

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

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

**CRAIG JAMES LEWANDOWSKI, Respondent**

**Pharmacist License No. RPH 32003**

**Agency Case No. 7576**

**DECISION AND ORDER**

The attached Stipulated Surrender of License 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 February 21, 2024.

It is so ORDERED on January 22, 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 DAVID E. BRICE  
Supervising Deputy Attorney General  
3 PATRICIA WEBBER HEIM  
Deputy Attorney General  
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9 **BEFORE THE**  
10 **BOARD OF PHARMACY**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case Number 7576

14 **CRAIG JAMES LEWANDOWSKI**  
15 **32210 South Bevis Road**  
16 **Tracy, CA 95304**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

17 **Pharmacist License Number RPH 32003**

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 Patricia Webber Heim, Deputy  
25 Attorney General.

26 2. Craig James Lewandowski (Respondent) is representing himself in this proceeding  
27 and has chosen not to exercise his right to be represented by counsel.

28 ///



**CONTINGENCY**

1  
2       10. This stipulation shall be subject to approval by the Board. Respondent understands  
3 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
4 with the Board regarding this stipulation and surrender, without notice to or participation by  
5 Respondent. By signing the stipulation, Respondent understands and agrees that he may not  
6 withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers  
7 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the  
8 Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this  
9 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
10 be disqualified from further action by having considered this matter.

11       11. The parties understand and agree that Portable Document Format (PDF) and facsimile  
12 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures  
13 thereto, shall have the same force and effect as the originals.

14       12. This Stipulated Surrender of License and Order is intended by the parties to be an  
15 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
16 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
17 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
18 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
19 executed by an authorized representative of each of the parties.

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

**ORDER**

22  
23       IT IS HEREBY ORDERED that Pharmacist License Number RPH 32003, issued to  
24 Respondent Craig James Lewandowski, is surrendered and accepted by the Board.

25       1. The surrender of Respondent's Pharmacist License and the acceptance of the  
26 surrendered license by the Board shall constitute the imposition of discipline against Respondent.  
27 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
28 license history with the Board.





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**ENDORSEMENT**

The foregoing Stipulated Surrender 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  
DAVID E. BRICE  
Supervising Deputy Attorney General

PATRICIA WEBBER HEIM  
Deputy Attorney General  
*Attorneys for Complainant*

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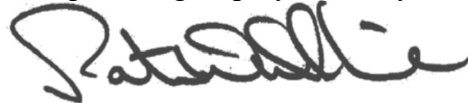
**ENDORSEMENT**

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

DATED: December 26, 2023

Respectfully submitted,

ROB BONTA  
Attorney General of California  
DAVID E. BRICE  
Supervising Deputy Attorney General



PATRICIA WEBBER HEIM  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation Number 7576**

1 ROB BONTA  
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2 DAVID E. BRICE  
Supervising Deputy Attorney General  
3 PATRICIA WEBBER HEIM  
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9 **BEFORE THE**  
10 **BOARD OF PHARMACY**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
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13 In the Matter of the Accusation Against:

Case No. 7576

14 **CRAIG JAMES LEWANDOWSKI**  
15 **32210 South Bevis Road**  
**Tracy, CA 95304**

**ACCUSATION**

16 **Pharmacist License No. RPH 32003**

17 Respondent.

18  
19  
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 August 1, 1978, the Board of Pharmacy issued Pharmacist License  
24 Number RPH 32003 to Craig James Lewandowski (Respondent). The Pharmacist License  
25 expired on December 31, 2019, has not been renewed, and was canceled on January 1, 2023.

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1 **JURISDICTION**

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

5 4. Business and Professions Code section 4300 states, in pertinent part:

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

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

10 (1) Suspending judgment.

11 (2) Placing him or her upon probation.

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

13 (4) Revoking his or her license.

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

16 5. Code section 4300.1 states, in pertinent part:

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

23 **STATUTORY PROVISIONS**

24 6. Section 490 of the Code states, in pertinent part,

25 (a) In addition to any other action that a board is permitted to take against a  
26 licensee, a board may suspend or revoke a license on the ground that the licensee has  
27 been convicted of a crime, if the crime is substantially related to the qualifications,  
28 functions, or duties of the business or profession for which the license was issued.

(b) Notwithstanding any other provision of law, a board may exercise any  
authority to discipline a licensee for conviction of a crime that is independent of the  
authority granted under subdivision (a) only if the crime is substantially related to the  
qualifications, functions, or duties of the business or profession for which the  
licensee's license was issued.

(c) A conviction within the meaning of this section means a plea or verdict of

1 guilty or a conviction following a plea of nolo contendere. Any action that a board is  
2 permitted to take following the establishment of a conviction may be taken when the  
3 time for appeal has elapsed, or the judgment of conviction has been affirmed on  
4 appeal, or when an order granting probation is made suspending the imposition of  
5 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of  
6 the Penal Code.

7. Section 4301 of the Code states, in pertinent part:

8 The board shall take action against any holder of a license who is guilty of  
9 unprofessional conduct or whose license has been issued by mistake. Unprofessional  
10 conduct shall include, but is not limited to, any of the following:

11 . . . .

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

17 . . . .

18 (l) The conviction of a crime substantially related to the qualifications,  
19 functions, and duties of a licensee under this chapter. The record of conviction of a  
20 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United  
21 States Code regulating controlled substances or of a violation of the statutes of this  
22 state regulating controlled substances or dangerous drugs shall be conclusive  
23 evidence of unprofessional conduct. In all other cases, the record of conviction shall  
24 be conclusive evidence only of the fact that the conviction occurred. The board may  
25 inquire into the circumstances surrounding the commission of the crime, in order to  
26 fix the degree of discipline or, in the case of a conviction not involving controlled  
27 substances or dangerous drugs, to determine if the conviction is of an offense  
28 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.

. . . .

8. Section 4307 of the Code states:

(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, administrative, 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

1 denied, revoked, suspended, or placed on probation, shall be prohibited from serving  
2 as a manager, administrator, owner, member, officer, director, associate, partner, or in  
3 any other position with management or control of a licensee as follows:

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

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

9 (b) Manage, administrator, owner, member, officer, director, associate, partner,  
10 or any other person with management or control of a license as used in this section  
11 and Section 4308, may refer to a pharmacist or any other person who serves in such  
12 capacity in or for a licensee.

13 (c) The provisions of subdivision (a) may be alleged in any pleading filed  
14 pursuant to Chapter 5 (commencing with Section 11500) of Part I of Division 3 of the  
15 Government Code. However, no order may be issued in that case except as to a  
16 person who is named in the caption, as to whom the pleading alleges the applicability  
17 of this section, and where the person has been given notice of the proceeding as  
18 required by Chapter 5 (commencing with Section 11500) of Part I of Division 3 of the  
19 Government Code. The authority to proceed as provided by this subdivision shall be  
20 in addition to the board's authority under Section 4339 or any other provision of law.

### 21 **COST RECOVERY**

22 9. Code section 125.3 states, in pertinent part, that the Board may request the  
23 administrative law judge to direct a licentiate found to have committed a violation or violations of  
24 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
25 enforcement of the case.

### 26 **FIRST CAUSE FOR DISCIPLINE**

#### 27 **(Conviction of a Crime)**

28 10. Respondent is subject to disciplinary action under Code sections 490 and 4301,  
subdivision (l), on the grounds of unprofessional conduct, in that on or about September 14, 2021,  
in the criminal proceeding entitled *People v. Craig Lewandowski* (San Joaquin County Superior  
Court, Case No. MAN-CR-MDUI-2021-0009821), Respondent was convicted by the court on his  
guilty plea to violating Vehicle Code section 23152, subdivision (b) (driving with a blood alcohol  
content of 0.08 percent or more), a misdemeanor. As a result of his conviction, Respondent was  
sentenced to serve two days in jail, and placed on three years of conditional probation.  
Respondent was also ordered to complete a nine-month first offender DUI program, and pay all

1 fines, fees and restitution. Court documentation indicated that Respondent's blood alcohol  
2 content was 0.27 percent.

3 11. The circumstances are as follows: On or about August 5, 2021, a California Highway  
4 Patrol officer responded to a report of a solo vehicle traffic collision on Durham Ferry Road near  
5 Chrisman Road, in the unincorporated area of San Joaquin County (near Manteca), California.  
6 Upon arrival, the officer observed Respondent, who appeared to be injured, standing near his  
7 vehicle, which had sustained major damage. Respondent told the officer that he had been driving  
8 approximately 55 miles per hour on Durham Road when he swerved to avoid a dog that ran onto  
9 the road. Respondent claimed that he lost control of his vehicle and crashed into a tree.  
10 Respondent displayed objective signs of intoxication, and failed to complete a series of Field  
11 Sobriety Tests as instructed. Respondent said he had "one vodka" before driving. Respondent  
12 consented to a breath test, and the results were 0.27 percent/0.27 percent blood alcohol content.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Use of Alcohol in a Dangerous Manner)**

15 12. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),  
16 on the grounds of unprofessional conduct, in that on or about August 5, 2021, Respondent used  
17 alcoholic beverages to an extent or in a manner as to be dangerous or injurious to himself, or to  
18 any other person or to the public, as more particularly set forth above in paragraphs 9 and 10, and  
19 incorporated herein by reference.

20 **OTHER MATTERS**

21 13. Pursuant to Code section 4307, if discipline is imposed on Registered Pharmacist  
22 License Number RPH 32003, issued to Craig James Lewandowski, Craig James Lewandowski  
23 shall be prohibited from serving as a manager, administrator, owner, member, officer, director,  
24 associate, or partner of a licensee for five years if Registered Pharmacist License Number RPH  
25 32003 is placed on probation or until Registered Pharmacist License Number RPH 32003 is  
26 reinstated if it is revoked.

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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 32003, issued to Craig James Lewandowski;

2. Ordering Craig James Lewandowski 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;

3. Ordering that Respondent Craig James Lewandowski is prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee pursuant to Code section 4307; and,

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

DATED: 7/24/2023

Sodergren,  
Anne@DCA

 Digitally signed by 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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