel** (band name: Plavix), is an antiplatelet medication used to prevent blood
clots. It is categorized as a dangerous drug pursuant to Business and Professions Code section
4022.

FACTUAL ALLEGATIONS

21 21. On or about February 3, 2022, patient M.D. was admitted to Long Beach
22 Memorial Medical Center (LBMMC) for a life-saving heart procedure. Patient M.D. was
23 identified as a “high risk” patient per LBMM policy. When a high risk patient is admitted to a

hospital, a pharmacist or authorized designee (i.e., pharmacy technician or pharmacist intern) must obtain an accurate medication profile for that high-risk patient.

22. LBMMC’s “Medication and Order Reconciliation” policy – in accordance with Business and Professions Code section 4118.5 – specifically sets out that a pharmacist’s responsibilities in the medication reconciliation process (during an inpatient admission) include:

- “Review[ing] [the] [Prior to Admission] PTA medication list and compar[ing] the [PTA] list to currently ordered admission medications.
- Collaborat[ing] with RN and MD in reconciling the PTA medication list to the patient’s current orders....”

23. On February 3, 2022, at 1428, Doctor So erroneously ordered Anastrozole and Clopidogrel for patient M.D. during her admission.

24. At approximately 1434, pharmacy technician C.H. performed a medication history collection for patient M.D. by speaking to her daughter, R.D. R.D. informed technician C.H. that patient M.D. does not take Anastrozole and Clopidogrel. Technician C.H. physically crossed out Anastrozole and Clopidogrel in patient M.D.’s “Prior to Admission” (PTA) list. Respondent Kwon reviewed technician C.H.’s medication history collection and signed off on the discontinuation of Anastrozole and Clopidogrel in the patient’s PTA list.

25. The discontinuation of the Anastrozole and Clopidogrel in the PTA list did not discontinue Doctor So’s active orders for those two medications.

26. Respondent Kwon did not collaborate with any doctor or nurse regarding the discontinuation of Anastrozole and Clopidogrel despite the fact that LBMMC’s internal policy and written form necessitates cross-checking of the PTA list with current physician orders.

27. At 1451, pharmacist L.H. verified Doctor So’s 1428 order for Anastrozole and Clopidogrel for patient M.D.

28. On February 4, 2022, patient M.D. erroneously received Anastrozole and Clopidogrel.

29. On February 5, 2022, patient M.D. erroneously received Anastrozole and Clopidogrel.

30. On February 6, 2022, at approximately 1000, patient M.D.'s daughter R.D. uncovered that patient M.D. was erroneously receiving Anastrozole after questioning patient M.D.'s nurse. R.D. reported the error to the nurse, asked the doctor to be paged, and called the pharmacy.

31. On February 6, 2022, at 1141, Doctor So's order for Anastrozole was discontinued by a nurse (via phone order from the doctor).

32. On February 6, 7, 8, and 9, 2022, patient M.D. continued to erroneously receive doses of Clopidogrel.

33. In or about February 2022, Patient M.D. died.

34. On March 10, 2022, Respondent Kwon wrote a statement to the Board wherein she admitted that she “overlooked that [Anastrozole and Clopidogrel] had been ordered for inpatient use by the patient’s physician.”

FIRST CAUSE FOR DISCIPLINE

(Inaccurate Medication Profile for High Risk Patient - Respondents LBMMC, Chang, and Kwon)

35. Respondents LBMMC, Chang, and Kwon are subject to disciplinary action for unprofessional conduct pursuant to Code section 4301, subdivision (o), for violating laws governing pharmacy. Respondent LBMMC is responsible for its employee, Respondent Kwon's actions, and Respondent Chang (as the PIC) is responsible to ensure the pharmacy complies with all state and federal laws and regulations pursuant to Code section 4113, subdivision (c). Respondents LBMMC, Chang, and Kwon are in violation of Code section 4118.5 in that Respondent Kwon failed to communicate patient M.D.'s discontinued medications to her treating providers, resulting in patient M.D. having an inaccurate medication profile and erroneously receiving Anastrozole and Clopidogrel. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 21 through 34, inclusive, as though set forth fully herein.

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct - Respondents LBMMC, Chang, and Kwon)**

3 36. Respondents LBMMC, Chang, and Kwon are subject to discipline pursuant to
4 Code section 4301, subdivision (o) for violating laws governing pharmacy. Respondent
5 LBMMC is responsible for its employee, Respondent Kwon's actions, and Respondent Chang
6 (as the PIC) is responsible to ensure the pharmacy complies with all state and federal laws and
7 regulations pursuant to Code section 4113, subdivision (c). Respondent Kwon is also in violation
8 of Code section 4306.5 engaging in unprofessional conduct by failing to appropriately exercise
9 her education, training, and experience as a pharmacist. Respondent Kwon failed to compare
10 patient M.D.'s PTA list with her current ordered medications per hospital pharmacy policy.
11 Patient M.D.'s PTA list was not consistent with her current ordered medications. Respondent
12 Kwon then failed to call M.D.'s physician to clarify the discrepancies. Complainant refers to,
13 and by this reference incorporates, the allegations set forth above in paragraphs 21 through 34,
14 inclusive, as though set forth fully herein.

15 **OTHER MATTERS**

16 37. Pursuant to Business and Professions Code section 4307, if discipline is imposed on
17 Pharmacist License Number RPH 52333 issued to Jennifer Ting-Ying Chang, Respondent Chang
18 shall be prohibited from serving as a manager, administrator, owner, member, officer, director,
19 associate, or partner of a license for five years if Pharmacist License Number RPH 52333 is
20 placed on probation or until Pharmacist License Number RPH 52333 is reinstated if it is revoked.

21 38. Pursuant to Business and Professions Code section 4307, if discipline is imposed on
22 Pharmacy Permit Number HSP 22388 issued to LBMMC, then any person who has been a
23 manager, administrator, owner, member, officer, director, associate, partner, or any other person
24 with management or control of any partnership, corporation, trust, firm, or association which
25 received this discipline or denial, and while acting as the manager, administrator, owner, member,
26 officer, director, associate, partner, or any other person with management or control, had
27 knowledge of or knowingly participated in any conduct leading to discipline or denial, shall be
28

1 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,
2 or partner of a licensee for five years if Pharmacy Permit Number HSP 22388 is placed on
3 probation or until Pharmacy Permit Number HSP 22388 is reinstated if it is revoked.

4 **PRAYER**

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

7 1. Revoking or suspending Hospital Pharmacy Permit Number HSP 22388, issued to
8 Memorial Medical Center Long Beach dba Long Beach Memorial Medical Center, John Bishop,
9 Russell Hill, Yair Katz, Jennifer Ting-Ying;

10 2. Revoking or suspending Pharmacist License Number RPH 52333, issued to Jennifer
11 Ting-Yang Chang;

12 3. Revoking or suspending Pharmacist License Number RPH 84561, issued to Julie
13 Kwon;

14 4. Prohibiting Respondent Chang from serving as a manager, administrator, owner,
15 member, officer, director, associate, or partner of a licensee for five years if Hospital Pharmacy
16 Permit Number HSP 22388 is placed on probation or until HSP 22388 is reinstated if it is
17 revoked;

18 5. Prohibiting Respondent Chang from serving as a manager, administrator, owner,
19 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
20 Number RPH 52333 is placed on probation or until the Pharmacist License is reinstated, if it is
21 revoked;

22 6. Ordering Long Beach Memorial Medical Center, Jennifer Ting-Ying Chang, and Julie
23 Kwon to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of
24 this case, pursuant to Business and Professions Code section 125.3; and,
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7. Taking such other and further action as deemed necessary and proper.

DATED: 7/20/2023

Sodergren,
Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2023.07.20 21:02:18
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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