

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

In the Matter of the Accusation Against:

**AIKEN KIM BUI
Pharmacist License No. RPH 77581,**

Respondent.

Case No. 7449

OAH No. 2024020416

and

In the Matter of the Accusation Against:

**COASTAL DRUGS LLC DBA COASTAL DRUGS; HEMA MANISH
PATEL, ALPESH MANEKLAL PATEL
Permit No. PHY 55429,**

and

**AIKEN KIM BUI
Pharmacist License No. RPH 77581**

Respondents.

Case No. 7591

OAH No. 2024050552

DECISION AND ORDER

The attached Stipulated Revocation of License and 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 August 28, 2024.

It is so ORDERED on July 29, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
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8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **AIKEN KIM BUI**
13 **965 Blue Heron**
Seal Beach, CA 90740

14 **Pharmacist License No. RPH 77581**

15 Respondent.
16 -----
17

18 **COASTAL DRUGS LLC DBA COASTAL**
19 **DRUGS; HEMA MANISH PATEL,**
ALPESH MANEKLAL PATEL
20 **3500 E. Broadway**
Long Beach, CA 90803

21 **Permit No. PHY 55429,**

22 and

23 **AIKEN KIM BUI**
24 **965 Blue Heron**
Seal Beach, CA 90740

25 **Pharmacist License No. RPH 77581**

26 Respondents.
27
28

Case No. 7449

OAH No. 2024020416

**STIPULATED REVOCATION OF
LICENSE AND ORDER AS TO
AIKEN KIM BUI**

Case No. 7591

OAH No. 2024050552

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

3 **PARTIES**

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

8 2. Aiken Kim Bui (Respondent Bui) is represented in this proceeding by attorney Ton C.
9 Nguyen, whose address is: 4806 W 1st St., Santa Ana, CA 92703-3108.

10 3. On or about October 10, 2017, the Board issued Pharmacist License No. RPH 77581
11 to Aiken Kim Bui (Respondent). The Pharmacist License expired on October 31, 2023, and has
12 not been renewed.

13 **JURISDICTION**

14 4. A First Amended Accusation No. 7449 was filed before the Board, and is currently
15 pending against Respondent Bui. The First Amended Accusation and all other statutorily
16 required documents were properly served on December 6, 2023. A First Supplemental
17 Accusation No. 7591 was filed before the Board, and is currently pending against Respondent
18 Bui. The First Supplemental Accusation and all other statutorily required documents were
19 properly served on May 15, 2024. Respondent timely filed his Notices of Defense contesting the
20 Accusations. A copy of Accusation No. 7449 and Accusation No. 7591 are attached as Exhibit A
21 and incorporated by reference.

22 **ADVISEMENT AND WAIVERS**

23 5. Respondent has carefully read, fully discussed with counsel, and understands the
24 charges and allegations in Accusation No. 7449 and Accusation No. 7591. Respondent also has
25 carefully read, fully discussed with counsel, and understands the effects of this Stipulated
26 Revocation of License and Order.

27 6. Respondent is fully aware of his legal rights in this matter, including the right to a
28 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine

1 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
2 to the issuance of subpoenas to compel the attendance of witnesses and the production of
3 documents; the right to reconsideration and court review of an adverse decision; and all other
4 rights accorded by the California Administrative Procedure Act and other applicable laws.

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

7 **CULPABILITY**

8 8. Respondent understands that the charges and allegations in Accusation No. 7449 and
9 Accusation No. 7591, if proven at a hearing, constitute cause for imposing discipline upon his
10 Pharmacist License.

11 9. For the purpose of resolving the Accusations without the expense and uncertainty of
12 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
13 basis for the charges in the Accusation and that those charges constitute cause for discipline.
14 Respondent hereby gives up his right to contest that cause for discipline exists based on those
15 charges.

16 10. Respondent understands that by signing this stipulation he enables the Board to issue
17 an order accepting the revocation of his Pharmacist License without further process.

18 **CONTINGENCY**

19 11. This stipulation shall be subject to approval by the Board. Respondent understands
20 and agrees that counsel for Complainant and the staff of the Board may communicate directly
21 with the Board regarding this stipulation and revocation, without notice to or participation by
22 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he
23 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board
24 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
25 the Stipulated Revocation of License and Order shall be of no force or effect, except for this
26 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
27 be disqualified from further action by having considered this matter.

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ENDORSEMENT

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

DATED: _____

Respectfully submitted,
ROB BONTA
Attorney General of California
NANCY A. KAISER
Supervising Deputy Attorney General

LANGSTON M. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

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

DATED June 27, 2024 _____

Respectfully submitted,
ROB BONTA
Attorney General of California
NANCY A. KAISER
Supervising Deputy Attorney General

Langston M. Edwards
LANGSTON M. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

**First Amended Accusation No. 7449 and
First Supplemental Accusation No. 7591**

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2 NANCY A. KAISER
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8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **AIKEN KIM BUI**
14 **965 Blue Heron**
Seal Beach, CA 90740

15 **Pharmacist License No. RPH 77581**

16 Respondent.

Case No. 7449

OAH No. 2023010304

FIRST AMENDED ACCUSATION

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20 **PARTIES**

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

24 2. On or about October 10, 2017, the Board of Pharmacy issued Pharmacist License
25 Number RPH 77581 to Aiken Kim Bui (Respondent Bui or PIC Bui). The Pharmacist License
26 was suspended by an Ex Parte Interim Suspension Order on January 17, 2023, which was
27 extended on February 8, 2023. The Pharmacist License remains suspended. The Pharmacist
28 License will expire on October 31, 2023, unless renewed.

1 **JURISDICTION**

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

5 4. Section 4300, subdivision (a), states that “[e]very license issued may be suspended or
6 revoked.”

7 5. Section 4300.1 states:

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

13 6. Section 118, subdivision (b), provides that the expiration of a license shall not deprive
14 the Board of jurisdiction to proceed with a disciplinary action during the period within which the
15 license may be renewed, restored, reissued or reinstated.

16
17 **INTRODUCTION**

18 7. This case is about extremely alarming unprofessional conduct and possession of
19 highly controlled substances and dangerous drugs, including opioids. On January 4, 2023,
20 Respondent Bui brought two AK-47 assault-style rifles with high-capacity magazines and live
21 cartridges to Coastal Drugs pharmacy, where he worked as the pharmacist-in-charge. Respondent
22 Bui showed the weapons to at least one customer in the pharmacy and showed and attempted to
23 sell the weapons to two delivery workers. More alarming still, Respondent Bui threatened his co-
24 worker by stating, “he needed to take his Adderall because there were voices in his head telling
25 him to shoot his colleagues.”

26 8. On January 9, 2023, the Long Beach Police Department served a search warrant at
27 Respondent Bui’s home and seized five other guns, including the AK-47 assault-style rifles that
28 Respondent Bui brought to the pharmacy, ammunition, and high-capacity magazines. The search

1 also uncovered a paper sign that read, “*Bui’s Pharmacy RX Optional Ca\$h Only, Back Order*
2 *Always*” above approximately thirty-five (35) prescription medicines on top of a dresser.
3 Hydromorphone pills were discovered next to some of the seized guns. The investigation by the
4 Board revealed that hydromorphone among other controlled substances at his residence were not
5 legitimately prescribed to Respondent Bui or any of the family members in his home. The
6 investigation by the Board further revealed that Respondent Bui self-furnished Adderall and
7 falsely documented another pharmacist’s credentials to dispense these prescriptions on several
8 occasions.

9 **STATUTORY PROVISIONS**

10 9. Section 490 of the Code provides, in pertinent part, that a board may suspend or
11 revoke a license on the ground that the licensee has been convicted of a crime substantially
12 related to the qualifications, functions, or duties of the business or profession for which the
13 license was issued.

14 10. Section 493 of the Code states:

15 “Notwithstanding any other provision of law, in a proceeding conducted by a board within
16 the department pursuant to law to deny an application for a license or to suspend or revoke a
17 license or otherwise take disciplinary action against a person who holds a license, upon the
18 ground that the applicant or the licensee has been convicted of a crime substantially related to the
19 qualifications, functions, and duties of the licensee in question, the record of conviction of the
20 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,
21 and the board may inquire into the circumstances surrounding the commission of the crime in
22 order to fix the degree of discipline or to determine if the conviction is substantially related to the
23 qualifications, functions, and duties of the licensee in question.

24 “As used in this section, ‘license’ includes ‘certificate,’ ‘permit,’ ‘authority,’ and
25 ‘registration.’”

26 11. Code section 820 states:

27 Whenever it appears that any person holding a license, certificate or permit
28 under this division or under any initiative act referred to in this division may be
unable to practice his or her profession safely because the licentiate's ability to

1 practice is impaired due to mental illness, or physical illness affecting competency,
2 the licensing agency may order the licentiate to be examined by one or more
3 physicians and surgeons or psychologists designated by the agency. The report of
4 the examiners shall be made available to the licentiate and may be received as
5 direct evidence in proceedings conducted pursuant to Section 822.

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15 12. Code section 822 states:

16 If a licensing agency determines that its licentiate's ability to practice his or
17 her profession safely is impaired because the licentiate is mentally ill, or physically
18 ill affecting competency, the licensing agency may take action by any of the
19 following methods:

20 (a) Revoking the licentiate's certificate or license.

21 (b) Suspending the licentiate's right to practice.

22 (c) Placing the licentiate on probation.

23 (d) Taking such other action in relation to the licentiate as the licensing
24 agency in its discretion deems proper.

25 The licensing section shall not reinstate a revoked or suspended certificate or
26 license until it has received competent evidence of the absence or control of the
27 condition which caused its action and until it is satisfied that with due regard for the
28 public health and safety the person's right to practice his or her profession may be
safely reinstated.

13. Section 4060 of the Code states:

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

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

14. 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:

.....

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

4 (g) Knowingly making or signing any certificate or other document that falsely
5 represents the existence or nonexistence of a state of facts.

6

7 (j) The violation of any of the statutes of this state, of any other state, or of the
8 United States regulating controlled substances and dangerous drugs.

9

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

. . . .

(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
[the Pharmacy Law, Bus. & Prof. Code, § 4000, et seq.] 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. . . .

15. Section 4306.5 states, in pertinent part:

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. . . .

16. Section 4307 states, in pertinent part:

(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.

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

17. Section 11170 of the Health and Safety Code states:

No person shall prescribe, administer, or furnish a controlled substance for himself.

18. Section 11173(a) of the Health and Safety Code states:

No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

19. Section 11175 of the Health and Safety Code states:

No person shall obtain or possess a prescription that does not comply with this division, nor shall any person obtain a controlled substance by means of a prescription which does not comply with this division or possess a controlled substance obtained by such a prescription.

REGULATORY PROVISIONS

20. California Code of Regulations, title 16, section 1770(a), states:

For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime, professional misconduct, or act shall be considered substantially related to the qualifications, functions or duties of the practice, profession, or occupation that may be performed under the license type sought or held if to a substantial degree it evidences present or potential unfitness of an applicant or licensee to perform the functions authorized by the license in a manner consistent with the public health, safety, or welfare.

1 **COST RECOVERY**

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

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7 **DRUG DEFINITIONS**

8 22. **Adderall/Adderal XR**, a brand name for dextroamphetamine/ amphetamine mixed
9 salts, is a Schedule II controlled substance pursuant to Health and Safety Code section 11055,
10 subd. (d)(1), and a dangerous drug pursuant to Business and Professions Code section 4022.
11 Dextroamphetamine/amphetamine mixed salts are used to treat ADHD.

12 23. **Alprazolam** is a Schedule IV controlled substance pursuant to Health and Safety
13 Code section 11057, subd. (d)(1), and a dangerous drug pursuant to Business and Professions
14 Code section 4022. Alprazolam is used to treat anxiety.

15 24. **Dilaudid**, a brand name for hydromorphone, is a Schedule II controlled substance
16 pursuant to Health and Safety Code section 11055, subd. (b)(1)(J), and a dangerous drug pursuant
17 to Business and Professions Code section 4022. Hydromorphone is an opioid used to treat pain.

18 25. **Opana**, a brand name for oxymorphone, is a Schedule II controlled substance
19 pursuant to Health and Safety Code section 11055, subd. (b)(1)(N), and a dangerous drug
20 pursuant to Business and Professions Code section 4022. Oxymorphone is an opioid used to treat
21 pain.

22 26. **Vyvanse**, a brand name for lisdexamfetamine is a Schedule II controlled substance
23 pursuant to Health and Safety Code section 11055, subd. (f)(1), and a dangerous drug pursuant to
24 Business and Professions Code section 4022. Lisdexamfetamine is used to treat ADHD.

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FACTUAL ALLEGATIONS

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2 27. On or around January 4, 2023, while employed as the Pharmacist in Charge at Coastal
3 Drugs, located at 3500 East Broadway, Long Beach, California (pharmacy), Respondent Bui
4 brought two AK-47 assault-style rifles¹ with high-capacity magazines and live cartridges into the
5 pharmacy. Respondent Bui showed the weapons to at least one customer in the pharmacy and
6 showed and attempted to sell the weapons to two delivery workers. Respondent Bui threatened
7 his co-worker, Pharmacy Technician I.T (TCH I.T), by stating “he needed to take his Adderall
8 because there were voices in his head telling him to shoot his colleagues.”² TCH I.T. was the
9 only other employee at Coastal Drugs at the time of Respondent Bui’s threat.

10 28. On or around January 9, 2023, the Long Beach Police Department served a search
11 warrant at the home of Respondent Bui and seized five guns, ammunition, and high-capacity
12 magazines. Two loaded handguns were recovered from an unlocked hallway cabinet. An AK-47
13 rifle and a Black 9mm with a rifle stock, along with loaded high-capacity magazines, were
14 recovered from the floor of the downstairs office, which was unlocked. Finally, two additional
15 loaded guns and various ammunition boxes were recovered from the upstairs children’s bedroom
16 closet. The police report notes that Respondent Bui has three young children under the age of
17 eight residing in his home who could have accessed these weapons.

18 29. The January 9, 2023 search also uncovered a paper sign that said “*Bui’s Pharmacy*
19 *RX Optional Ca\$h Only, Back Order Always*” above approximately thirty-five (35) prescription
20 medicines on top of a dresser, including oxymorphone. Hydromorphone was recovered from an
21 unlocked hallway cabinet next to the two loaded handguns and seized.

22 30. On or around February 8, 2023, a Board Inspector (Inspector) met with a detective of
23 the Long Beach Police Department to photograph the seized prescription containers at the police
24 evidence storage facility. The Inspector photographed and identified the following: approximately
25

26 ¹ Assault weapons are banned in California with very limited exceptions. See PC 30605
27 and SB 1327 (effective date January 1, 2023) for reference. Here, Respondent registered these
28 two weapons as semi-automatic guns not as assault rifles, thus making them illegal to possess. If
they had been properly registered it is highly likely they would have been subject to the January
1, 2023 ban.

² Initials are used here and throughout to protect the privacy of a witness.

1 60 tablets of hydromorphone 8 mg, 1 tablet of hydromorphone 4 mg, 17 capsules of Vyvanse 60
2 mg and 5 capsules of Vyvanse 70 mg. The Patient Activity Reports (PAR) were requested for
3 Respondent Bui and his family as listed on the police report for review. There was no proof to
4 show Respondent Bui obtained or possessed these controlled substances by means of a
5 prescription.

6 31. On or around November 10, 2022, prior to the events described above, the Board
7 received a complaint that Respondent Bui was self-furnishing his Adderall prescriptions. On or
8 around January 24, 2023, the Board requested and received copies of the controlled substance
9 perpetual inventory log from 09/01/2022 to 12/31/2022 from Coastal Drugs.

10 The Board's review of the inventory log revealed the following:

- 11 ○ Amphetamine salt combo 10 mg tablets
 - 12 ▪ On 09/14/2022, RX# 452906 was logged as filled by PIC Bui.
 - 13 ▪ On 10/17/2022, RX# 453555 was logged as filled by PIC Bui.
 - 14 ▪ On 11/30/2022, RX# 453557 was logged as filled by PIC Bui.
- 15 ○ Mixed amphetamine salts ER 10 mg capsules
 - 16 ▪ On 09/14/2022, RX# 452911 was logged as filled by PIC Bui.
 - 17 ▪ On 10/17/2022, RX# 453554 was logged as filled by PIC Bui.
 - 18 ▪ On 11/23/2022, RX# 453556 was logged as filled by PIC Bui.
- 19 ○ Dispensing data from computer software
 - 20 ▪ RX# 452906 was entered as verified by RPH Patel on 09/14/2022.
 - 21 ▪ RX# 452911 was entered as verified by PIC Bui on 09/14/2022.
 - 22 ▪ RX# 453554 was entered as verified by RPH Patel on 10/17/2022.
 - 23 ▪ RX# 453555 was entered as verified by RPH Patel on 10/17/2022.
 - 24 ▪ RX# 453556 was entered as verified by RPH Patel on 11/23/2022.
 - 25 ▪ RX# 453557 was entered as verified by PIC Bui on 11/30/2022.
- 26 ○ Proof of pick-up:
 - 27 ▪ RX# 452906 and 452911 were picked up by PIC Bui on 09/14/2022.
 - 28 ▪ RX# 453554 and 453555 were picked up by PIC Bui on 10/17/2022.
 - RX# 453556 was picked up by PIC Bui on 11/29/2022.
 - RX# 453557 was picked up by PIC Bui on 11/30/2022.

23 32. On or around February 1, 2023, RPH Patel stated he was not the pharmacist-on-duty
24 at Coastal Drugs on 09/14/2022, 10/17/2022, 11/23/2022, and 11/30/2022. RPH Patel further
25 stated he “*never seen, filled, dispensed or logged any of [PIC Bui’s] schedule 2 prescriptions.*”
26 Coastal Drugs confirmed that RPH Patel was not working on 09/14/2022, 10/17/2022,
27 11/23/2022, and 11/30/2022. Coastal Drugs provided the following information from their
28 staffing records:

- On 09/14/2022, PIC Bui and TCH I.T. worked.
- On 10/17/2022, PIC Bui and TCH I.T. worked.
- On 11/23/2022, only PIC Bui worked.
- On 11/30/2022, PIC Bui and TCH I.T. worked

33. Although RPH Patel was entered as the verifying pharmacist for RX# 452906, 453554, 453555, and 453556, he was not working at Coastal Drugs on these dates. After reviewing the requested records, RPH Mwangale, who took over as PIC at Coastal Drugs after Respondent Bui and is familiar with the administrative authority within the dispensing software to edit the profile of another pharmacist, including the password, confirmed that there was “no doubt” PIC Bui self-furnished his Adderall prescriptions.

FIRST CAUSE FOR DISCIPLINE

(Conviction of a Substantially Related Crime)

34. Respondent is subject to disciplinary action under Code sections 490, 493 and 4301, subd. (l), in conjunction with California Code of Regulations, title 16, section 1770(a), in that on or about August 29, 2023, in a criminal proceeding entitled *The People of the State of California vs. Aiken Kim Bui*, in Superior Court of California, County of Los Angeles, Case Number NA121309, Respondent was convicted of violating Penal Code section 30605(A) (possession of an assault weapon), a felony. Respondent was placed on probation for two (2) years with terms and conditions, including no ownership, use or possession of any dangerous or deadly weapons. Respondent was ordered to serve two (2) days in county jail and pay fines, fees and restitution.

35. The circumstances surrounding the conviction are that on January 4, 2023, Respondent brought two AK-47 assault-style rifles with high-capacity magazines and live cartridges to Coastal Drugs pharmacy, where he worked as the pharmacist-in-charge. Respondent Bui showed the weapons to at least one customer in the pharmacy and showed and attempted to sell the weapons to two delivery workers. More alarming still, Respondent Bui threatened his co-worker by stating, “he needed to take his Adderall because there were voices in his head telling him to shoot his colleagues.” On January 9, 2023, the Long Beach Police Department served a search warrant at Respondent Bui’s home and seized five other guns, including the AK-47

1 assault-style rifles that he brought to the pharmacy, ammunition, and high-capacity magazines.
2 Complainant incorporates paragraphs 27 – 28, above by reference.

3
4 **SECOND CAUSE FOR DISCIPLINE**

5 (Unprofessional Conduct: Self-Furnishing Schedule II Prescriptions)

6 36. Respondent Bui is subject to disciplinary action under Code sections 4301,
7 subdivisions (f), (g), and (j), for violating Health and Safety Code section 11170 and Health and
8 Safety Code section 11173, subd. (a), in that he self-furnished his Adderall prescriptions, RX#
9 452906, 452911, 453554, 453555, 453556, and 453557, on 09/14/2022, 10/17/2022, 11/23/2022,
10 and 11/30/2022 while working as the sole pharmacist at Coastal Drugs. Additionally, Respondent
11 Bui obtained controlled substances, RX# 452906, 453554, 453555, and 453556, by dishonesty
12 and misrepresentation when Respondent Bui falsely documented another pharmacist’s credentials
13 to dispense his Adderall prescriptions at Coastal Drugs. Complainant incorporates paragraphs 27
14 – 33, above by reference.

15
16 **THIRD CAUSE FOR DISCIPLINE**

17 (Unprofessional Conduct: Loaded Assault Rifles in Pharmacy)

18 37. Respondent Bui is subject to disciplinary action under Code sections 4301,
19 subdivision (o) and Code Section 4306.5 subd. (a) and subd. (b), in that he engaged in
20 unprofessional conduct that included bringing two AK-47 assault-style rifles with loaded high-
21 capacity magazines into Coastal Drugs, threatening a co-worker, showing the weapons to at least
22 one consumer in the pharmacy and showing and attempting to sell the weapons to two delivery
23 workers. A related search of his home found more loaded guns accessible by three young
24 children. Complainant incorporates paragraphs 27 – 35, above by reference.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 (Possession of Controlled Substances without a Prescription)

3 38. Respondent Bui is subject to disciplinary action under Code section 4301, subd. (j)
4 and (o), for violating Code section 4060 and Health and Safety Code section 11175, in that he
5 possessed the following controlled substances without a prescription: approximately 60 tablets of
6 hydromorphone 8 mg, 1 tablet of hydromorphone 4 mg, 17 capsules of Vyvanse 60 mg, 5
7 capsules of Vyvanse 70 mg, and a bottle of oxymorphone 5 mg tablets. During a search warrant at
8 Respondent’s residence on 01/09/2023, the Long Beach Police Department seized controlled
9 substances found next to Respondent Bui’s handguns, which included hydromorphone 8 mg,
10 hydromorphone 4 mg, Vyvanse 60 mg, Vyvanse 70 mg, and 105 tablets of alprazolam 2 mg. A
11 bottle of oxymorphone 5 mg tablets was found and photographed in a bedroom next to a paper
12 stating, “*Bui’s Pharmacy Rx Optional Ca\$h Only, Back Order Always.*” There was no
13 prescription label information to identify the patient prescribed to each of these controlled
14 substances. Complainant incorporates paragraphs 27 – 35 and 36, above by reference.

15
16 **FIFTH CAUSE FOR DISCIPLINE**

17 (Unprofessional Conduct)

18 39. Respondent Bui is subject to disciplinary action under Code section 4301, in that he
19 committed acts constituting unprofessional conduct. Complainant incorporates paragraphs 27 –
20 38, above by reference.

21
22 **SIXTH CAUSE FOR DISCIPLINE**

23 (Ability to Practice as a Pharmacist is Impaired)

24 40. Respondent is subject to disciplinary action under Code section 822, in that
25 Respondent Bui’s ability to practice safely as a pharmacist is impaired due to mental illness
26 affecting competency. Specifically, on or about February 3, 2023, *In the Matter of the Petition to*
27 *Compel and Order for Mental or Physical Examination*, Case No. 7449, the Board issued an
28 order (the “Order”) to compel a mental examination of Respondent pursuant to Code section 820.

1 Pursuant to the Order, on or about March 10, 2023, Respondent Bui completed a psychological
2 evaluation. After the evaluation, which included records review, assessment, substance screening,
3 psychological testing and review of available records, the examiner determined that Respondent
4 Bui was unsafe to practice as a pharmacist.

5
6 **OTHER MATTERS**

7 41. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
8 RPH 77581 issued to Respondent Bui, he shall be prohibited from serving as a manager,
9 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
10 Pharmacist License Number RPH 77581 is placed on probation or until Pharmacist License
11 Number RPH 77581 is reinstated if it is revoked.

12
13 **PRAYER**

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

- 16 1. Revoking or suspending Pharmacist License Number RPH 77581, issued to Aiken
17 Kim Bui;
- 18 2. Prohibiting Aiken Kim Bui 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 77581 is placed on probation or until the Pharmacist License is reinstated, if it is
21 revoked;
- 22 3. Ordering Aiken Kim Bui to pay the Board of Pharmacy the reasonable costs of the
23 investigation and enforcement of this case, pursuant to Business and Professions Code section
24 125.3; and,

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4. Taking such other and further action as deemed necessary and proper.

DATED: 12/20/2023

Sodergren,
Anne@DCA

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Sodergren, Anne@DCA
Date: 2023.12.20 08:38:55
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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7

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

12 In the Matter of the Accusation Against:

Case No. 7591

13 **COASTAL DRUGS LLC DBA COASTAL**
14 **DRUGS; HEMA MANISH PATEL,**
15 **ALPESH MANEKLAL PATEL**
16 **3500 E. Broadway**
17 **Long Beach, CA 90803**

FIRST SUPPLEMENTAL ACCUSATION

18 **Permit No. PHY 55429,**

19 and

20 **AIKEN KIM BUI**
21 **965 Blue Heron**
22 **Seal Beach, CA 90740**

23 **Pharmacist License No. RPH 77581**

24 Respondents.

25 **PARTIES**

26 1. Anne Sodergren (Complainant) brings this First Supplemental Accusation solely in
27 her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer
28 Affairs.

29 2. On or about January 25, 2017, the Board of Pharmacy issued Permit Number PHY
30 55429 to Benzer Pharmacy Holding LLC, to do business as Benzer Pharmacy, with Hema Manish

1 Patel as Chief Executive Officer and Alpesh Maneklal Patel as President. On or about June 12,
2 2020, Benzer Pharmacy Holding LLC changed its business name to Coastal Drugs LLC dba
3 Coastal Drugs (Respondent Coastal Drugs). Since January 25, 2017, Hema Manish Patel has
4 served or been listed in Board records as Chief Executive Officer of Respondent Coastal Drugs
5 and Alpesh Maneklal Patel has served or been listed in Board records as President of Respondent
6 Coastal Drugs. According to the Board's records, Aiken Kim Bui is and has been the Pharmacist-
7 in-Charge since March 11, 2022. However, Aiken Kim Bui was employed as the Pharmacist-in-
8 Charge at Respondent Coastal Drugs' pharmacy from March 11, 2022 to January 19, 2023. The
9 Permit was in full force and effect at all times relevant to the charges brought herein and expired
10 on January 1, 2024.

11 3. On or about October 10, 2017, the Board of Pharmacy issued Pharmacist License
12 Number RPH 77581 to Aiken Kim Bui (Respondent Bui). The Pharmacist License was
13 suspended by an Ex Parte Interim Suspension Order on January 17, 2023, which was extended on
14 February 8, 2023. The Pharmacist License remains suspended. The Pharmacist License will
15 expire on October 31, 2023, unless renewed. At all times relevant to the allegations and charges
16 herein, Respondent Bui was the Pharmacist-in-Charge of Respondent Coastal Drugs.

17 **JURISDICTION**

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

21 5. Code section 4011 of the Code provides that the Board shall administer and enforce
22 both the Pharmacy Law (Bus. & Prof. Code, § 4000 et seq.) and the Uniform Controlled
23 Substances Act (Health & Safety Code, § 11000 et seq.).

24 6. Code section 4113, subdivision (c) states:

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

27 7. Code section 4300, subdivision (a), provides that every license issued by the Board
28 may be suspended or revoked.

1 8. Code section 4300.1 states:

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

8 9. Code section 4307, subdivision (a) states:

9 Any person who has been denied a license or whose license has been revoked
10 or is under suspension, or who has failed to renew his or her license while it was
11 under suspension, or who has been a manager, administrator, owner member, officer,
12 director, associate, or partner of any partnership, corporation, firm, or association
13 whose application for a license has been denied or revoked, is under suspension or
14 has been placed on probation, and while acting as the manger, administrator, owner,
15 member, officer, director, associate, or partner had knowledge or knowingly
16 participated in any conduct for which the license was denied, revoked, suspended, or
17 placed on probation, shall be prohibited from serving as a manger, administrator,
18 owner, member, officer, director, associate, or partner of a licensee as follows:

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

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

23 **STATUTORY PROVISIONS**

24 10. Code section 4022 states, in pertinent part:

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

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

11. Code section 4081 states:

(a) All records of manufacture and of sale, acquisition, receipt, shipment, or
disposition of dangerous drugs or dangerous devices shall be at all times during
business hours open to inspection by authorized officers of the law, and shall be
preserved for at least three years from the date of making. A current inventory
shall be kept by every manufacturer, wholesaler, third-party logistics provider,
pharmacy, veterinary food-animal drug retailer, outsourcing facility, physician,
dentist, podiatrist, veterinarian, laboratory, licensed correctional clinic, as defined
in Section 4187, clinic, hospital, institution, or establishment holding a currently
valid and unrevoked certificate, license, permit, registration, or exemption under
Division 2 (commencing with Section 1200) of the Health and Safety Code or

1 under Part 4 (commencing with Section 16000) of Division 9 of the Welfare and
2 Institutions Code who maintains a stock of dangerous drugs or dangerous devices.

3 (b) The owner, officer, and partner of a pharmacy, wholesaler, third-party
4 logistics provider, or veterinary food-animal drug retailer shall be jointly
5 responsible, with the pharmacist-in-charge, responsible manager, or designated
6 representative-in-charge, for maintaining the records and inventory described in
7 this section.

8 (c) The pharmacist-in-charge, responsible manager, or designated
9 representative-in-charge shall not be criminally responsible for acts of the owner,
10 officer, partner, or employee that violate this section and of which the pharmacist-
11 in-charge, responsible manager, or designated representative-in-charge had no
12 knowledge, or in which he or she did not knowingly participate.

13 (d) Pharmacies that dispense nonprescription diabetes test devices pursuant to
14 prescriptions shall retain records of acquisition and sale of those nonprescription
15 diabetes test devices for at least three years from the date of making. The records
16 shall be at all times during business hours open to inspection by authorized officers
17 of the law.

18 12. Section 4101, subd. (a) states in pertinent part that a pharmacist-in-charge who ceases
19 to act as the pharmacist-in-charge of the pharmacy shall notify the board in writing within 30
20 days of the date of that change in status.

21 13. Code section 4301 states, in pertinent part:

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

26 ...

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

REGULATORY PROVISIONS

14 14. California Code of Regulations, title 16, section 1714, subdivision (b), states:

15 Each pharmacy licensed by the board shall maintain its facilities, space,
16 fixtures, and equipment so that drugs are safely and properly prepared, maintained,
17 secured and distributed. The pharmacy shall be of sufficient size and unobstructed
18 area to accommodate the safe practice of pharmacy.

15. California Code of Regulations, title 16, section 1718 states:

"Current Inventory" as used in Sections 4081 and 4332 of the Business and Professions Code shall be considered to include complete accountability for all dangerous drugs handled by every licensee enumerated in Sections 4081 and 4332.

The controlled substances inventories required by Title 21, CFR, Section 1304 shall be available for inspection upon request for at least 3 years after the date of the inventory.

COST RECOVERY

16. Code section 125.3 states, in pertinent part, 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.

17. **DRUG CLASSIFICATIONS**

Brand Name(s)	Generic Name	Dangerous Drug Per Bus. & Prof. Code § 4022	Scheduled Drug per Health & Safety Code (HSC)	Indications For Use
Percocet	oxycodone/acetaminophen (oxycodone/APAP)	Yes	Schedule II per HSC § 11055(b)(1)(M)	Pain
Phenergan with Codeine Syrup	promethazine/codeine syrup 10 mg-6.25mg/5ml	Yes	Schedule V per HSC § 11058(c)(1)	Cough Suppressant

FACTUAL ALLEGATIONS

18. On or about February 21, 2023, the Board received a DEA Form 106¹ from Respondent Coastal Drugs, alleging that the former Pharmacist-in-Charge, Respondent Bui, diverted controlled substances. Respondent Bui served as the Pharmacist-in-Charge of Respondent Coastal Drugs from March 11, 2022 to January 19, 2023.

¹ DEA Form 106 is used by persons or entities registered with or regulated by the United States Drug Enforcement Administration (DEA) to report theft or loss of controlled substances to the DEA, Diversion Control Division.

1 19. The Board's subsequent investigation and audit identified a violation of Pharmacy
2 Law, in that Respondent Coastal Drugs could not account for an inventory shortage of two
3 controlled substances, oxycodone/acetaminophen tablets and promethazine/codeine syrup.

4 **FIRST CAUSE FOR DISCIPLINE**

5 **(Failure to Maintain Operational Standards and Security)**

6 20. Respondents Coastal Drugs and Bui are subject to disciplinary action under Code
7 sections 4301, subdivision (o), and 4113, on the grounds of unprofessional conduct, for violating
8 California Code of Regulations, title 16, section 1714, subdivision (b), in that they failed to secure
9 the pharmacy to prevent loss of controlled substances. Specifically, for the audit periods,
10 Respondent Coastal Drugs, while Respondent Bui was the Pharmacist-in-Charge, did not
11 maintain security of controlled substances, as follows:

12 a. From June 7, 2022 to January 19, 2023, Respondent Coastal Drugs could not account
13 for an inventory shortage of approximately 8,513 mL (approximately 18 pints) of
14 promethazine/codeine 6.25 mg/10 mg per 5 mL syrup.

15 b. From September 7, 2022, to January 19, 2023, Respondent Coastal Drugs could not
16 account for an inventory shortage of approximately 200 tablets of oxycodone/acetaminophen
17 5mg/325 mg.

18 Complainant refers to, and by this reference incorporates, the allegations set forth above in
19 paragraphs 18 and 19, as though set forth fully.

20 **SECOND CAUSE FOR DISCIPLINE**

21 **(Failure to Account for Controlled Substances)**

22 21. Respondents Coastal Drugs and Bui are subject to disciplinary action under Code
23 sections 4301, subdivision (o), and 4113, on the grounds of unprofessional conduct, for violating
24 Code section 4081 and California Code of Regulations, title 16, section 1718, by failing to
25 maintain a "current inventory", in that Respondent Coastal Drugs, while Respondent Bui was the
26 Pharmacist-in-Charge, was unable to account for approximately 8,513 mL (approximately 18
27 pints) of promethazine/codeine 6.25 mg/10 mg per 5 mL syrup and approximately 200 tablets of
28 oxycodone/acetaminophen 5mg/325 mg for the applicable audit periods. Complainant refers to,

1 and by this reference incorporates, the allegations set forth above in paragraphs 17 through 19, as
2 though set forth in full herein.

3
4 **THIRD CAUSE FOR DISCIPLINE**

5 (Failure to Notify Board of Change in Pharmacist-in-Charge)

6 22. Respondent Bui is subject to disciplinary action under Code section 4101, subd. (a),
7 in that Respondent failed to notify the Board in writing within 30 days of a change in status as
8 pharmacist-in-charge. The circumstances are that on March 11, 2022 Respondent Bui was
9 designated as the pharmacist-in-charge (PIC) of Coastal Drugs (PHY 55429) located at 3500 East
10 Broadway, Long Beach, CA 90803. Respondent ceased serving as PIC on January 14, 2023 but
11 failed to notify the Board as required.

12
13 **DISCIPLINE CONSIDERATIONS**

14 23. To determine the degree of discipline, if any, to be imposed on Respondent Coastal
15 Drugs, Complainant alleges as follows:

16 a. On or about June 22, 2018, the Board issued Citation Number CI 2017 75922 based
17 on violations of Code section 4301, subdivision (o), in conjunction with California Code of
18 Regulations, title 16, section 1716 (variation from prescription). Citation Number CI 2017 75922
19 has been completed.

20 b. On or about July 28, 2020, the Board issued Citation Number CI 2018 81906 based
21 on violations of Code section 4115, subdivision (e) (allowing unlicensed person to act as
22 pharmacy technician). Citation Number CI 2018 81906 has been completed.

23 24. To determine the degree of discipline, if any, to be imposed on Respondent Bui,
24 Complainant alleges the following:

25 a. On or about January 17, 2023, pursuant to Code section 494, the Board issued an
26 Interim Suspension Order suspending Respondent Bui's Pharmacist License Number RPH 77581,
27 for violating Code section 4306.5, subdivisions (a) (unprofessional conduct: inappropriate
28 exercise of a pharmacist's education, training, or experience) and (b) (unprofessional conduct:

1 failure to exercise best professional judgment), in the matter entitled *In the Matter of the Interim*
2 *Suspension Order Against: Aiken Kim Bui*, Case No. CI 22 98265. The suspension was extended
3 on February 8, 2023. The Pharmacist License remains suspended.

4 b. On or about August 29, 2023, Respondent Bui was convicted of one felony count of
5 violating Penal Code section 30605, subdivision (a) [unlawful possession of an assault weapon, to
6 wit: AK 47], in the criminal proceeding entitled *The People of the State of California v. Aiken*
7 *Kim Bui* (Super. Ct. Los Angeles County, 2023, No. NA121309). The Court sentenced
8 Respondent to two days in jail, placed him on two years of formal probation, prohibited him from
9 owning or possessing a firearm, and ordered him to relinquish his firearms, cooperate with the
10 probation officer in a plan for completion of mental counseling, and not to use or possess
11 narcotics, dangerous or restricted drugs or associated paraphernalia, except with a valid
12 prescription.

13 **OTHER MATTERS**

14 25. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
15 55429 issued to Respondent Coastal Drugs, Respondent Coastal Drugs shall be prohibited from
16 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a
17 licensee for five years if Pharmacy Permit Number PHY 55429 is placed on probation or until
18 Pharmacy Permit Number PHY 55429 is reinstated if it is revoked.

19 26. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
20 55429 issued to Respondent Coastal Drugs, while Hema Manish Patel has been an owner or
21 manager and had knowledge of or knowingly participated in any conduct for which the licensee
22 was disciplined, Hema Manish Patel shall be prohibited from serving as a manager, administrator,
23 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
24 Permit Number PHY 55429 is placed on probation or until Pharmacy Permit Number PHY 55429
25 is reinstated if it is revoked.

26 27. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
27 55429 issued to Respondent Coastal Drugs, while Alpesh Maneklal Patel has been an owner or
28 manager and had knowledge of or knowingly participated in any conduct for which the licensee

1 was disciplined, Alpesh Maneklal Patel shall be prohibited from serving as a manager,
2 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
3 Pharmacy Permit Number PHY 55429 is placed on probation or until Pharmacy Permit Number
4 PHY 55429 is reinstated if it is revoked.

5 28. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
6 RPH 77581 issued to Respondent Bui, Respondent Bui shall be prohibited from serving as a
7 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
8 five years if Pharmacist License Number RPH 77581 is placed on probation or until Pharmacist
9 License Number RPH 77581 is reinstated if it is revoked.

10
11 **PRAYER**

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

14 1. Revoking or suspending Permit Number PHY 55429, issued to Coastal Drugs LLC
15 dba Coastal Drugs;

16 2. Revoking or suspending Pharmacist License Number RPH 77581, issued to Aiken
17 Kim Bui;

18 3. Prohibiting Coastal Drugs LLC from serving as a manager, administrator, owner,
19 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
20 Number PHY 55429 is placed on probation or until Pharmacy Permit Number PHY 55429 is
21 reinstated if Pharmacy Permit Number PHY 55429 issued to Coastal Drugs LLC dba Coastal
22 Drugs is revoked;

23 4. Prohibiting Hema Manish Patel from serving as a manager, administrator, owner,
24 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
25 Number PHY 55429 is placed on probation or until Pharmacy Permit Number PHY 55429 is
26 reinstated if Pharmacy Permit Number PHY 55429 issued to Coastal Drugs LLC dba Coastal
27 Drugs is revoked;

1 5. Prohibiting Alpesh Maneklal Patel from serving as a manager, administrator, owner,
2 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
3 Number PHY 55429 is placed on probation or until Pharmacy Permit Number PHY 55429 is
4 reinstated if Pharmacy Permit Number 55429 issued to Coastal Drugs LLC dba Coastal Drugs is
5 revoked;

6 6. Prohibiting Aiken Kim Bui from serving as a manager, administrator, owner,
7 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
8 Number PHY 55429 is placed on probation or until Pharmacy Permit Number PHY 55429 is
9 reinstated if Pharmacy Permit Number 55429 issued to Coastal Drugs LLC dba Coastal Drugs is
10 revoked;

11 7. Prohibiting Aiken Kim Bui from serving as a manager, administrator, owner,
12 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
13 Number RPH 77581 is placed on probation or until Pharmacist License Number RPH 77581 is
14 reinstated, if it is revoked;

15 8. Ordering Coastal Drugs LLC dba Coastal Drugs and Aiken Kim Bui to pay the Board
16 of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to
17 Business and Professions Code section 125.3; and,

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

19
20
21 DATED: 5/13/2024

Sodergren, Digitally signed by
Anne@DCA Sodergren, Anne@DCA
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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