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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 Petition to Revoke
13 Probation Against:

14 **FAREED IQBAL RAHIMI**
15 **1472 Farrell Court**
16 **Folsom, CA 95630**

17 **Intern Pharmacist License Number INT**
18 **45593**

19
20 Respondent.

Case Number 7549

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

21 **FINDINGS OF FACT**

22 1. On or about June 22, 2023, Complainant Anne Sodergren, in her official capacity as
23 the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Petition
24 to Revoke Probation No. 7549 against Fareed Iqbal Rahimi (Respondent) before the Board of
25 Pharmacy (Board). (Petition to Revoke Probation attached as Exhibit A.)

26 2. On or about September 18, 2019, the Board Intern Pharmacist License Number INT
27 45593 to Respondent. The Intern Pharmacist License was in full force and effect at all times
28 relevant to the charges brought in Petition to Revoke Probation Number 7549 and will expire on
May 31, 2024, unless renewed.

1 3. On or about July 5, 2023, Respondent was served by Certified and First Class Mail
2 copies of the Petition to Revoke Probation Number 7549, Statement to Respondent, Notice of
3 Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5,
4 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business and
5 Professions Code section 4100, is required to be reported and maintained with the Board.
6 Respondent's address of record was and is:

7 1472 Farrell Court
8 Folsom, CA 95630.

9 4. Service of the Petition to Revoke Probation was effective as a matter of law under the
10 provisions of Government Code section 11505(c) and/or Business and Professions Code section
11 124.

12 5. Government Code section 11506(c) states, in pertinent part:

13 (c) The respondent shall be entitled to a hearing on the merits if the respondent
14 files a notice of defense . . . and the notice shall be deemed a specific denial of all
15 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
16 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
17 discretion may nevertheless grant a hearing.

18 6. The Board takes official notice of its records and the fact that Respondent failed to
19 file a Notice of Defense within 15 days after service upon him of the Petition to Revoke
20 Probation, and therefore waived his right to a hearing on the merits of Petition to Revoke
21 Probation Number 7549.

22 7. California Government Code section 11520(a) states, in pertinent part:

23 (a) If the respondent either fails to file a notice of defense . . . or to appear at
24 the hearing, the agency may take action based upon the respondent's express
25 admissions or upon other evidence and affidavits may be used as evidence without
26 any notice to respondent

27 8. Pursuant to its authority under Government Code section 11520, the Board finds
28 Respondent is in default. The Board will take action without further hearing and, based on the
relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
finds that the charges and allegations in Petition to Revoke Probation No. 7549, are separately
and severally, found to be true and correct by clear and convincing evidence.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Fareed Iqbal Rahimi has subjected his Intern Pharmacist License Number INT 45593 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. The Board of Pharmacy is authorized to revoke Respondent's Intern Pharmacist License based upon the following violations alleged in the Petition to Revoke Probation which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case:

a. Respondent failed to comply with Condition 16 (Pharmacists Recovery Program) of his probation, in that Respondent failed to attend an office conference scheduled for March 2, 2023, which was scheduled to introduce Respondent to the probation team, advise him of his functions and responsibilities, and to review and clarify the terms of probation. Although Respondent acknowledged receipt of the February 14, 2023, email informing him of the scheduled office conference, Respondent failed to attend the office conference. Also, on March 3, 2023, Respondent was terminated from the Pharmacists Recovery Program as a public risk. The reasons for Respondent's termination include that: on February 27, 2023, Respondent admitted that he had not maintained his sobriety and had returned to drinking alcohol. Respondent also admitted that he had self-administered alcohol and medications that are known to be unsafe if combined, and that he was unwilling to participate in the PRP as agreed in his probation terms and conditions. To date, Respondent has not participated in the PRP.

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ORDER

IT IS SO ORDERED that Intern Pharmacist License Number INT 45593, issued to Respondent Fareed Iqbal Rahimi, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

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

It is so ORDERED on September 18, 2023.



Seung W. Oh, Pharm.D.
Board President
FOR THE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS

37408688.DOCX
DOJ Matter ID:SA2023302674

Attachment:
Exhibit A: Petition to Revoke Probation

Exhibit A

Petition to Revoke Probation

(FAREED IQBAL RAHIMI)

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Attorneys for Complainant

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

13 In the Matter of the Petition to Revoke
Probation Against:

Case No. 7549

14 **FAREED IQBAL RAHIMI**
15 **1472 Farrell Court**
Folsom, CA 95630
16 **Intern Pharmacist License No. INT 45593**

PETITION TO REVOKE PROBATION

17 Respondent.

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20 **PARTIES**

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

24 2. On or about September 18, 2019, the Board issued Intern Pharmacist License Number
25 INT 45593 to Fareed Iqbal Rahimi (Respondent). The Intern Pharmacist License was in effect at
26 all times relevant to the charges brought herein and will expire on May 31, 2024, unless renewed.

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1 **UNDERLYING DISCIPLINE**

2 3. In a disciplinary action titled "In the Matter of Accusation Against Fareed Iqbal
3 Rahimi," Case No. 7317, the Board issued a Decision and Order, effective March 1, 2023, in
4 which Respondent's Intern Pharmacist License was revoked. However, the revocation was stayed
5 and Respondent's Intern Pharmacist License was placed on probation for a period of five (5) years
6 with certain terms and conditions. A copy of that decision is attached as Exhibit A and is
7 incorporated by reference.

8 **JURISDICTION**

9 4. This Petition to Revoke Probation is brought before the Board under the authority of
10 the following laws. All section references are to the Business and Professions Code unless
11 otherwise indicated.

12 5. Business and Professions Code (Code) section 4300 states, in pertinent part:

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

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

16 (1) Suspending judgment.

17 (2) Placing him or her upon probation.

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

19 (4) Revoking his or her license.

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

22 6. Code section 4300.1 states, in pertinent part:

23 The expiration, cancellation, forfeiture, or suspension of a board-issued license
24 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
25 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
26 a decision suspending or revoking the license.

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1 **PETITION TO REVOKE PROBATION**

2 7. At all times after the effective date of Respondent's probation, Condition 14 stated:

3 If respondent has not complied with any term or condition of probation, the
4 board shall have continuing jurisdiction over respondent, and the board shall provide
5 notice to respondent that probation shall automatically be extended, until all terms
6 and conditions have been satisfied or the board has taken other action as deemed
appropriate to treat the failure to comply as a violation of probation, to terminate
probation, and to impose the penalty that was stayed. The board or its designee may
post a notice of the extended probation period on its website.

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

12 8. Respondent's probation is subject to revocation because he failed to comply with the
13 conditions of his probation, as more particularly set forth below.

14 **CAUSE TO REVOKE PROBATION**

15 **(Pharmacists Recovery Program)**

16 9. At all times after the effective date of Respondent's probation, Condition 16 stated:

17 By no later than ten days after the effective date of this decision, Respondent
18 shall have completed all of the following: contacted the Pharmacists Recover
19 Program (PRP) for evaluation; enrolled in the PRP; completed, signed, and returned
20 the treatment contract as well as any addendums required or suggested by the PRP;
21 successfully completed registration for any drug or alcohol testing mandated by the
treatment contract and/or by enrollment in the PRP; and begun compliance with the
drug or alcohol testing protocol(s). Respondent shall successfully participate in the
PRP and complete the treatment contract and any addendums required or suggest by
the PRP. The costs for PRP participation shall be borne by the Respondent.

22 If respondent is currently enrolled in the PRP, said participation is now
23 mandatory and as of the effective date of this decision is no longer considered a self-
24 referral under Business and Professions Code section 4362 (a)(2). Respondent shall
successfully participate in and complete his current contract and any subsequent
addendums with the PRP.

25 Respondent shall pay administrative fees as invoiced by the PRP or its
26 designee. Fees not timely paid to the PRP shall constitute a violation of probation.
27 The board will collect unpaid administrative fees as part of the annual probation
28 monitoring costs if not submitted to the PRP.

Any of the following shall result in the automatic suspension of practice by
respondent and shall be considered a violation of probation:

1 Failure to contact, complete enrollment, and execute and return the treatment
2 contract with the PRP, including any addendum(s), within ten days of the effective
3 date of the decision as directed by the PRP;

4 Failure to complete registration for any drug or alcohol testing mandated by the
5 treatment contract and/or by the PRP, and begin compliance with the testing
6 protocol(s), within ten days of the effective date of the decision as directed by the
7 PRP;

8 Failure to comply with testing protocols regarding daily check-in and/or failure
9 to complete a mandated test as directed by the PRP;

10 Any report from the PRP of material non-compliance with the terms and
11 conditions of the treatment contract and/or any addendum(s); or

12 Termination by the PRP for non-compliance, failure to derive benefit, or as a
13 public risk.

14 Respondent may not resume the practice of pharmacy until notified by the
15 board in writing.

16 Probation shall be automatically extended until respondent successfully
17 completes the PRP. The board will provide notice of any such suspension or
18 extension of probation.

19 During any suspension, respondent shall not enter any pharmacy area or any
20 portion of the licensed premises of a wholesaler, third-party logistics provider,
21 veterinary food-animal drug retailer, or any other distributor of drugs which is
22 licensed by the board, or any manufacturer, or any area where dangerous drugs and/or
23 dangerous devices or controlled substances are maintained. Respondent shall not
24 practice as Intern Pharmacist nor do any act involving drug selection, selection of
25 stock, manufacturing, compounding, dispensing or patient consultation; nor shall
26 respondent manage, administer, or be a consultant to any licensee of the board, or
27 have access to or control the ordering, distributing, manufacturing or dispensing of
28 dangerous drugs and/or dangerous devices or controlled substances.

During any suspension, respondent shall not engage in any activity that requires
the professional judgment of and/or licensure as an Intern Pharmacist. Respondent
shall not direct or control any aspect of the practice of pharmacy, or of the
manufacturing, distributing, wholesaling, or retailing of dangerous drugs and/or
dangerous devices or controlled substances.

Failure to comply with any requirement or deadline stated by this term shall be
considered a violation of probation.

10. Respondent's probation is subject to revocation because he failed to comply with
Probation Condition 16, in that: Respondent failed to attend an office conference scheduled for
March 2, 2023, which was scheduled to introduce Respondent to the probation team, advise him
of his functions and responsibilities, and to review and clarify the terms of probation. Although
Respondent acknowledged receipt of the February 14, 2023, email informing him of the
scheduled office conference, Respondent failed to attend the office conference. Also, on March

3, 2023, Respondent was terminated from the Pharmacists Recovery Program as a public risk. The reasons for Respondent's termination include that: on February 27, 2023, Respondent admitted that he had not maintained his sobriety and had returned to drinking alcohol. Respondent also admitted that he had self-administered alcohol and medications that are known to be unsafe if combined, and that he was unwilling to participate in the PRP as agreed in his probation terms and conditions.

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 the probation that was granted by the Board of Pharmacy in Case No. 7317 and imposing the disciplinary order that was stayed thereby revoking Intern Pharmacist License No. INT 45593 issued to Fareed Iqbal Rahimi;
2. Revoking or suspending Intern Pharmacist License No. INT 45593, issued to Fareed Iqbal Rahimi; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 6/22/2023

Sodergren,
Anne@DCA

Digitally signed by Sodergren,
Anne@DCA
Date: 2023.06.22 21:02:27
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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