

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

**In the Matter of the Accusation Against:**

**STACY ALEXIS SMOLER, Respondent**

**Pharmacist License No. RPH 79098**

**Agency Case No. 7526**

**DECISION AND ORDER**

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

This Decision shall become effective at 5:00 p.m. on December 20, 2023.

It is so ORDERED on November 20, 2023.

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 JOSHUA A. ROOM  
Supervising Deputy Attorney General  
3 CARTER OTT  
Deputy Attorney General  
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8  
9 **BEFORE THE**  
**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12  
13 In the Matter of the Accusation Against:

Case No. 7526

14 **STACY ALEXIS SMOLER**  
30 Casa Maria Ct. #A  
15 Alamo, CA 94507

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16 **Pharmacist License No. RPH 79098**

17 Respondent.  
18

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

21 **PARTIES**

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

25 2. Respondent Stacy Alexis Smoler (Respondent) is represented in this proceeding by  
26 Michael Geller, The Geller Firm, Inc., 50 California Street, Suite 1500, San Francisco, CA 94111.

27 3. On or about September 24, 2018, the Board issued Pharmacist License No. RPH  
28 79098 to Respondent. The Pharmacist License was in full force and effect at all times relevant to

1 the charges brought in Accusation No. 7526, and will expire on November 30, 2023, unless  
2 renewed.

3 **JURISDICTION**

4 4. Accusation No. 7526 was filed before the Board, and is currently pending against  
5 Respondent. The Accusation and all other statutorily required documents were properly served  
6 on Respondent on August 1, 2023. Respondent timely filed her Notice of Defense contesting the  
7 Accusation.

8 5. A copy of Accusation No. 7526 is attached as Exhibit A and incorporated herein by  
9 reference.

10 **ADVISEMENT AND WAIVERS**

11 6. Respondent has carefully read, fully discussed with counsel, and understands the  
12 charges and allegations in Accusation No. 7526. Respondent has also carefully read, fully  
13 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
14 Order.

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

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

23 **CULPABILITY**

24 9. Respondent admits the truth of each and every charge and allegation in Accusation  
25 No. 7526.

26 10. Respondent agrees that her Pharmacist License is subject to discipline and she agrees  
27 to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

28 /////

**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 her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her 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 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, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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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 Pharmacist License No. RPH 79098 issued to Respondent Stacy Alexis Smoler is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions:

#### **1. Obey All Laws**

Respondent shall obey all state and federal laws and regulations.

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

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

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

#### **2. Report to the Board**

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

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

### 6 **3. Interview with the Board**

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

### 12 **4. Cooperate with Board Staff**

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

### 19 **5. Continuing Education**

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

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

23 During the period of probation, Respondent shall notify all present and prospective  
24 employers of the decision in case number 7526 and the terms, conditions and restrictions imposed  
25 on Respondent by the decision, as follows:

26 Within thirty (30) days of the effective date of this decision, and within ten (10) days of  
27 undertaking any new employment, Respondent shall report to the Board in writing the name,  
28 physical address, and mailing address of each of her employer(s), and the name(s) and telephone

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

9       Within thirty (30) days of the effective date of this Decision, and within fifteen (15) days of  
10 Respondent undertaking any new employment, Respondent shall cause (a) her direct supervisor,  
11 (b) her pharmacist-in-charge, designated representative-in-charge, responsible manager, or other  
12 compliance supervisor, and (c) the owner or owner representative of her employer, to report to the  
13 Board in writing acknowledging that the listed individual(s) has/have read the decision in case  
14 number 7526, and terms and conditions imposed thereby. If one person serves in more than one  
15 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the Respondent's  
16 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the  
17 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term  
18 of probation, Respondent shall cause the person(s) taking over the role(s) to report to the Board in  
19 writing within fifteen (15) days of the change acknowledging that he or she has read the decision  
20 in case number 7526, and the terms and conditions imposed thereby.

21       If Respondent works for or is employed by or through an employment service, Respondent  
22 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board  
23 of the decision in case number 7526, and the terms and conditions imposed thereby in advance of  
24 Respondent commencing work at such licensed entity. A record of this notification must be  
25 provided to the Board upon request.

26       Furthermore, within thirty (30) days of the effective date of this Decision, and within fifteen  
27 (15) days of Respondent undertaking any new employment by or through an employment service,  
28 Respondent shall cause the person(s) described in (a), (b), and (c) above at the employment

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

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

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

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

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

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

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

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

21 **9. Reimbursement of Board Costs**

22 As a condition precedent to successful completion of probation, Respondent shall pay to the  
23 Board its costs of investigation and prosecution in the amount of \$3,500. Respondent shall make  
24 said payments as follows:

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

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

#### **10. Probation Monitoring Costs**

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

#### **11. Status of License**

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

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

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

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

Upon acceptance of the surrender, Respondent shall relinquish her pocket and/or wall license, including any indicia of licensure not previously provided to the Board within ten (10)

1 days of notification by the Board that the surrender is accepted if not already provided.

2 Respondent may not reapply for any license from the Board for three (3) years from the effective  
3 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
4 of the date the application for that license is submitted to the Board, including any outstanding  
5 costs.

### 6 **13. Practice Requirement – Extension of Probation**

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

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

22 It is a violation of probation for Respondent's probation to be extended pursuant to the  
23 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
24 exceeding thirty-six (36) months. The Board or its designee may post a notice of the extended  
25 probation period on its website.

### 26 **14. Violation of Probation**

27 If Respondent has not complied with any term or condition of probation, the Board shall  
28 have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent

1 that probation shall automatically be extended, until all terms and conditions have been satisfied  
2 or the Board has taken other action as deemed appropriate to treat the failure to comply as a  
3 violation of probation, to terminate probation, and to impose the penalty that was stayed. The  
4 Board or its designee may post a notice of the extended probation period on its website.

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

#### 12 **15. Completion of Probation**

13 Upon written notice by the Board or its designee indicating successful completion of  
14 probation, Respondent's license will be fully restored.

#### 15 **16. Ethics Course**

16 Within sixty (60) calendar days of the effective date of this Decision, Respondent shall  
17 enroll in a course in ethics, at Respondent's expense, approved in advance by the Board or its  
18 designee that complies with Title 16 California Code of Regulations section 1773.5. Respondent  
19 shall provide proof of enrollment upon request. Within five (5) days of completion, Respondent  
20 shall submit a copy of the certificate of completion to the Board or its designee. Failure to timely  
21 enroll in an approved ethics course, to initiate the course during the first year of probation, to  
22 successfully complete it before the end of the second year of probation, or to timely submit proof  
23 of completion to the Board or its designee, shall be considered a violation of probation.

#### 24 **17. No Ownership or Management of Licensed Premises**

25 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,  
26 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
27 partnership, or corporation currently or hereinafter licensed by the Board. Respondent shall sell  
28 or transfer any legal or beneficial interest in any entity licensed by the Board within ninety (90)

1 days following the effective date of this Decision and shall immediately thereafter provide written  
2 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide  
3 documentation thereof shall be considered a violation of probation.

4 **ACCEPTANCE**

5 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
6 discussed it with my attorney, Michael Geller. I understand the stipulation and the effect it will  
7 have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order  
8 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
9 Board of Pharmacy.

10  
11 DATED: \_\_\_\_\_

12 STACY ALEXIS SMOLER  
*Respondent*

13 I have read and fully discussed with Respondent Stacy Alexis Smoler the terms and  
14 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
15 I approve its form and content.

16 DATED: \_\_\_\_\_

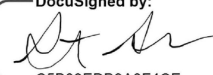
17 MICHAEL GELLER  
18 THE GELLER FIRM, INC.  
*Attorney for Respondent*

1 days following the effective date of this Decision and shall immediately thereafter provide written  
2 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide  
3 documentation thereof shall be considered a violation of probation.

4 **ACCEPTANCE**

5 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
6 discussed it with my attorney, Michael Geller. I understand the stipulation and the effect it will  
7 have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order  
8 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
9 Board of Pharmacy.

10  
11 DATED: 10/9/2023

DocuSigned by:  
  
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STACY ALEXIS SMOLER  
*Respondent*

13 I have read and fully discussed with Respondent Stacy Alexis Smoler the terms and  
14 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
15 I approve its form and content.

16 DATED: 10/9/2023

DocuSigned by:  
  
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MICHAEL GELLER  
THE GELLER FIRM, INC.  
*Attorney for Respondent*

**ENDORSEMENT**

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

DATED: \_\_\_\_\_

Respectfully submitted,

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

CARTER OTT  
Deputy Attorney General  
*Attorneys for Complainant*

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**ENDORSEMENT**

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

DATED: October 11, 2023

Respectfully submitted,

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



CARTER OTT  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 7526**



1 ROB BONTA  
Attorney General of California  
2 JOSHUA A. ROOM  
Supervising Deputy Attorney General  
3 CARTER OTT  
Deputy Attorney General  
4 State Bar No. 221660  
455 Golden Gate Avenue, Suite 11000  
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Telephone: (415) 510-3485  
6 Facsimile: (415) 703-5480  
E-mail: Carter.Ott@doj.ca.gov  
7 *Attorneys for Complainant*

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9 **BEFORE THE**  
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12 In the Matter of the Accusation Against:

Case No. 7526

13 **STACY ALEXIS SMOLER**

14 30 Casa Maria Ct. #A  
Alamo, CA 94507

**ACCUSATION**

15 **Pharmacist License No. RPH 79098**

16 Respondent.  
17

18 **PARTIES**

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

21 2. On or about September 24, 2018, the Board of Pharmacy (Board) issued Pharmacist  
22 License Number RPH 79098 to Stacy Alexis Smoler (Respondents). The Pharmacist License  
23 was in full force and effect at all times relevant to the charges brought herein and will expire on  
24 November 30, 2023, unless renewed.

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**JURISDICTION**

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

4. Section 118, subdivision (b) states:

“(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.”

5. Section 4300 states, in part:

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

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

“(1) Suspending judgment.

“(2) Placing him or her upon probation.

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

“(4) Revoking his or her license.

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

. . .

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

1           6.     Section 4300.1 states, in part:

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

7           7.     Section 4307 states, in pertinent part:

8           “(a) Any person who has been denied a license or whose license has been revoked or is  
9 under suspension, or who has failed to renew his or her license while it was under suspension, or  
10 who has been a manager, administrator, owner, member, officer, director, associate, partner, or  
11 any other person with management or control of any partnership, corporation, trust, firm, or  
12 association whose application for a license has been denied or revoked, is under suspension or has  
13 been placed on probation, and while acting as the manager, administrator, owner, member,  
14 officer, director, associate, partner, or any other person with management or control had  
15 knowledge of or knowingly participated in any conduct for which the license was denied,  
16 revoked, suspended, or placed on probation, shall be prohibited from serving as a manager,  
17 administrator, owner, member, officer, director, associate, partner, or in any other position with  
18 management or control 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 license  
22 is issued or reinstated.

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

26           . . . .”

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**PRAYER**

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

1. Revoking or suspending Pharmacist License Number RPH 79098, issued to Stacy Alexis Smoler;

2. Ordering Stacy Alexis Smoler to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

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

DATED: 7/26/2023

Sodergren,  
Anne@DCA

Digitally signed by Sodergren,  
Anne@DCA  
Date: 2023.07.26 07:01:59 -07'00'

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

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