

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

In the Matter of the Statement of Issues Against:

CONNOR MACLEOD GRIFFITH, Respondent

Agency Case No. 7489

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 July 25, 2023.

It is so ORDERED on July 25, 2023.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.
Board President

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

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13 In the Matter of the Statement of Issues
Against:

14 **CONNOR MACLEOD GRIFFITH**
15 **Intern Pharmacist License Applicant**
16
17 Respondent.

Case No. 7489

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

20 **PARTIES**

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

25 2. Respondent Connor MacLeod Griffith (Respondent) is represented in this proceeding
26 by attorney Sweta H. Patel, whose address is: 1981 North Broadway, Suite 220, Walnut Creek,
27 CA 94596-3877.

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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 his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his 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.

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 upon satisfaction of statutory and regulatory requirements thereof, an Intern Pharmacist License shall be issued to Respondent Connor MacLeod Griffith and shall be immediately revoked. However, the revocation will be stayed and Respondent placed on probation three (3) years upon the following terms and conditions. Should the Board issue a license to practice as a pharmacist to Respondent during the period of probation, the Intern

1 Pharmacist License shall be cancelled and the Pharmacist License shall be immediately revoked.
2 The revocation of such license shall be stayed, and the probation imposed by this decision and
3 order will continue against the Pharmacist License. Respondent shall remain subject to the same
4 terms and conditions imposed by this disciplinary order. Notwithstanding this provision, the
5 Board reserves the right to deny Respondent's application for the Pharmacist Licensure exam.

6 **1. Obey All Laws**

7 Respondent shall obey all state and federal laws and regulations.

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

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

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

22 **2. Report to the Board**

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

27 Failure to submit timely reports in a form as directed shall be considered a violation of
28 probation. Any period(s) of delinquency in submission of reports as directed may be added to the

1 total period of probation. Moreover, if the final probation report is not made as directed,
2 probation shall be automatically extended until such time as the final report is made and accepted
3 by the board.

4 **3. Interview with the Board**

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

10 **4. Cooperate with Board Staff**

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

17 **5. Continuing Education**

18 Respondent shall provide evidence of efforts to maintain skill and knowledge as a
19 pharmacist as directed by the board or its designee.

20 **6. Reporting of Employment and Notice to Employers**

21 During the period of probation, respondent shall notify all present and prospective
22 employers of the decision in case number 7489 and the terms, conditions and restrictions imposed
23 on respondent by the decision, as follows:

24 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
25 undertaking any new employment, respondent shall report to the board in writing the name,
26 physical address, and mailing address of each of his employer(s), and the name(s) and telephone
27 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in-charge, designated
28 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work

1 schedule, if known. Respondent shall also include the reason(s) for leaving the prior
2 employment. Respondent shall sign and return to the board a written consent authorizing the
3 board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and
4 authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,
5 concerning respondent's work status, performance, and monitoring. Failure to comply with the
6 requirements or deadlines of this condition shall be considered a violation of probation.

7 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
8 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)
9 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
10 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the
11 board in writing acknowledging that the listed individual(s) has/have read the decision in case
12 number 7489, and terms and conditions imposed thereby. If one person serves in more than one
13 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's
14 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the
15 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
16 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in
17 writing within fifteen (15) days of the change acknowledging that he or she has read the decision
18 in case number 7489, and the terms and conditions imposed thereby.

19 If respondent works for or is employed by or through an employment service, respondent
20 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board
21 of the decision in case number 7489, and the terms and conditions imposed thereby in advance of
22 respondent commencing work at such licensed entity. A record of this notification must be
23 provided to the board upon request.

24 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
25 (15) days of respondent undertaking any new employment by or through an employment service,
26 respondent shall cause the person(s) described in (a), (b), and (c) above at the employment service
27 to report to the board in writing acknowledging that he or she has read the decision in case
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1 number, and the terms and conditions imposed thereby. It shall be respondent's responsibility to
2 ensure that these acknowledgment(s) are timely submitted to the board.

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

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

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

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

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

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

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

20 **9. Probation Monitoring Costs**

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

25 **10. Status of License**

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

1 violation of probation.

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

6 **11. License Surrender While on Probation/Suspension**

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

15 Upon acceptance of the surrender, respondent shall relinquish his pocket and/or wall
16 license, including any indicia of licensure not previously provided to the board within ten (10)
17 days of notification by the board that the surrender is accepted if not already provided.
18 Respondent may not reapply for any license from the board for three (3) years from the effective
19 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
20 of the date the application for that license is submitted to the board, including any outstanding
21 costs.

22 **12. Practice Requirement – Extension of Probation**

23 Except during periods of suspension, respondent shall, at all times while on probation, be
24 employed as an Intern Pharmacist in California for a minimum of 80 hours per calendar month.
25 Any month during which this minimum is not met shall extend the period of probation by one
26 month. During any such period of insufficient employment, respondent must nonetheless comply
27 with all terms and conditions of probation, unless respondent receives a waiver in writing from
28 the board or its designee.

1 If respondent does not practice as an Intern Pharmacist in California for the minimum
2 number of hours in any calendar month, for any reason (including vacation), respondent shall
3 notify the board in writing within ten (10) days of the conclusion of that calendar month. This
4 notification shall include at least: the date(s), location(s), and hours of last practice; the reason(s)
5 for the interruption or reduction in practice; and the anticipated date(s) on which respondent will
6 resume practice at the required level. Respondent shall further notify the board in writing within
7 ten (10) days following the next calendar month during which respondent practices as an Intern
8 Pharmacist in California for the minimum of hours. Any failure to timely provide such
9 notification(s) shall be considered a violation of probation.

10 It is a violation of probation for respondent's probation to be extended pursuant to the
11 provisions of this condition for a total period, counting consecutive and non-consecutive months,
12 exceeding thirty-six (36) months. The board or its designee may post a notice of the extended
13 probation period on its website.

14 During respondent's enrollment in a school or college of pharmacy, no minimum practice
15 hours shall be required. Instead, respondent shall report to the board quarterly in writing, in a
16 format and schedule as directed by the board or its designee, on his compliance with academic
17 and vocational requirements, and on his academic progress. Respondent must comply with all
18 other terms and conditions of probation, unless notified in writing by the board or its designee.

19 **13. Violation of Probation**

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

26 If respondent violates probation in any respect, the board, after giving respondent notice
27 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
28 was stayed. If a petition to revoke probation or an accusation is filed against respondent during

1 probation, or the preparation of an accusation or petition to revoke probation is requested from
2 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of
3 probation shall be automatically extended until the petition to revoke probation or accusation is
4 heard and decided.

5 **14. Completion of Probation**

6 Upon written notice by the board or its designee indicating successful completion of
7 probation, respondent's license will be fully restored.

8 **15. Pharmacists Recovery Program (PRP)**

9 By no later than ten (10) days after the effective date of this decision, respondent shall have
10 completed all of the following: contacted the Pharmacists Recovery Program (PRP) for
11 evaluation; enrolled in the PRP; completed, signed, and returned the treatment contract as well as
12 any addendums required or suggested by the PRP; successfully completed registration for any
13 drug or alcohol testing mandated by the treatment contract and/or by enrollment in the PRP; and
14 begun compliance with the drug or alcohol testing protocol(s). Respondent shall successfully
15 participate in the PRP and complete the treatment contract and any addendums required or
16 suggested by the PRP. The costs for PRP participation shall be borne by the respondent.

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

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

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

26 Failure to contact, complete enrollment, and execute and return the treatment contract with
27 the PRP, including any addendum(s), within ten (10) days of the effective date of the decision as
28 directed by the PRP;

1 Failure to complete registration for any drug or alcohol testing mandated by the treatment
2 contract and/or by the PRP, and begin compliance with the testing protocol(s), within ten (10)
3 days of the effective date of the decision as directed by the PRP;

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

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

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

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

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

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

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

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

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16. **Drug and Alcohol Testing**

Respondent, at his own expense, shall participate in testing as directed by the board or its designee for the detection of alcohol, controlled substances, and dangerous drugs and/or dangerous devices. Testing protocols may include biological fluid testing (urine, blood), breathalyzer, hair follicle testing, or other testing protocols as directed by the board or its designee. All testing must be pursuant to an observed testing protocol, unless respondent is informed otherwise in writing by the board or its designee. Respondent may be required to participate in testing for the entire probation period and frequency of testing will be determined by the board or its designee.

By no later than thirty (30) days after the effective date of this decision, respondent shall have completed all of the following tasks: enrolled and registered with an approved drug and alcohol testing vendor; provided that vendor with any documentation, and any information necessary for payment by respondent; commenced testing protocols, including all required contacts with the testing vendor to determine testing date(s); and begun testing. At all times, respondent shall fully cooperate with the testing vendor, and with the board or its designee, with regard to enrollment, registration, and payment for, and compliance with, testing. Any failure to cooperate timely shall be considered a violation of probation.

Respondent may be required to test on any day, including weekends and holidays. Respondent is required to make daily contact with the testing vendor to determine if a test is required, and if a test is required must submit to testing on the same day.

Prior to any vacation or other period of absence from the area where the approved testing vendor provides services, respondent shall seek and receive approval from the board or its designee to use an alternate testing vendor to ensure testing can occur. Upon approval, respondent shall enroll and register with the approved alternate drug testing vendor, provide to that alternate vendor any documentation required by the vendor, including any necessary payment by respondent. During the period of absence of the area, respondent shall commence testing protocols with the alternate vendor, including required daily contacts with the testing vendor to determine if testing is required, and required testing. Any failure to timely seek or receive

1 approval from the board or its designee, or to timely enroll and register with, timely commence
2 testing protocols with, or timely undergo testing with, the alternate testing vendor, shall be
3 considered a violation of probation.

4 Upon detection of an illicit drug, controlled substance or dangerous drug, the board or its
5 designee may require respondent to timely provide documentation from a licensed practitioner
6 authorized to prescribe the detected substance demonstrating that the substance was administered
7 or ingested pursuant to a legitimate prescription issued as a necessary part of treatment. All such
8 documentation shall be provided by respondent within ten (10) days of being requested.

9 Any of the following shall be considered a violation of probation and shall result in
10 respondent being immediately suspended from practice as a registered Intern Pharmacist until
11 notified by the board in writing that he may resume practice: failure to timely complete all of the
12 steps required for enrollment/registration with the drug testing vendor, including making
13 arrangements for payment; failure to timely commence drug testing protocols; failure to contact
14 the drug testing vendor as required to determine testing date(s); failure to test as required; failure
15 to timely supply documentation demonstrating that a detected substance was taken pursuant to a
16 legitimate prescription issued as a necessary part of treatment; and/or detection through testing of
17 alcohol, or of an illicit drug, or of a controlled substance or dangerous drug absent documentation
18 that the detected substance was taken pursuant to a legitimate prescription and a necessary
19 treatment. In the event of a suspension ordered after detection through testing of alcohol, an illicit
20 drug, or of a controlled substance or dangerous drug absent documentation that the detected
21 substance was taken pursuant to a legitimate prescription and a necessary treatment, the board or
22 its designee shall inform respondent of the suspension and inform him to immediately leave work,
23 and shall notify respondent's employer(s) and work site monitor(s) of the suspension.

24 During any such suspension, respondent shall not enter any pharmacy area or any portion of
25 the licensed premises of a wholesaler, third-party-logistics provider, veterinary food-animal drug
26 retailer, or any other distributor of drugs which is licensed by the board, or any manufacturer, or
27 any area where dangerous drugs and/or dangerous devices or controlled substances are
28 maintained. Respondent shall not practice pharmacy nor do any act involving drug selection,

1 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall
2 respondent manage, administer, or be a consultant to any licensee of the board, or have access to
3 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or
4 dangerous devices and controlled substances.

5 During any such suspension, respondent shall not engage in any activity that requires the
6 professional judgment of and/or licensure as a registered Intern Pharmacist. Respondent shall not
7 direct or control any aspect of the practice of pharmacy, or of the manufacturing, distributing,
8 wholesaling, or retailing of dangerous drugs and/or dangerous devices.

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

12 **17. Notification of Departure**

13 Prior to leaving the probationary geographic area designated by the board or its designee for
14 a period greater than twenty-four (24) hours, respondent shall notify the board verbally and in
15 writing of the dates of departure and return. Failure to comply with this provision shall be
16 considered a violation of probation.

17 **18. Abstain from Drugs and Alcohol**

18 Respondent shall completely abstain from the possession or use of alcohol, controlled
19 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated
20 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a
21 necessary part of treatment. Respondent shall ensure that he is not in the same physical location
22 as individuals who are using illicit substances even if respondent is not personally ingesting the
23 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled
24 substances, or their associated paraphernalia for which a legitimate prescription has not been
25 issued as a necessary part of treatment, or any physical proximity to persons using illicit
26 substances, shall be considered a violation of probation.

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19. **Prescription Coordination and Monitoring of Prescription Use**

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2 Within thirty (30) days of the effective date of this decision, respondent shall submit to the
3 board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,
4 physician assistant, or psychiatrist of respondent's choice, who shall be aware of the respondent's
5 history with the use of alcohol who will coordinate and monitor any prescriptions for respondent
6 for dangerous drugs and/or dangerous devices, controlled substances or mood-altering drugs. The
7 approved practitioner shall be provided with a copy of the board's Statement of Issues and
8 decision. A record of this notification must be provided to the board or its designee upon request.
9 Respondent shall sign a release authorizing the practitioner to communicate with the board or its
10 designee about respondent's treatment(s). The coordinating physician, nurse practitioner,
11 physician assistant, or psychiatrist shall report to the board on a quarterly basis for the duration of
12 probation regarding respondent's compliance with this condition. If any substances considered
13 addictive have been prescribed, the report shall identify a program for the time limited use of any
14 such substances. The board or its designee may require that the single coordinating physician,
15 nurse practitioner, physician assistant or psychiatrist be a specialist in addictive medicine, or
16 consult a specialist in addictive medicine. Should respondent, for any reason, cease supervision
17 by the approved practitioner, respondent shall notify the board or its designee immediately and,
18 within thirty (30) days of ceasing supervision, submit the name of a replacement physician, nurse
19 practitioner, physician assistant, or psychiatrist of respondent's choice to the board or its designee
20 for its prior approval. Failure to timely submit the selected practitioner or replacement
21 practitioner to the board or its designee for approval, or to ensure the required quarterly reporting
22 thereby, shall be considered a violation of probation.

23 If at any time an approved practitioner determines that respondent is unable to practice
24 safely or independently as a registered Intern Pharmacist, the practitioner shall notify the board or
25 its designee immediately by telephone and follow up by written letter within three (3) working
26 days. Upon notification from the board or its designee of this determination, respondent shall be
27 automatically suspended and shall not resume practice as a registered Intern Pharmacist until
28 notified by the board or its designee that practice may be resumed.

1 During any suspension, respondent shall not enter any pharmacy area or any portion of the
2 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug
3 retailer, or any other distributor of drugs which is licensed by the board, or any manufacturer, or
4 any area where dangerous drugs and/or dangerous devices or controlled substances are
5 maintained. Respondent shall not practice pharmacy nor do any act involving drug selection,
6 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall
7 respondent manage, administer, or be a consultant to any licensee of the board, or have access to
8 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or
9 dangerous devices and controlled substances. Respondent shall not resume practice until notified
10 by the board.

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

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

17 **20. Facilitated Group Recovery and/or Support Meetings**

18 Within thirty (30) days of the effective date of this decision, respondent shall begin regular
19 attendance at a group recovery and/or support meeting that is run by a trained facilitator approved
20 in advance by the board or its designee. The required frequency of group meeting attendance
21 shall be determined by the board or its designee. Respondent shall continue regular attendance as
22 directed at an approved facilitated group meeting until the board or its designee advises the
23 respondent in writing that he may cease regular attendance. Respondent shall provide signed and
24 dated documentation of attendance as required with each quarterly report. Failure to attend as
25 required or to submit documentation of attendance shall be considered a violation of probation.

26 If respondent is required to participate in the PRP, compliance with this term can be
27 demonstrated through that program. Where respondent is enrolled in the PRP, participation as
28 required in a facilitated group meeting approved by the PRP shall be sufficient for satisfaction of

1 this requirement. Any deviation from participation requirements for the PRP-approved group
2 shall be considered a violation of probation.

3 **21. Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

4 Within thirty (30) days of the effective date of this decision, respondent shall begin regular
5 attendance at a recognized and established substance abuse recovery support group in California
6 (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved by the board
7 or its designee. Respondent must attend the number of group meetings per week or month
8 directed by the board or its designee, which shall typically be at least one per week. Respondent
9 shall continue regular attendance and submit signed and dated documentation confirming
10 attendance with each quarterly report for the duration of probation. Failure to attend or submit
11 documentation thereof shall be considered a violation of probation.

12 Where respondent is enrolled in the PRP, participation as required in a recovery group
13 meeting approved by the PRP shall be sufficient for satisfaction of this requirement. Any
14 deviation from participation requirements for the PRP-approved group shall be considered a
15 violation of probation.

16 **22. Work Site Monitor**

17 Within ten (10) days of the effective date of this decision, respondent shall identify a work
18 site monitor, for prior approval by the board or its designee, who shall be responsible for
19 supervising respondent during working hours. Respondent shall be responsible for ensuring that
20 the work site monitor reports in writing to the board monthly or on another schedule as directed
21 by the board or its designee. Should the designated work site monitor suspect at any time during
22 the probationary period that respondent has abused alcohol or drugs, he or she shall notify the
23 board immediately.

24 In the event of suspected abuse, the monitor shall make at least oral notification within one
25 (1) business day of the occurrence, and shall be followed by written notification within two (2)
26 business days of the occurrence. If, for any reason, including change of employment, respondent
27 is no longer able to be monitored by the approved work site monitor, within ten (10) days
28 respondent shall designate a new work site monitor for approval by the board or its designee.

1 Failure to timely identify an acceptable initial or replacement work site monitor, or to ensure
2 monthly reports are submitted to the board by the monitor, shall be considered a violation of
3 probation.

4 Within thirty (30) days of being approved by the board or its designee, the work site
5 monitor shall sign an affirmation that he or she has reviewed the terms and conditions of
6 respondent's disciplinary order and agrees to monitor respondent. The work site monitor shall at
7 least:

- 8 1) Have regular face-to-face contact with respondent in the work environment, at least
9 once per week or with greater frequency if required by the board or its designee;
- 10 2) Interview other staff in the office regarding respondent's behavior, if applicable; and
- 11 3) Review respondent's work attendance.

12 The written reports submitted to the board or its designee by the work site monitor shall
13 include at least the following information: respondent's name and license number; the monitor's
14 name, license number (if applicable) and work site location; the date(s) the monitor had face-to-
15 face contact with respondent; the staff interviewed, if applicable; an attendance report; notes on
16 any changes in respondent's behavior or personal habits; notes on any indicators that may lead to
17 substance abuse; and the work site monitor's signature.

18 Respondent shall complete the required consent forms and sign an agreement with the work
19 site monitor and the board to allow the board to communicate with the work site monitor.

20 **23. No Ownership or Management of Licensed Premises**

21 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,
22 administrator, member, officer, director, trustee, associate, or partner of any business, firm,
23 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell
24 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)
25 days following the effective date of this decision and shall immediately thereafter provide written
26 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide
27 documentation thereof shall be considered a violation of probation.

28 ///

24. **Criminal Probation/Parole Reports**

1
2 Within ten (10) days of the effective date of this decision, or within ten (10) days of the
3 issuance or assignment/replacement of same, whichever is earlier, respondent shall provide the
4 board or its designee in writing: a copy of the conditions of any criminal probation/parole
5 applicable to respondent; and the name and contact information of any probation, parole or
6 similar supervisory officer assigned to respondent. Respondent shall provide a copy of all
7 criminal probation/parole reports to the board within ten (10) days after such report is issued.
8 Failure to timely make any of the submissions required hereby shall be considered a violation of
9 probation.

10 **ACCEPTANCE**

11 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
12 discussed it with my attorney, Sweta H. Patel. I understand the stipulation and the effect it will
13 have on my Intern Pharmacist License. I enter into this Stipulated Settlement and Disciplinary
14 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
15 of the Board of Pharmacy.

16
17 DATED: June 30, 2023 
18 CONNOR MACLEOD GRIFFITH
19 Respondent

20 I have read and fully discussed with Respondent Connor MacLeod Griffith the terms and
21 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
22 I approve its form and content.

23 DATED: June 30, 2023 
24 SWETA H. PATEL
25 Attorney for Respondent

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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
NANCY A. KAISER
Supervising Deputy Attorney General

THOMAS L. RINALDI
Supervising 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: 07/03/2023

Respectfully submitted,

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

Nancy Kaiser for

THOMAS L. RINALDI
Supervising Deputy Attorney General
Attorneys for Complainant

LA2023600995

Exhibit A

Statement of Issues No. 7489

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
Supervising Deputy Attorney General
3 THOMAS L. RINALDI
Supervising Deputy Attorney General
4 State Bar No. 206911
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6310
6 Facsimile: (916) 731-2126
E-mail: Thomas.Rinaldi@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 Statement of Issues
13 Against:

Case No. 7489

14 **CONNOR MACLEOD GRIFFITH**

STATEMENT OF ISSUES

15 **Intern Pharmacist License Applicant**

16 Respondent.
17

18 **PARTIES**

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

22 2. On or about September 19, 2022, the Board received an application for an Intern
23 Pharmacist License from Connor MacLeod Griffith (Respondent). On or about August 15, 2022,
24 Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and
25 representations in the application. The Board denied the application on February 7, 2023.

26 ///

27 ///

28 ///

1 **JURISDICTION**

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

5 **STATUTORY PROVISIONS**

6 4. Section 477 of the Code states:

7 As used in this division:

8 (a) "Board" includes "bureau," "commission," "committee," "department,"
9 "division," "examining committee," "program," and "agency."

10 (b) "License" includes certificate, registration or other means to engage in a
11 business or profession regulated by this code.

12 5. Section 480 of the Code states, in pertinent part:

13 (a) Notwithstanding any other provision of this code, a board may deny a
14 license regulated by this code on the grounds that the applicant has been convicted of
15 a crime or has been subject to formal discipline only if either of the following
16 conditions are met:

17 (1) The applicant has been convicted of a crime within the preceding seven
18 years from the date of application that is substantially related to the qualifications,
19 functions, or duties of the business or profession for which the application is made,
20 regardless of whether the applicant was incarcerated for that crime, or the applicant
21 has been convicted of a crime that is substantially related to the qualifications,
22 functions, or duties of the business or profession for which the application is made
23 and for which the applicant is presently incarcerated or for which the applicant was
24 released from incarceration within the preceding seven years from the date of
25 application. . . .

26 6. Section 493, states in pertinent part:

27 (a) Notwithstanding any other law, in a proceeding conducted by a board within
28 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.

29 **REGULATORY PROVISIONS**

30 7. California Code of Regulations, title 16, section 1770, states, in pertinent part:

31 (a) 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

1 considered substantially related to the qualifications, functions or duties of the
2 practice, profession, or occupation that may be performed under the license type
3 sought or held if to a substantial degree it evidences present or potential unfitness of
4 an applicant or licensee to perform the functions authorized by the license in a
5 manner consistent with the public health, safety, or welfare.

6

7 (c) For purposes of subdivision (a), substantially related crimes, professional
8 misconduct, or acts shall include, but are not limited to, those which:

9

10 (5) Involve a conviction for driving under the influence of drugs or alcohol.

11 **FIRST CAUSE FOR DENIAL OF APPLICATION**

12 **(Conviction of a Substantially Related Crime)**

13 8. Respondent's application is subject to denial under section 480, subdivision (a)(1) in
14 conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was
15 convicted of a crime substantially related to the qualifications, functions, or duties of an intern
16 pharmacist. Specifically, on or about September 9, 2021, after his plea of nolo contendere,
17 Respondent was convicted of violating Vehicle Code section 23152, subdivision (b) (driving
18 while having 0.08 percent or above blood alcohol concentration) in the criminal proceeding titled:
19 *The People of the State of California v. Connor Griffith* (Super. Ct. Los Angeles County, 2022,
20 No. 1SC01516). The court placed Respondent on 36 months of probation with terms and
21 conditions.

22 9. The circumstances surrounding the conviction were that on or about May 8, 2021,
23 Respondent ran a red light and collided into a curb. Responding police officers noted Respondent
24 displayed objective symptoms of intoxication. During a search of Respondent's vehicle, officers
25 found open bottles and cans of alcohol on the floorboard of his vehicle. Respondent submitted to
26 breath test at 5:36 a.m., which revealed a blood alcohol concentration (BAC) of 0.229 and 0.201
27 respectively. He was later transported to the sheriff's station where he submitted to a chemical
28 breath test at 6:24 a.m., which resulted in a BAC of 0.18.

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1 **SECOND CAUSE FOR DENIAL OF APPLICATION**

2 **(Dangerous Use of Alcohol)**

3 10. Respondent's application is subject to denial under sections 4300, subdivision (c), and
4 4301, subdivision (h) in conjunction with California Code of Regulations, title 16, section 1770,
5 subdivision (a) (5), in that Respondent consumed alcoholic beverages to the extent, or in a
6 manner, as to be dangerous or injurious to himself and the public. Complainant refers to, and by
7 this reference incorporates, the allegations set forth above in paragraphs 8 and 9, inclusive, as
8 though set forth fully.

9 **PRAYER**

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

- 12 1. Denying the application of Connor MacLeod Griffith for an Intern Pharmacist
13 License;
14 2. Taking such other and further action as deemed necessary and proper.

15
16 DATED: 4/15/2023

Sodergren,
Anne@DCA
Digitally signed by Sodergren,
Anne@DCA
Date: 2023.04.15 06:40:17
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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