

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

In the Matter of the Accusation Against:

**ADVANTAGE HEALTH CARE HIV & COMPOUNDING INC., dba
GARDEN GROVE COMMUNITY PHARMACY, VIMAL BHANVADIA
AND SHEKHA DASHRATH PATEL, OFFICERS AND SHAREHOLDERS,
Pharmacy License No. PHY 51109;**

**AHCS SPECIALTY CARE, LLC AND INNOVATIVE HEALTHCARE
CAPITAL, LLC, dba AHCS SPECIALTY CARE, VIMAL BHANVADIA,
SHEKHA DASHRATH PATEL AND KINJAL GHANSHYAM PATEL,
OFFICERS AND/OR SHAREHOLDERS,
Pharmacy Permit No. PHY 55932;**

**ADVANTAGE HEALTH CARE SERVICES, dba MISSION PLAZA
PHARMACY, KINJAL GHANSHYAM PATEL, VIMAL BHANVADIA
AND SHEKHA DASHRATH PATEL, OFFICERS AND SHAREHOLDERS,
Pharmacy Permit No. PHY 51550;**

**KINJAL GHANSHYAM PATEL,
Pharmacist License No. RPH 61294;**

**SHITAL J. PATEL,
Pharmacist License No. RPH 50125;**

**SHEKHA DASHRATH PATEL,
Pharmacist License No. RPH 60337;**

Respondents.

Agency Case Nos. 7223, 7538, and 7539

OAH Nos. 2024070440 and 2024090336

and

In the Matter of the Statement of Issues Against:

**AHCS SPECIALTY CARE, LLC
Applicant for Pharmacy Permit**

Respondent.

Agency Case No. 7210

and

In the Matter of the Statement of Issues Against:

**ADVANTAGE HEALTH CARE SERVICES-MISSION INC., dba MISSION
PLAZA PHARMACY 3
Applicant for Pharmacy Permit**

Respondent.

Agency Case No. 7211

and

In the Matter of the Accusation Against:

**AHCS SPECIALTY CARE, LLC, dba AHCS SPECIALTY CARE, NEVIL
PRAKASH JHAVERI, MEMBER,
Pharmacy Permit No. PHY 55932;**

**INNOVATIVE HEALTHCARE CAPITAL, LLC, and AHCS SPECIALTY
CARE LLC, dba AHCS SPECIALTY CARE,
NEVIL PRAKASH JHAVERI, MEMBER,
Pharmacy Permit No. PHY 58059;**

**ANIL KANWAR,
Pharmacist License No. RPH 81880;**

and

**SHITAL J. PATEL,
Pharmacist License No. RPH 50125;**

Respondents.

Agency Case No. 7618

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 June 27, 2025.

It is so ORDERED on May 28, 2025.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is written in a cursive style with a large, sweeping initial "S".

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
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Deputy Attorney General
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Attorneys for Complainant

13
14 **BEFORE THE**
BOARD OF PHARMACY
15 **DEPARTMENT OF CONSUMER AFFAIRS**
16 **STATE OF CALIFORNIA**

17 In the Matter of the Accusation Against:

18 **ADVANTAGE HEALTH CARE HIV &**
19 **COMPOUNDING INC., DBA GARDEN**
20 **GROVE COMMUNITY PHARMACY,**
21 **VIMAL BHANVADIA AND SHEKHA**
22 **DASHRATH PATEL, OFFICERS AND**
23 **SHAREHOLDERS**
24 **12665 Garden Grove Blvd., Ste. 108**
25 **Garden Grove, CA 92843**

26 **Pharmacy License No. PHY 51109,**

27 **AHCS SPECIALTY CARE, LLC AND**
28 **INNOVATIVE HEALTHCARE CAPITAL,**
LLC, DBA AHCS SPECIALTY CARE,
VIMAL BHANVADIA, SHEKHA
DASHRATH PATEL AND KINJAL
GHANSHYAM PATEL, OFFICERS
AND/OR SHAREHOLDERS
12832 Valley View Street, Suite A
Garden Grove, CA 92845

Pharmacy Permit No. PHY 55932,

Case Nos. 7223, 7538, and 7539

OAH Nos. 2024070440 and 2024090336

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER ONLY AS TO
ANIL KANWAR

1 **ADVANTAGE HEALTH CARE**
2 **SERVICES, DBA MISSION PLAZA**
3 **PHARMACY, KINJAL GHANSHYAM**
4 **PATEL, VIMAL BHANVADIA AND**
5 **SHEKHA DASHRATH PATEL,**
6 **OFFICERS AND SHAREHOLDERS**
7 **26800 Crown Valley Parkway #185**
8 **Mission Viejo, CA 92691**

9 **Pharmacy Permit No. PHY 51550,**

10 **KINJAL GHANSHYAM PATEL**
11 **4631 Teller Avenue #110**
12 **Newport Beach, CA 92660**

13 **Pharmacist License No. RPH 61294,**

14 **SHITAL J. PATEL**
15 **7302 Spruce Circle**
16 **La Palma, CA 90623**

17 **Pharmacist License No. RPH 50125,**
18 **and**

19 **SHEKHA DASHRATH PATEL**
20 **12665 Garden Grove Blvd., Ste. 108**
21 **Garden Grove, CA 92843**

22 **Pharmacist License No. 60337**

23 Respondents.

24 In the Matter of the Statement of Issues
25 Against:

26 **AHCS SPECIALTY CARE, LLC**

27 **Applicant for Pharmacy Permit**

28 Respondent.

Case No. 7210

29 In the Matter of the Statement of Issues
30 Against:

31 **ADVANTAGE HEALTH CARE**
32 **SERVICES-MISSION INC., DBA**
33 **MISSION PLAZA PHARMACY 3**

34 **Applicant for Pharmacy Permit**

35 Respondent.

Case No. 7211

1 In the Matter of the Accusation Against:

Case No. 7618

2 **AHCS SPECIALTY CARE, LLC, DBA**
3 **AHCS SPECIALTY CARE, NEVIL**
4 **PRAKASH JHAVERI, MEMBER**
5 **12832 Valley View St., Ste. A**
6 **Garden Grove, CA 92845**

7 **Pharmacy Permit No. PHY 55932,**

8 **INNOVATIVE HEALTHCARE CAPITAL,**
9 **LLC, AND AHCS SPECIALTY CARE,**
10 **LLC, DBA AHCS SPECIALTY CARE,**
11 **NEVIL PRAKASH JHAVERI, MEMBER**
12 **12832 Valley View St., Ste. A**
13 **Garden Grove, CA 92845**

14 **Pharmacy Permit No. PHY 58059,**

15 **ANIL KANWAR**
16 **5639 E. Elsinore Ave**
17 **Orange, CA 92869**

18 **Pharmacist License No. RPH 81880,**

19 **and**

20 **SHITAL J. PATEL**
21 **7302 Spruce Circle**
22 **La Palma, CA 90623**

23 **Pharmacist License No. RPH 50125,**

24 **Respondents.**

25 The following stipulation is agreed to by and resolves the administrative cases pending as to
26 Respondent Anil Kanwar (Respondent). This stipulation does not apply to or alter the
27 administrative cases pending against any other named Respondents.

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

PARTIES

1. Anne Sodergren (Complainant), Executive Officer of the Board of Pharmacy (Board),
Department of Consumer Affairs, brought this action solely in her official capacity and is
represented in this matter by Rob Bonta, Attorney General of the State of California, by Desiree I.
Kellogg, Deputy Attorney General, and Joshua A. Room, Supervising Deputy Attorney General.

1 **DISCIPLINARY ORDER**

2 **IT IS HEREBY ORDERED** that Pharmacist License Number RPH 81880, issued to Anil
3 Kanwar (Respondent), is revoked. However, the revocation is stayed and Respondent is placed
4 on probation for four (4) years on the following terms and conditions:

5 **1. Remedial Education**

6 Within sixty (60) calendar days of the effective date of this decision, Respondent shall
7 submit to the Board, for prior approval, an appropriate program of remedial education related to
8 pharmacy and pharmacist requirements of and compliance with the DSCSA. The program shall
9 be at least four (4) hours, to be completed within one (1) year, at Respondent’s own expense. All
10 remedial education shall be in addition to, and not be credited toward, continuing education (CE)
11 courses used for license renewal purposes for pharmacists. For the purposes of this section,
12 “successfully completed” shall mean Respondent personally attended each educational program
13 or course (“course”) and completed all required course hours and work as determined by the
14 remedial education provider, including the taking and passing of any required examination(s).

15 Failure to timely submit for approval or complete the approved remedial education shall be
16 considered a violation of probation. The period of probation will be automatically extended until
17 such remedial education is successfully completed and written proof, in a form acceptable to the
18 Board, is provided to the Board.

19 Following the completion of each course, the Board may require Respondent, at his own
20 expense, to take an approved examination to test Respondent’s knowledge of the course. If the
21 Respondent does not achieve a passing score, as determined by the provider, on the examination,
22 that course shall not count towards satisfaction of this term. Respondent shall take another course
23 approved by the Board in the same subject area.

24 **2. Ethics Course**

25 Within sixty (60) calendar days of the effective date of this decision, Respondent shall
26 enroll in a course in ethics, at Respondent’s expense, approved in advance by the Board, that
27 complies with California Code of Regulations, title 16, section 1773.5. Within five (5) days of
28 enrollment, Respondent shall provide proof of enrollment to the Board.

1 Respondent is required to complete the 6-month and 12- month ethics follow up courses in
2 order to be compliance with this condition. Within five (5) days of completion, Respondent shall
3 submit a copy of the certificate of completion to the Board.

4 Failure to timely enroll in an approved ethics course, to initiate the course during the first
5 year of probation, to successfully complete it before the end of the second year of probation, or to
6 timely submit proof of completion to the Board, shall be considered a violation of probation.

7 **3. Obey All Laws**

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

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

- 11 • an arrest or issuance of a criminal complaint, information, or indictment for violation
12 of any state and federal 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.

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

19 **4. Report to the Board**

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

24 Failure to submit timely reports in a form as directed shall be considered a violation of
25 probation. Any period(s) of delinquency in submission of reports as directed may be added to the
26 total period of probation. If the final probation report is not made as directed, probation shall be
27 automatically extended until such time as the final report is made and accepted by the Board.

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1 **5. Interview with the Board**

2 Upon receipt of reasonable prior notice, Respondent shall participate as directed in
3 interviews with the Board, at such intervals and locations as are determined by the Board. Failure
4 to appear for any scheduled interview without prior notification to Board staff, or failure to
5 appear for two (2) or more scheduled interviews with the Board during the period of probation,
6 shall be considered a violation of probation.

7 **6. Cooperate with Board Staff**

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

14 **7. Continuing Education**

15 Respondent shall provide evidence of efforts to maintain skill and knowledge as a
16 pharmacist as directed by the Board and in compliance with California Code of Regulations, title
17 16, section 1732.3.

18 **8. Reporting of Employment and Notice to Employers**

19 During the period of probation, Respondent shall notify all present and prospective
20 employers of the decision in case number 7618, and the terms, conditions and restrictions
21 imposed on Respondent by the decision, as follows:

22 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
23 undertaking any new employment, Respondent shall report to the Board in writing the name,
24 physical address, and mailing address of each of his employer(s), and the name(s), telephone
25 number(s), and email address(es) of all of his direct supervisor(s), as well as any pharmacist(s)-
26 in-charge, designated representative(s)-in-charge, responsible manager, or other compliance
27 supervisor(s) and the work schedule, if known. Respondent shall also include the reason(s) for
28 leaving prior employment and the last day worked.

1 Respondent shall sign and return to the Board a written consent authorizing the Board to
2 communicate with all of Respondent's employer(s) and supervisor(s), and authorizing those
3 employer(s) or supervisor(s) to communicate with the Board, concerning Respondent's work
4 status, performance, and monitoring. Failure to comply with the requirements or deadlines of this
5 condition shall be considered a violation of probation.

6 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
7 Respondent undertaking any new employment, Respondent shall cause (a) his direct supervisor,
8 (b) his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
9 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the
10 Board in writing acknowledging that the listed individual(s) has/have read the decision in case
11 number 7618, and the terms and conditions imposed thereby. If one person serves in more than
12 one role described in (a), (b), or (c), the acknowledgment shall so state. It shall be Respondent's
13 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the
14 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
15 of probation, Respondent shall cause the person(s) taking over the role(s) to report to the Board in
16 writing within fifteen (15) days of the change acknowledging that they have read the decision in
17 case number 7618, and the terms and conditions thereof.

18 If Respondent works for or is employed by or through an employment service, Respondent
19 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board
20 of the decision in case number 7618, and the terms and conditions imposed thereby in advance of
21 respondent commencing work at such licensed entity. A record of this notification must be
22 provided to the Board upon request.

23 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
24 (15) days of Respondent undertaking any new employment by or through an employment service,
25 Respondent shall cause the person(s) described in (a), (b), and (c) above at the employment
26 service to report to the Board in writing acknowledging that they have read the decision in case
27 number 7618, and the terms and conditions imposed thereby. It is Respondent's responsibility to
28 ensure that these acknowledgment(s) are timely submitted to the Board.

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

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

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

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

11 Failure to timely notify the Board of any change in employer, name, address, or phone
12 number, within 10 days of the change, shall be considered a violation of probation.

13 **10. Restrictions on Supervision and Oversight of Licensed Facilities**

14 During the period of probation, Respondent shall not supervise any intern pharmacist, be
15 the pharmacist-in-charge, designated representative-in-charge, responsible manager, supervising
16 pharmacist, quality manager, designated individual (as defined in the United States Pharmacopeia
17 (USP), including an individual responsible and accountable for the performance and operations of
18 the facility and personnel in the preparation of compounded sterile products), or other supervisor
19 of any entity licensed by the Board, nor serve as a consultant to any entity licensed by the Board.
20 Assumption of any such unauthorized responsibilities shall be considered a violation of probation.

21 **11. No Ownership or Management of Licensed Premises**

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

1 **12. Reimbursement of Board Costs**

2 As a condition precedent to successful completion of probation, Respondent shall pay to the
3 Board its costs of investigation and prosecution in the amount of \$12,000.00. Respondent shall
4 be permitted to pay these costs in a payment plan approved by the Board, so long as full payment
5 is completed no later than one (1) year prior to the end date of probation.

6 There shall be no deviation from this schedule absent prior written approval by the Board.
7 Failure to pay costs by the deadline(s) as directed shall be considered a violation of probation.

8 **13. Probation Monitoring Costs**

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

13 **14. Status of License**

14 Respondent shall, at all times while on probation, maintain an active, current Pharmacist
15 License with the Board, including during any tolling period. Failure to maintain an active,
16 current Pharmacist License shall be considered a violation of probation.

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

21 **15. Practice Requirement – Extension of Probation**

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

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

13 The Board may post a notice of the extended probation period on its website.

14 **16. License Surrender While on Probation**

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

23 Upon acceptance of the surrender, Respondent shall relinquish his pocket and/or wall
24 license, including any indicia of licensure not previously provided to the Board, within ten (10)
25 days of notification by the Board that the surrender is accepted. Respondent may not reapply for
26 any license from the Board for three (3) years from the effective date of the surrender.
27 Respondent shall meet all requirements applicable to the license sought as of the date the
28 application for that license is submitted to the Board, including any outstanding costs.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorneys, including Armond Marcarian. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____
ANIL KANWAR
Respondent

I have read and fully discussed with Respondent Anil Kanwar the terms contained in this Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____
ARMOND MARCARIAN
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary 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
GREGORY J. SALUTE
Supervising Deputy Attorney General
JOSHUA A. ROOM
Supervising Deputy Attorney General

DESIREE I. KELLOGG
Deputy Attorney General
Attorneys for Complainant

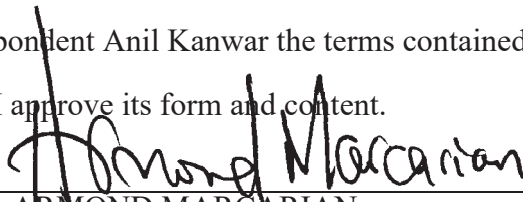
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1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorneys, including Armond Marcarian. I understand the stipulation and the
4 effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Board of Pharmacy.

7
8 DATED: 3/20/25 
9 ANIL KANWAR
Respondent

10
11 I have read and fully discussed with Respondent Anil Kanwar the terms contained in this
12 Stipulated Settlement and Disciplinary Order. I approve its form and content.

13 DATED: 3/20/2025 
14 ARMOND MARCARIAN
Attorney for Respondent

15 ENDORSEMENT

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

18 DATED: March 21, 2025

19 Respectfully submitted,
20 ROB BONTA
Attorney General of California
21 GREGORY J. SALUTE
Supervising Deputy Attorney General
22 JOSHUA A. ROOM
Supervising Deputy Attorney General

23 
24 DESI .OGG
25 Deputy Attorney General
26 Attorneys for Complainant

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Exhibit A

Accusation No. 7618

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2 GREGORY J. SALUTE
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3 DESIREE I. KELLOGG
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Attorneys for Complainant

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

14 In the Matter of the Accusation Against:

Case No. 7618

15 **AHCS SPECIALTY CARE, LLC, DBA**
16 **AHCS SPECIALTY CARE, NEVIL**
17 **PRAKASH JHAVERI, MEMBER**
12832 Valley View St., Ste. A
Garden Grove, CA 92845

ACCUSATION

18 **Pharmacy Permit No. PHY 55932,**

19 **INNOVATIVE HEALTHCARE CAPITAL,**
20 **LLC AND AHCS SPECIALTY CARE,**
21 **LLC, DBA AHCS SPECIALTY CARE,**
22 **NEVIL PRAKASH JHAVERI, MEMBER**
12832 Valley View St., Ste. A
Garden Grove, CA 92845

23 **Pharmacy Permit No. PHY 58059,**

24 **ANIL KANWAR**
5639 E. Elsinore Ave
Orange, CA 92869

25 **Pharmacist License No. RPH 81880,**

26 **and**
27
28

1 **SHITAL J. PATEL**
2 **7302 Spruce Circle**
3 **La Palma, CA 90623**

4 **Pharmacist License No. RPH 50125**

5 Respondents.

6 **PARTIES**

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

9 2. On or about December 19, 2017, the Board issued Pharmacy Permit Number PHY
10 55932 to AHCS Specialty Care, LLC, doing business as AHCS Specialty Care. Respondent
11 Nevil Prakash Javeri was identified as a Member of AHCS Specialty Care, LLC and Shital J.
12 Patel was identified as the Pharmacist-in-Charge from December 19, 2017 to December 3, 2020
13 (Respondent AHCS Specialty Care (PHY Permit Number 55932)). The Pharmacy License was
14 cancelled on December 3, 2020.

15 3. On or about December 1, 2020, the Board issued Pharmacy Permit Number PHY
16 58059 to Innovative Healthcare Capital, LLC and AHCS Specialty Care, LLC, dba AHCS
17 Specialty Care. Respondent Nevil Prakash Javeri was identified as a Member. Shital J. Patel was
18 identified as the Pharmacist-in-Charge form December 1, 2020 to May 17, 2021 and Anil Kanwar
19 was identified as the Pharmacist-in-Charge since May 17, 2021 (Respondent AHCS Specialty
20 Care (Permit Number PHY 58059)). The Pharmacy Permit was in full force and effect at all
21 times relevant to the charges brought herein and was canceled on November 9, 2023. Respondent
22 AHCS Specialty Care (Permit Number PHY 58059) and Respondent AHCS Specialty Care
23 (Permit Number 55932) are collectively referred to as Respondent AHCS Specialty Care.

24 4. On or about January 10, 2020, the Board of Pharmacy issued Pharmacist License
25 Number RPH 81880 to Anil Kanwar (Respondent Anil Kanwar). The Pharmacist License was in
26 full force and effect at all times relevant to the charges brought herein and will expire on April 30,
27 2025, unless renewed.

28 ///

STATUTORY PROVISIONS

11. Code section 4022 states:

“Dangerous drug” or “dangerous device” means any drug or device unsafe for self-use in humans or animals, and includes the following:

(a) Any drug that bears the legend: “Caution: federal law prohibits dispensing without prescription,” “Rx only,” or words of similar import.

(b) Any device that bears the statement: “Caution: federal law restricts this device to sale by or on the order of a _____” “Rx only,” or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

12. Section 4081, subdivisions (a) and (b) of the Code states in pertinent part:

(a) All records of manufacture and of sale, acquisition, or disposition of dangerous drugs or dangerous devices shall be at all times during business hours open to inspection by authorized officers of the law, and shall be preserved for at least three years from the date of making. A current inventory shall be kept by every manufacturer, wholesaler, pharmacy, veterinary food-animal drug retailer, physician, dentist, podiatrist, veterinarian, laboratory, clinic, hospital, institution, or establishment holding a currently valid and unrevoked certificate, license, permit, registration, or exemption under Division 2 (commencing with Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section 16000) of Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous drugs or dangerous devices.

(b) The owner, officer, and partner of any pharmacy, wholesaler, or veterinary food-animal drug retailer shall be jointly responsible, with the pharmacist-in-charge or representative-in-charge, for maintaining the records and inventory described in this section.

...

13. Code section 4113, subdivision (c) states:

The pharmacist-in-charge shall be responsible for a pharmacy’s compliance with all state and federal laws and regulations pertaining to the practice of pharmacy.

14. Code section 4126.5, subdivisions (a)(7) and (e) state:

(a) A pharmacy may furnish dangerous drugs only to the following:

(7) To another pharmacy under common control. During a prolonged state of emergency, “another pharmacy as used in this paragraph shall include a mobile pharmacy, as described in subdivision (c) of Section 4062.

...

1 (e) For purposes of this section, “common control” means the power to direct or
2 cause the direction of the management and policies of another person whether by
ownership, by voting rights, by contract, or by other means.

3 15. Code section 4169, subdivisions (a)(1) and (a)(2) state:

4 (a) A person or entity shall not do any of the following:

5 ...

6 (5) Fail to maintain records of the acquisition and disposition of dangerous
7 drugs or dangerous devices for at least three years.

8 16. Code section 4301 states in pertinent part:

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

12 ...

13 (j) The violation of any of the statutes of this state, or any other state, or of the
United States regulating controlled substances and dangerous drugs

14 ...

15 (o) Violating or attempting to violate, directly or indirectly, or assisting in or
16 abetting the violation of or conspiring to violate any provision or term of this chapter
or of the applicable federal and state laws and regulations governing pharmacy,
17 including regulations established by the board or any other state or federal regulatory
agency.

18 ...

19 **REGULATORY PROVISIONS**

20 17. Section 1718 of title 16, California Code of Regulations states:

21 “Current Inventory” as used in Section 4081 and 4332 of the Business and
22 Professions Code shall be considered to include complete accountability for all
dangerous drugs handled by every licensee enumerated in Section 4081 and 4332.

23 The controlled substances inventories required by Title 21, CFR, Section 1304
shall be available for inspection upon request for at least three years.

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26 ///

27 ///

28 ///

1 **COST RECOVERY**

2 18. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licentiate found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **DRUGS**

7 19. Abilify is an expensive, antipsychotic drug and a dangerous drug as defined by
8 Business and Professions Code section 4022.

9 20. Invega is an expensive, antipsychotic drug and a dangerous drug as defined by
10 Business and Professions Code section 4022.

11 21. Wellbutrin is an expensive, antidepressant drug and a dangerous drug as defined by
12 Business and Professions Code section 4022.

13 **FACTUAL ALLEGATIONS**

14 22. Respondent AHCS Specialty Care (Permit Number PHY 55932) was an open door,
15 retail community pharmacy located in Garden Grove California, until its license was cancelled on
16 December 1, 2020 due to a change in ownership. On December 1, 2020, Respondent AHCS
17 Specialty Care (Pharmacy Permit Number PHY 58059) resumed pharmacy operations at the same
18 location.

19 23. Respondent AHCS Specialty Care dispensed high value medications, including
20 Abilify Maintenna and Ivega Sustenna which were administered for the treatment of
21 psychological disorders to parolees, patients in state mental health clinics and people living on
22 skid row throughout California.

23 24. From January 1, 2019 through January 18, 2022, Respondent AHCS Specialty Care
24 purchased, transferred and warehoused Abilify Maintenna syringes and Ivega Sustenna syringes
25 (approximate aggregate wholesale value of \$13,874,488.40), to and from Berry and Sweeney
26 Pharmacy (Permit Number PHY 53432), AHCS Specialty Care Pharmacy #3 (Permit Number
27 PHY 58145), Mission Plaza Pharmacy #2 (Permit Number PHY 58058), Mission Plaza Pharmacy
28 (Permit Number PHY 51550) and/or AHCS Specialty Care Pharmacy #2 (Permit Number 57671).

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Failure to Maintain Current Inventory of Dangerous Drugs)**

3 30. Respondents are subject to disciplinary action under Code sections 4301, subdivisions
4 (j) and (o), for violating Code section 4081, subdivision (a) and 4169, subdivision (a)(5) and title
5 16, California Code of Regulations, section 1718 and the owners are liable under Code section
6 4081, subdivision (b), in that they did not maintain a current inventory of drugs, as set forth in
7 paragraphs 22 through 28 above, which are incorporated herein by reference.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(Furnishing of Dangerous Drugs to Pharmacies)**

10 31. Respondents are subject to disciplinary action under Code sections 4301, subdivisions
11 (j) and (o), for violating Code section 4126.5, subdivision (a)(7), in that they furnished dangerous
12 drugs to and purchased dangerous drugs from pharmacies not under common control as defined
13 by Code section 4126.5, subdivision (e) and as set forth in paragraphs 22 through 28 above,
14 which are incorporated herein by reference.

15 **FOURTH CAUSE FOR DISCIPLINE**

16 **(Unprofessional Conduct)**

17 32. Respondents are subject to disciplinary action under Code section 4301 for
18 unprofessional conduct because they engaged in the activities described above in paragraphs 22
19 through 28, which are incorporated herein by reference.

20 **DISCIPLINE CONSIDERATIONS**

21 33. To determine the degree of discipline, if any, to be imposed on Respondent
22 Innovative Healthcare Capital, LLC and AHCS Specialty Care, LLC, dba AHCS Specialty Care
23 and Respondent Anil Kanwar, Complainant alleges on or about May 9, 2023, the Board issued
24 Citation and Fine No. CI 2021 93376 to Respondent Innovative Healthcare Capital, LLC and
25 AHCS Specialty Care, LLC, dba AHCS Specialty Care and Citation No. CI 2022 100195 to
26 Respondent Anil Kanwar for making the unauthorized disclosure of medical information and
27 obstructing a patient in obtaining his prescriptions which are violations of Civil Code section
28

1 56.10, subdivision (a), California Code of Regulations, title 16, section 1764, and Business and
2 Professions Code section 733, subdivision (a). The Citations are now final.

3 **OTHER MATTERS**

4 34. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
5 55932 issued to Respondent AHCS Specialty Care, LLC, dba AHCS Specialty Care, it shall be
6 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,
7 or partner of a licensee for five years if Pharmacy Permit Number PHY 55932 is placed on
8 probation or until the Pharmacy Permit is reinstated if it is revoked.

9 35. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
10 58059 issued to Respondent Innovative Healthcare Capital, LLC and AHCS Specialty Care, LLC,
11 dba AHCS Specialty Care, it shall be prohibited from serving as a manager, administrator, owner,
12 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
13 Number PHY 58059 is placed on probation or until the Pharmacy Permit is reinstated if it is
14 revoked.

15 36. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
16 55932 issued to Respondent AHCS Specialty Care, LLC, dba AHCS Specialty Care and/or
17 Pharmacy Permit No. 58059 issued to Innovative Healthcare Capital, LLC and AHCS Specialty
18 Care, LLC, dba AHCS Specialty Care while Respondent Shital J. Patel has been a manager,
19 administrator, owner, member, officer or director and had knowledge of or knowingly
20 participated in any conduct for which the licensees were disciplined, he shall be prohibited from
21 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a
22 licensee for five years if the Pharmacy Permits are placed on probation or until the Pharmacy
23 Permits are reinstated, if they are revoked.

24 37. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
25 55932 issued to Respondent AHCS Specialty Care, LLC, dba AHCS Specialty Care and/or
26 Pharmacy Permit No. 58059 issued to Innovative Healthcare Capital, LLC and AHCS Specialty
27 Care, LLC, dba AHCS Specialty Care while Respondent Nevil Prakash Jhaveri has been a
28 manager, administrator, owner, member, officer or director and had knowledge of or knowingly

1 participated in any conduct for which the licensees were disciplined, he shall be prohibited from
2 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a
3 licensee for five years if the Pharmacy Permits are placed on probation or until the Pharmacy
4 Permits are reinstated, if they are revoked.

5 38. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit No. PHY
6 58059 issued to Respondent Innovative Healthcare Capital, LLC and AHCS Specialty Care, LLC,
7 dba AHCS Specialty Care while Respondent Anil Kanwar has been a manager, administrator,
8 owner, member, officer or director and had knowledge of or knowingly participated in any
9 conduct for which the licensees were disciplined, he shall be prohibited from serving as a
10 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
11 five years if the Pharmacy Permit is placed on probation or until the Pharmacy Permit is
12 reinstated, if it is revoked.

13 39. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
14 RPH 50125 issued to Respondent Shital J. Patel, he shall be prohibited from serving as a
15 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
16 five years if the Pharmacist License is placed on probation or until the Pharmacist License is
17 reinstated, if it is revoked.

18 40. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
19 RPH 81880 issued to Respondent Anil Kanwar, he shall be prohibited from serving as a manager,
20 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
21 the Pharmacist License is placed on probation or until the Pharmacist License is reinstated, if it is
22 revoked.

23 **PRAYER**

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

26 1. Revoking Pharmacy License Number PHY 55932, issued to AHCS Specialty Care,
27 LLC, dba AHCS Specialty Care;

28 ///

1 2. Revoking Pharmacy Permit Number PHY 58059, issued to Innovative Healthcare
2 Capital, LLC and AHCS Specialty Care, LLC, dba AHCS Specialty Care;

3 3. Revoking or suspending Pharmacist License Number RPH 81880, issued to Anil
4 Kanwar;

5 4. Revoking or suspending Pharmacist License Number RPH 50125, issued to Shital J.
6 Patel;

7 5. Prohibiting Respondent AHCS Specialty Care, LLC, dba AHCS Specialty Care from
8 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a
9 licensee for five years if Pharmacy Permit Number PHY 55932 is placed on probation or until the
10 Pharmacy Permit is reinstated, if it is revoked

11 6. Prohibiting Respondent to Innovative Healthcare Capital, LLC and AHCS Specialty
12 Care, LLC, dba AHCS Specialty Care from serving as a manager, administrator, owner, member,
13 officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number
14 PHY 58059 is placed on probation or until the Pharmacy Permit is reinstated, if it is revoked

15 7. Prohibiting Respondent Neil Prakash Jhaveri from serving as a manager,
16 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
17 Pharmacy Permit Numbers PHY 55932 or 58059 are placed on probation or until the Pharmacy
18 Permits are reinstated, if they are revoked;

19 8. Prohibiting Respondent Shital J. Patel from serving as a manager, administrator,
20 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
21 Permit Numbers PHY 55932 or 58059 are placed on probation or until the Pharmacy Permits are
22 reinstated, if they are revoked;

23 9. Prohibiting Respondent Anil Kanwar from serving as a manager, administrator, owner,
24 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
25 Number PHY 58059 is placed on probation or until the Pharmacy Permit is reinstated, if it is
26 revoked;

27 10. Prohibiting Respondent Anil Kanwar from serving as a manager, administrator,
28 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist

1 License Number RPH 81880 is placed on probation or until the Pharmacist License is reinstated,
2 if it is revoked;

3 11. Prohibiting Respondent Shital J. Patel from serving as a manager, administrator,
4 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist
5 License Number RPH 50125 is placed on probation or until the Pharmacist License is reinstated,
6 if it is revoked;

7 12. Ordering AHCS Specialty Care, LLC, dba AHCS Specialty Care, Innovative
8 Healthcare Capital, LLC and AHCS Specialty Care, LLC, dba AHCS Specialty Care, Anil
9 Kanwar and Shital J. Patel to pay the Board of Pharmacy the reasonable costs of the investigation
10 and enforcement of this case, pursuant to Business and Professions Code section 125.3; and, if
11 placed on probation, the costs of probation monitoring; and,

12 13. Taking such other and further action as deemed necessary and proper.

13
14 DATED: 7/11/2024

15 **Sodergren,** Digitally signed by
16 **Anne@DCA** Sodergren, Anne@DCA
Date: 2024.07.11
08:57:06 -07'00'
17 ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
18 *Complainant*

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