

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

In the Matter of the Accusation Against:

ANGELICA PREM KISHORE, Respondent

Pharmacy Technician License No. TCH 141840

Agency Case No. 7651

DECISION AND ORDER

The attached Stipulated Surrender of License Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on August 1, 2024.

It is so ORDERED on July 2, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.
Board President

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8
9 **BEFORE THE**
BOARD OF PHARMACY
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 7651

13 **ANGELICA PREM KISHORE**
14 **29018 Dixon St**
Hayward, CA 94544
15 **Pharmacy Technician License No. TCH**
141840

STIPULATED SURRENDER OF
LICENSE AND ORDER

16 Respondent.
17

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

21 **PARTIES**

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

26 2. Angelica Prem Kishore (Respondent) is representing herself in this proceeding and
27 has chosen not to exercise her right to be represented by counsel.
28

CONTINGENCY

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

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

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

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

ORDER

22
23 IT IS HEREBY ORDERED that Pharmacy Technician License No. TCH 141840, issued to
24 Respondent Angelica Prem Kishore, is surrendered and accepted by the Board.

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

ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
JOSHUA A. ROOM
Supervising Deputy Attorney General

CHAR SACHSON
Supervising Deputy Attorney General
Attorneys for Complainant

ENDORSEMENT

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

DATED: 5/2/24

Respectfully submitted,

ROB BONTA
Attorney General of California
JOSHUA A. ROOM
Supervising Deputy Attorney General

Char Sachson

CHAR SACHSON
Supervising Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 7651

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11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

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13 **ANGELICA PREM KISHORE**
14 **29018 Dixon St**
Hayward, CA 94544

ACCUSATION

15 **Pharmacy Technician License No. TCH**
16 **141840**

17 Respondent.

18
19 **PARTIES**

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

22 2. On or about August 15, 2014, the Board issued Pharmacy Technician License
23 Number TCH 141840 to Angelica Prem Kishore (Respondent). The Pharmacy Technician
24 License expired on August 31, 2022, and was canceled on December 4, 2022.

25 **JURISDICTION**

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

1 4. Section 4300 of the Code provides, in pertinent part, that every license issued by the
2 board is subject to discipline, including suspension or revocation.

3 5. Section 4300.1 of the Code states:

4 The expiration, cancellation, forfeiture, or suspension of a board-issued license
5 by operation of law or by order or decision of the board or a court of law, the
6 placement of a license on a retired status, or the voluntary surrender of a license by a
7 licensee shall not deprive the board of jurisdiction to commence or proceed with any
8 investigation of, or action or disciplinary proceeding against, the licensee or to render
9 a decision suspending or revoking the license.

10 6. Code section 4307 states:

11 (a) Any person who has been denied a license or whose license has been
12 revoked or is under suspension, or who has failed to renew his or her license while it
13 was under suspension, or who has been a manager, administrator, owner, member,
14 officer, director, associate, partner, or any other person with management or control
15 of any partnership, corporation, trust, firm, or association whose application for a
16 license has been denied or revoked, is under suspension or has been placed on
17 probation, and while acting as the manager, administrator, owner, member, officer,
18 director, associate, partner, or any other person with management or control had
19 knowledge of or knowingly participated in any conduct for which the license was
20 denied, revoked, suspended, or placed on probation, shall be prohibited from serving
21 as a manager, administrator, owner, member, officer, director, associate, partner, or in
22 any other position with management or control of a licensee as follows:

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

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

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

(c) The provisions of subdivision (a) may be alleged in any pleading filed
pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of
the Government Code. However, no order may be issued in that case except as to a
person who is named in the caption, as to whom the pleading alleges the applicability
of this section, and where the person has been given notice of the proceeding as
required by Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of
the Government Code. The authority to proceed as provided by this subdivision shall
be in addition to the board's authority to proceed under Section 4339 or any other
provision of law.

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1 **STATUTORY PROVISIONS**

2 7. Section 4301 of the Code states:

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

5

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

9

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

20
21 **REGULATORY PROVISIONS**

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

23 (a) For the purpose of denial, suspension, or revocation of a personal or facility
24 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the
25 Business and Professions Code, a crime, professional misconduct, or act shall be
26 considered substantially related to the qualifications, functions or duties of the
27 practice, profession, or occupation that may be performed under the license type
28 sought or held if to a substantial degree it evidences present or potential unfitness of
an applicant or licensee to perform the functions authorized by the license in a
manner consistent with the public health, safety, or welfare.

1 (b) In making the substantial relationship determination required under
subdivision (a) for a crime, the board will consider the following criteria:

2 (1) The nature and gravity of the offense;

3 (2) The number of years elapsed since the date of the offense; and

4 (3) The nature and duties of the practice, profession, or occupation that may be
5 performed under the license type sought or held.

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

7 (1) Violate or attempt to violate, directly or indirectly, or to aid, abet or
8 conspire to violate, any provision of law of this state, or any other jurisdiction,
governing the practice of pharmacy.

9 (2) Violate or attempt to violate, directly or indirectly, or to aid, abet or
10 conspire to violate, any provision of Chapter 13 (commencing with Section 801) of
Title 21 of the United States Code regulating controlled substances or any law of this
11 state, or any other jurisdiction, relating to controlled substances or dangerous drugs.

12 (3) Violate or attempt to violate, directly or indirectly, or to aid, abet or
13 conspire to violate, any provision of law of this state, or any other jurisdiction,
relating to government provided or government supported healthcare.

14 (4) Involve dishonesty, fraud, deceit, or corruption related to money, items,
documents, or personal information.

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

16 **COST RECOVERY**

17 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
18 administrative law judge to direct a licentiate found to have committed a violation or violations of
19 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
20 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
21 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
22 included in a stipulated settlement.

23 **FIRST CAUSE FOR DISCIPLINE**

24 **(Substantially Related Criminal Conviction - DUI)**

25 10. Respondent is subject to disciplinary action under section 4301, subdivision (l), in
26 conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was
27 convicted of a crime substantially related to the qualifications, functions, and duties of a
28 registered pharmacy technician. On or about March 14, 2023, Respondent was convicted in

1 *People of the State of California v. Angelica Prem Kishore*, Case No. 2379861, Alameda County
2 Superior Court, of violating Vehicle Code section 23152, subdivision (b), driving with a blood
3 alcohol content equal to or greater than 0.08%. Respondent was ordered to pay fines and fees and
4 complete nine months of Driving Under the Influence School, and was sentenced to serve two
5 days in jail and three years' probation. The circumstances leading to the conviction are as
6 follows:

7 11. On or about August 7, 2022, at 2:04 a.m., a California Highway Patrol officer
8 observed Respondent driving in excess of 100 miles per hour on westbound Interstate 580, in
9 Alameda County. The officer conducted a traffic stop and observed a distinct odor of an alcoholic
10 beverage emitting from Respondent's breath. The officer further observed that she had red,
11 watery eyes, and spoke with slurred speech. Respondent failed field sobriety tests. She submitted
12 to a preliminary alcohol screening test, which revealed Respondent had a blood alcohol
13 concentration of 0.21% at 2:23 a.m. and 0.19% at 2:25 a.m.

14 **SECOND CAUSE FOR DISCIPLINE**

15 **(Dangerous Use of Alcohol)**

16 12. Respondent is subject to disciplinary action under section 4301, subdivision (h), in
17 that she used alcoholic beverages to an extent or in a manner dangerous or injurious to herself,
18 another person or to the public, as alleged above in paragraph 11.

19 **OTHER MATTERS**

20 13. Pursuant to Code section 4307, if discipline is imposed on Respondent's Pharmacy
21 Technician Registration No. TCH 141840, Respondent shall be prohibited from serving as a
22 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
23 five years if Respondent Pharmacy Technician Registration No. TCH 141840 is placed on
24 probation, or until reinstatement if Pharmacy Technician Registration No. TCH 141840 is
25 revoked.

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27 ///

28 ///

PRAYER

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

1. Revoking Pharmacy Technician License Number TCH 141840, issued to Angelica Prem Kishore;

2. Ordering Angelica Prem Kishore to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

3. Prohibiting Angelica Prem Kishore from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Respondent Pharmacy Technician Registration No. TCH 141840 is placed on probation, or until reinstatement if Pharmacy Technician Registration No. TCH 141840 is revoked; and

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

DATED: 2/19/2024

Sodergren,
Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2024.02.19 12:50:51
-08'00'

ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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