

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

In the Matter of the Accusation Against:

**PRANAV R. BHAKTA,
Registered Pharmacist License No. RPH 83641**

Respondent.

Agency Case No. 7413

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on October 18, 2023.

It is so ORDERED on September 18, 2023

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh".

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 THOMAS L. RINALDI
Supervising Deputy Attorney General
3 MICHAEL YI
Deputy Attorney General
4 State Bar No. 217174
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6483
6 Facsimile: (916) 731-2126
E-mail: Michael.Yi@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:

Case No. 7413

13 **PRANAV R. BHAKTA**
14 **19609 Christina Way**
Cerritos, CA 90703

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL

15 **Registered Pharmacist License No. RPH**
16 **83641**

[Bus. & Prof. Code § 495]

17 Respondent.

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

22 **PARTIES**

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

26 2. Respondent Pranav R. Bhakta is represented in this proceeding by attorney Peter
27 Gregorovic, whose address is: 9090 Irvine Center Drive, Irvine, CA 92618.
28

1 **JURISDICTION**

2 3. On November 6, 2020, the Board issued Registered Pharmacist License number RPH
3 83641 to Pranav R. Bhakta (Respondent). The Registered Pharmacist License was in full force
4 and effect at all times relevant to the charges brought in Accusation number 7413 and will expire
5 on March 31, 2024, unless renewed.

6 4. Accusation number 7413 was filed before the Board and is currently pending against
7 Respondent. The Accusation and all other statutorily required documents were properly served
8 on Respondent on July 31, 2023. Respondent timely filed his Notice of Defense contesting the
9 Accusation. A copy of Accusation number 7413 is attached as exhibit A and incorporated herein
10 by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Accusation number 7413. Respondent has also carefully read, fully
14 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
15 Order for Public Reproval.

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

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

24 **CULPABILITY**

25 8. Respondent admits the truth of each and every charge and allegation in Accusation
26 number 7413.

27 9. Respondent agrees that his Registered Pharmacist License is subject to discipline and
28 he agrees to be bound by the Disciplinary Order below.

CONTINGENCY

10. 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 his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated 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.

11. 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.

12. This Stipulated Settlement and Disciplinary Order for Public Reprimand 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 Reprimand may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

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

////

////

////

////

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Pharmacist License Number RPH 83641 issued to Respondent Pranav R. Bhakta shall be publicly reprovved by the Board of Pharmacy under Business and Professions Code section 495 in resolution of Accusation number 7413, attached as exhibit A.

Coursework. No later than sixty (60) days from the effective date of the public reprovall, Respondent, at his own expense, shall enroll in a course in ethics, approved in advance by the Board or its designee that complies with Title 16 California Code of Regulations section 1773.5. Respondent shall provide proof of enrollment upon request. Within five (5) days of completion, Respondent shall submit a copy of the certificate of completion to the Board or its designee. Failure to timely enroll in an approved ethics course and successfully complete it within two (2) years, or failure to timely submit proof of completion to the Board or its designee within two (2) years, shall be considered a violation of this Order.

Cost Recovery. Respondent shall pay \$9,875.50 to the Board for its costs associated with the investigation and enforcement of this matter pursuant to Business and Professions Code Section 125.3. Starting one (1) month from the effective date of the public reprovall, Respondent shall pay \$822.95 per month for eleven (11) consecutive months. Respondent shall then pay the final twelfth month payment in the amount of \$823.05. If Respondent fails to pay the Board costs as ordered, Respondent shall not be allowed to renew his Registered Pharmacist License until the costs are paid 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. Failure to timely submit payment of costs to the Board shall be considered a violation of this Order.

Full Compliance. As a resolution of the charges in Accusation number 7413, 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 Registered Pharmacist License Number RPH 83641.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reprimand and have fully discussed it with my attorney, Peter Gregorovic. I understand the stipulation and the effect it will have on my Registered Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____

PRANAV R. BHAKTA
Respondent

I have read and fully discussed with Respondent Pranav R. Bhakta the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reprimand. I approve its form and content.

DATED: _____

PETER GREGOROVIC
Attorney for Respondent

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reprimand and have fully discussed it with my attorney, Peter Gregorovic. I understand the stipulation and the effect it will have on my Registered Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 8/17/23


PRANAV R. BHAKTA
Respondent

I have read and fully discussed with Respondent Pranav R. Bhakta the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reprimand. I approve its form and content.

DATED: 8/17/2023


PETER GREGOROVIC
Attorney for Respondent

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

MICHAEL YI
Deputy Attorney General
Attorneys for Complainant

LA2022603899
66162995.docx

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: August 24, 2023

Respectfully submitted,

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

Michael Yi

MICHAEL YI
Deputy Attorney General
Attorneys for Complainant

LA2022603899
66162995.docx

Exhibit A

Accusation No. 7413

1 ROB BONTA
Attorney General of California
2 KIM KASRELIOVICH
Supervising Deputy Attorney General
3 MICHAEL YI
Deputy Attorney General
4 State Bar No. 217174
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6483
6 Facsimile: (916) 731-2126
E-mail: Michael.Yi@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:

Case No. 7413

13 **PRANAV R. BHAKTA**
14 **19609 Christina Way**
Cerritos, CA 90703

ACCUSATION

15 **Registered Pharmacist License No. RPH**
16 **83641**

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, Department of Consumer Affairs.

22 2. On November 6, 2020, the Board of Pharmacy issued Registered Pharmacist License
23 Number RPH 83641 to Pranav R. Bhakta (Respondent). The Registered Pharmacist License was
24 in full force and effect at all times relevant to the charges brought in this Accusation and will
25 expire on March 31, 2024, unless renewed.

26 ////

27 ////

28 ////

JURISDICTION

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

4. Section 4011 provides that the Board shall administer and enforce the Pharmacy Law (Bus. Prof. Code, § 4000 *et seq.*) and the Uniform Controlled Substances Act (Health & Safety Code, § 11000 *et seq.*).

5. Section 4300, subdivision (a), provides that every license issued by the Board may be suspended or revoked.

6. Section 4300.1 states:

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

STATUTORY PROVISIONS

7. Section 123 states:

It is a misdemeanor for any person to engage in any conduct which subverts or attempts to subvert any licensing examination or the administration of an examination, including, but not limited to:

(a) Conduct which violates the security of the examination materials; removing from the examination room any examination materials without authorization; the unauthorized reproduction by any means of any portion of the actual licensing examination; aiding by any means the unauthorized reproduction of any portion of the actual licensing examination; paying or using professional or paid examination-takers for the purpose of reconstructing any portion of the licensing examination; obtaining examination questions or other examination material, except by specific authorization either before, during, or after an examination; or using or purporting to use any examination questions or materials which were improperly removed or taken from any examination for the purpose of instructing or preparing any applicant for examination; or selling, distributing, buying, receiving, or having unauthorized possession of any portion of a future, current, or previously administered licensing examination.

(b) Communicating with any other examinee during the administration of a licensing examination; copying answers from another examinee or permitting one's answers to be copied by another examinee; having in one's possession during the administration of the licensing examination any books, equipment, notes, written or printed materials, or data of any kind, other than the examination materials

distributed, or otherwise authorized to be in one's possession during the examination; or impersonating any examinee or having an impersonator take the licensing examination on one's behalf.

Nothing in this section shall preclude prosecution under the authority provided for in any other provision of law.

...

8. Section 496 states:

A board may deny, suspend, revoke, or otherwise restrict a license on the ground that an applicant or licensee has violated Section 123 pertaining to subversion of licensing examinations.

9. Section 584 states:

No person shall violate the security of any examination, as defined in subdivision (a) of Section 123, or impersonate, attempt to impersonate, or solicit the impersonation of, another in any examination for a license, certificate, or registration to practice as provided in this division, the Osteopathic Initiative Act, or the Chiropractic Initiative Act, or under any other law providing for the regulation of any other system or method of treating the sick or afflicted in this state.

10. Section 4301 states:

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.

....

p) Actions or conduct that would have warranted denial of a license.

....

REGULATORY PROVISIONS

11. California Code of Regulations, title 16, section 1723.1, states:

Examination questions are confidential. Any applicant for any license issued by the board who removes all or part of any qualifying examination from the examination room or area, or who conveys or exposes all or part of any qualifying examination to any other person may be disqualified as a candidate for a license. The applicant shall not be approved to take the examination for three years from the date of the incident and shall surrender his or her intern license until again eligible to take the examination. The applicant may not be issued a pharmacy technician license until

the applicant is again eligible to take the examination.

COST RECOVERY

12. Section 125.3 provides that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FACTUAL ALLEGATIONS

13. The California Practice Standards and Jurisprudence Examination for Pharmacists (CPJE) is an examination that applicants must pass to become a licensed pharmacist in California. The CPJE assesses an applicant's competency to safely practice pharmacy. CPJE exam content is confidential, as the questions may be re-used. Applicants taking the CPJE are required to sign an acknowledgment that the questions are confidential and may not be shared with anyone.

14. In July 2019, the Board obtained information about the unauthorized disclosure and sharing of CPJE exam content. The Board investigated the disclosure of compromised exam questions and content. The Board's investigation revealed that Respondent possessed unauthorized CPJE content from a previously administered CPJE exam, and distributed or shared the content with other applicants.

FIRST CAUSE FOR DISCIPLINE

(Licensing Exam Subversion)

15. Respondent is subject to disciplinary action under Business and Professions Code section 496, for violating Business and Professions Code section 123. Respondent possessed CPJE content that the Board did not authorize for public release, and shared or distributed the content with three pharmacist applicants. Complainant refers to, and by this reference incorporates, the allegations in paragraphs 13-14, as though fully set forth here.

SECOND CAUSE FOR DISCIPLINE

(Violation of Examination Security)

16. Respondent is subject to disciplinary action under Business and Professions Code section 496, for violating Business and Professions Code section 584. Respondent violated the security of an examination by possessing CPJE content that the Board did not authorize for public

1 release, and sharing or distributing the content with pharmacist applicants. Complainant refers to,
2 and by this reference incorporates, the allegations in paragraphs 13-14, as though fully set forth
3 here.

4 **THIRD CAUSE FOR DISCIPLINE**

5 **(Unprofessional Conduct)**

6 17. Respondent is subject to disciplinary action under Business and Professions Code
7 section 4301, subdivisions (o) and (p). Respondent possessed CPJE content that the Board did
8 not authorize for public release, and shared or distributed the content with pharmacist applicants.
9 Complainant refers to, and by this reference incorporates, the allegations in paragraphs 13-14, as
10 though fully set forth here.

11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
13 Accusation, and that following the hearing, the Board of Pharmacy issue a decision:

- 14 1. Revoking or suspending Registered Pharmacist License Number RPH 83641, issued
15 to Pranav R. Bhakta;
- 16 2. Ordering Pranav R. Bhakta to pay the Board of Pharmacy the reasonable costs of the
17 investigation and enforcement of this case, pursuant to Business and Professions Code section
18 125.3; and,
- 19 3. Taking such other and further action as deemed necessary and proper.

20
21
22 DATED: 7/26/2023

Sodergren,
Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2023.07.26 06:57:45
-07'00'

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

23
24
25
26
27 LA2022603899
28 65679365.docx