

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

In the Matter of the Accusation Against:

**EDUARDO CAMACHO
Intern Pharmacist Registration No. INT 49058**

Respondent

Agency Case No. 7532

OAH No. 2023080573

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 March 22, 2024.

It is so ORDERED on February 21, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh", is written over a light blue rectangular background.

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
Supervising Deputy Attorney General
3 CRISTINA FELIX
Deputy Attorney General
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5 Los Angeles, CA 90013
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E-mail: Cristina.Felix@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:

13 **EDUARDO CAMACHO**
14 **24588 University Ave, #A**
Loma Linda, CA 92354

15 **Intern Pharmacist Registration No. INT**
16 **49058**

17 Respondent.

Case No. 7532

OAH No. 2023080573

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL**

[Bus. & Prof. Code § 495]

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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 Cristina Felix, Deputy Attorney
26 General.

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2. Respondent Eduardo Camacho (Respondent) is represented in this proceeding by attorney Seth Weinstein, Esq., whose address is: 3500 W. Olive Ave., Suite 300, Burbank, CA 91505

JURISDICTION

3. On or about September 29, 2021, the Board issued Intern Pharmacist Registration No. INT 49058 to Eduardo Camacho (Respondent). The Intern Pharmacist Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 7532 and expired on February 28, 2022 and has not been renewed.

4. Accusation No. 7532 was filed before the Board of Pharmacy (Board), Department of Consumer Affairs and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on July 28, 2023. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 7532 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 7532. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order for Public Reproval.

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

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

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1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 7532.

4 9. Respondent agrees that his Intern Pharmacist Registration is subject to discipline and
5 he agrees to be bound by the Disciplinary Order below.

6 **CONTINGENCY**

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

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

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

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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 Intern Pharmacist Registration No. INT 49058 issued to Respondent Eduardo Camacho (Respondent) shall be publicly reproved by the Board of Pharmacy under Business and Professions Code section 495 in resolution of Accusation No. 7532, attached as exhibit A.

Cost Recovery. No later than two (2) years from the effective date of the Decision, Respondent shall pay \$3,455 to the Board for its costs associated with the investigation and enforcement of this matter pursuant to Business and Professions Code Section 125.3. Respondent shall be permitted to pay these costs in a payment plan approved by the Board or its designee, so long as the payment plan is completed no later than 2 years from the effective date of the Decision. If Respondent fails to pay the Board costs as ordered, Respondent shall not be allowed to renew his Intern Pharmacist Registration until Respondent pays costs in full. Should Respondent apply for a pharmacist license, the license shall not be issued until Respondent pays cost in full. In addition, the Board may enforce this order for payment of its costs in any appropriate court, in addition to any other rights the Board may have.

Full Compliance. As a resolution of the charges in Accusation No. 7532, 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 Intern Pharmacist Registration No. INT 49058.

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DATED: _____

EDUARDO CAMACHO
Respondent

DATED: _____

SETH WEINSTEIN, ESQ.
Attorney for Respondent

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reprimand and have fully discussed it with my attorney, Seth Weinstein, Esq. I understand the stipulation and the effect it will have on my Intern Pharmacist Registration. 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: _____

01/08/2024

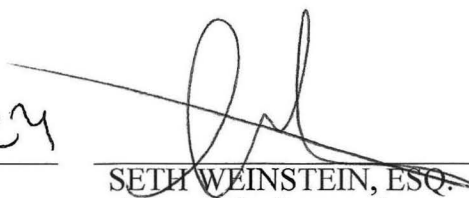


EDUARDO CAMACHO
Respondent

I have read and fully discussed with Respondent Eduardo Camacho 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: _____

01-09-2024



SETH WEINSTEIN, ESQ.
Attorney for Respondent

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ENDORSEMENT

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

DATED: _____

Respectfully submitted,

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

CRISTINA FELIX
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

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

DATED: 1/9/2024

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

Cristina Felix
CRISTINA FELIX
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7532

1 ROB BONTA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 NANCY A. KAISER
Supervising Deputy Attorney General
4 State Bar No. 192083
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
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6 Facsimile: (916) 731-2126
Attorneys for Complainant
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. 7532

13 **EDUARDO CAMACHO**
24588 University Ave, #A
14 Loma Linda, CA 92354

ACCUSATION

15 **Intern Pharmacist Registration No. INT**
16 **49058**

Respondent.

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20 **PARTIES**

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

23 2. On or about September 29, 2021, the Board issued Intern Pharmacist Registration
24 Number INT 49058 to Eduardo Camacho (Respondent). The Intern Pharmacist Registration
25 expired on February 28, 2022, and has not been renewed.

26 **JURISDICTION**

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

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

5. 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

6. Section 490 provides that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

7. Section 493 states, in pertinent part:

(a) Notwithstanding any other law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact.

(b) (1) Criteria for determining whether a crime is substantially related to the qualifications, functions, or duties of the business or profession the board regulates shall include all of the following:

(A) The nature and gravity of the offense.

(B) The number of years elapsed since the date of the offense.

(C) The nature and duties of the profession.

(2) A board shall not categorically bar an applicant based solely on the type of conviction without considering evidence of rehabilitation.

(c) As used in this section, “license” includes “certificate,” “permit,” “authority,” and “registration.” . . .

8. 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:

• • • •

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

....

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

REGULATORY PROVISIONS

9. California Code of Regulations, title 16, section 1770, states:

For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related to the qualifications, functions or duties of a licensee or registrant if to a substantial degree it evidences present or potential unfitness of a licensee or registrant to perform the functions authorized by his license or registration in a manner consistent with the public health, safety, or welfare.

COST RECOVERY

10. 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.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Conviction of a Substantially Related Crime –**
3 **November 17, 2022, Wet Reckless)**

4 11. Respondent is subject to disciplinary action under sections 490, 4300, and 4301,
5 subdivision (l), in conjunction with California Code of Regulations, title 16, section 1770, on the
6 grounds of unprofessional conduct, in that Respondent was convicted of crimes substantially
7 related to the qualifications, functions or duties of an intern pharmacist, as follows:

8 a. On or about November 17, 2022, Respondent was convicted of one amended
9 misdemeanor count of violating Vehicle Code section 23103(a) [wet reckless] in the criminal
10 proceeding entitled *The People of the State of California v. Eduardo Camacho* (Super. Ct. San
11 Bernardino County, 2022 No. MSB22001969). The Court sentenced Respondent to 30 days in
12 jail, placed him on one year of summary probation, and ordered him to complete a First-Offender
13 Alcohol Education Program

14 b. The circumstances of the arrest leading to the conviction are that on or about
15 February 26, 2022, Respondent drove a vehicle while under the influence of alcohol and was
16 involved in a single vehicle collision. While attempting to turn at an intersection, Respondent's
17 vehicle collided with a curb, drove over a sidewalk, collided with a tree in a residential front yard
18 and crashed into a chain link fence and large shrubs before stopping part-way into the chain-link
19 fence. Respondent informed officers that before he drove his vehicle he was coming from a
20 party, drank alcoholic beverages, "like four," did not remember colliding with a tree and
21 exclaimed "I tried to turn. I guess I didn't turn fast enough." Respondent was observed to have
22 bloodshot eyes, slurred words and emit a strong odor of alcohol from his breath. Respondent's
23 blood alcohol content (BAC) results were 0.14/0.14%.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Dangerous Use of Alcohol)**

26 12. Respondent is subject to disciplinary action under sections 4300, and 4301,
27 subdivision (h), on the grounds of unprofessional conduct, in that on or about May 28, 2022,
28 Respondent used alcoholic beverages to the extent or in a manner as to be dangerous or injurious

1 to herself or others. Complainant refers to and by this reference incorporates the allegations set
2 forth above in paragraph 11, inclusive, as though set forth fully.

3 **PRAYER**

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

- 6 1. Revoking or suspending Intern Pharmacist Registration Number INT 49058, issued to
7 Eduardo Camacho;
- 8 2. Ordering Eduardo Camacho to pay the Board the reasonable costs of the investigation
9 and enforcement of this case, pursuant to section 125.3; and,
- 10 3. Taking such other and further action as deemed necessary and proper.
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- 12

13 DATED: 7/20/2023

Sodergren,
Anne@DCA

Digitally signed by Sodergren,
Anne@DCA
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14 ANNE SODERGREN
15 Executive Officer
16 Board of Pharmacy
17 Department of Consumer Affairs
18 State of California
19 *Complainant*

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