

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

In the Matter of the First Amended Accusation Against:

ALPHONSUS MICHAEL BRADY, Respondent

Pharmacist License No. RPH 71414

Agency Case No. 7690

OAH No. 2024070093

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 March 5, 2025.

It is so ORDERED on February 3, 2025.

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**
STATE OF CALIFORNIA

11
12 In the Matter of the Accusation Against:

13 **ALPHONSUS MICHAEL BRADY**
14 **3848 W. Carson St, Ste 206**
Torrance, CA 90503

15 **Pharmacist License No. RPH 71414**

16 Respondent.

Case No. 7690

OAH No. 2024070093

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

22 **PARTIES**

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

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1 **CULPABILITY**

2 9. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 7690.

4 10. Respondent agrees that his Pharmacist License is subject to discipline and agrees to
5 be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

6 **RESERVATION**

7 11. The admissions made by Respondent herein are only for the purposes of this
8 proceeding, or any other proceedings in which the Board of Pharmacy or other professional
9 licensing agency is involved, and shall not be admissible in any other criminal or civil
10 proceeding.

11 **CONTINGENCY**

12 12. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
13 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
14 communicate directly with the Board regarding this stipulation and settlement, without notice to
15 or participation by Respondent or his counsel. By signing the stipulation, Respondent
16 understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation
17 prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation
18 as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or
19 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,
20 and the Board shall not be disqualified from further action by having considered this matter.

21 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
22 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
23 signatures thereto, shall have the same force and effect as the originals.

24 14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
25 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
26 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
27 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
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1 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
2 writing executed by an authorized representative of each of the parties.

3 15. In consideration of the foregoing admissions and stipulations, the parties agree that
4 the Board may, without further notice or formal proceeding, issue and enter the following
5 Disciplinary Order:

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7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Pharmacist License No. RPH 71414 issued to Respondent
9 Alphonsus Michael Brady is revoked. However, the revocation is stayed and Respondent is
10 placed on probation for five (5) years on the following terms and conditions:

11 1. **Obey All Laws**

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

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

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

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

27 2. **Report to the Board**

28 Respondent shall report to the board quarterly, on a schedule as directed by the board or its

1 designee. The report shall be made either in person or in writing, as directed. Among other
2 requirements, respondent shall state in each report under penalty of perjury whether there has
3 been compliance with all the terms and conditions of probation.

4 Failure to submit timely reports in a form as directed shall be considered a violation of
5 probation. Any period(s) of delinquency in submission of reports as directed may be added to the
6 total period of probation. Moreover, if the final probation report is not made as directed,
7 probation shall be automatically extended until such time as the final report is made and accepted
8 by the board.

9 **3. Interview with the Board**

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

15 **4. Cooperate with Board Staff**

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

22 **5. Continuing Education**

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

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

26 During the period of probation, respondent shall notify all present and prospective
27 employers of the decision in case number 7690 and the terms, conditions and restrictions imposed
28 on respondent by the decision, as follows:

1 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
2 undertaking any new employment, respondent shall report to the board in writing the name,
3 physical address, and mailing address of each of his employer(s), and the name(s) and telephone
4 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in- charge, designated
5 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work
6 schedule, if known. Respondent shall also include the reason(s) for leaving the prior
7 employment. Respondent shall sign and return to the board a written consent authorizing the
8 board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and
9 authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,
10 concerning respondent's work status, performance, and monitoring. Failure to comply with the
11 requirements or deadlines of this condition shall be considered a violation of probation.

12 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
13 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)
14 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
15 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the
16 board in writing acknowledging that the listed individual(s) has/have read the decision in case
17 number 7690, and terms and conditions imposed thereby. If one person serves in more than one
18 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's
19 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the
20 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
21 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in
22 writing within fifteen (15) days of the change acknowledging that he or she has read the decision
23 in case number 7690, and the terms and conditions imposed thereby.

24 If respondent works for or is employed by or through an employment service, respondent
25 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board
26 of the decision in case number 7690, and the terms and conditions imposed thereby in advance of
27 respondent commencing work at such licensed entity. A record of this notification must be
28 provided to the board upon request.

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

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

10 "Employment" within the meaning of this provision includes any full-time, part-time,
11 temporary, relief, or employment/management service position as a Pharmacist, or any position
12 for which a Pharmacist is a requirement or criterion for employment, whether the respondent is an
13 employee, independent contractor or volunteer.

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

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

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

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

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

24 **9. Reimbursement of Board Costs**

25 As a condition precedent to successful completion of probation, respondent shall pay to the
26 board its costs of investigation and prosecution in the amount of \$7,255.38. Respondent shall
27 make said payments as follows:
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1 There shall be no deviation from this schedule absent prior written approval by the board or
2 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of
3 probation.

4 Respondent shall be permitted to pay these costs in a payment plan approved by the board
5 or its designee, so long as full payment is completed no later than one (1) year prior to the end
6 date of probation.

7 **10. Probation Monitoring Costs**

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

12 **11. Status of License**

13 Respondent shall, at all times while on probation, maintain an active, current Pharmacist
14 License with the board, including any period during which suspension or probation is tolled.
15 Failure to maintain an active, current Pharmacist License shall be considered a violation of
16 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 **12. License Surrender While on Probation/Suspension**

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

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

10 **13. Practice Requirement – Extension of Probation**

11 Except during periods of suspension, respondent shall, at all times while on probation, be
12 employed as a Pharmacist in California for a minimum of 100 hours per calendar month (unless
13 otherwise determined by Pharmacists Recovery Program). Any month during which this
14 minimum is not met shall extend the period of probation by one month. During any such period
15 of insufficient employment, respondent must nonetheless comply with all terms and conditions of
16 probation, unless respondent receives a waiver in writing from the board or its designee.

17 If respondent does not practice as a Pharmacist in California for the minimum number of
18 hours in any calendar month, for any reason (including vacation), respondent shall notify the
19 board in writing within ten (10) days of the conclusion of that calendar month. This notification
20 shall include at least: the date(s), location(s), and hours of last practice; the reason(s) for the
21 interruption or reduction in practice; and the anticipated date(s) on which respondent will resume
22 practice at the required level. Respondent shall further notify the board in writing within ten (10)
23 days following the next calendar month during which respondent practices as a Pharmacist in
24 California for the minimum of hours. Any failure to timely provide such notification(s) shall be
25 considered a violation of probation.

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

3 **14. Violation of Probation**

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

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

17 **15. Completion of Probation**

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

20 **16. Pharmacists Recovery Program (PRP)**

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

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

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

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

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

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

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

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

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

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

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

24 During any suspension, respondent shall not enter any pharmacy area or any portion of the
25 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 as a Pharmacist nor do any act involving drug

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

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

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

11 **17. Drug and Alcohol Testing**

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

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

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

4 Prior to any vacation or other period of absence from the area where the approved testing
5 vendor provides services, respondent shall seek and receive approval from the board or its
6 designee to use an alternate testing vendor to ensure testing can occur. Upon approval,
7 respondent shall enroll and register with the approved alternate drug testing vendor, provide to
8 that alternate vendor any documentation required by the vendor, including any necessary payment
9 by respondent. During the period of absence of the area, respondent shall commence testing
10 protocols with the alternate vendor, including required daily contacts with the testing vendor to
11 determine if testing is required, and required testing. Any failure to timely seek or receive
12 approval from the board or its designee, or to timely enroll and register with, timely commence
13 testing protocols with, or timely undergo testing with, the alternate testing vendor, shall be
14 considered a violation of probation.

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

20 Any of the following shall be considered a violation of probation and shall result in
21 respondent being immediately suspended from practice as a Pharmacist until notified by the board
22 in writing that he may resume practice: failure to timely complete all of the steps required for
23 enrollment/registration with the drug testing vendor, including making arrangements for payment;
24 failure to timely commence drug testing protocols; failure to contact the drug testing vendor as
25 required to determine testing date(s); failure to test as required; failure to timely supply
26 documentation demonstrating that a detected substance was taken pursuant to a legitimate
27 prescription issued as a necessary part of treatment; and/or detection through testing of alcohol, or
28 of an illicit drug, or of a controlled substance or dangerous drug absent documentation that the

1 detected substance was taken pursuant to a legitimate prescription and a necessary treatment. In
2 the event of a suspension ordered after detection through testing of alcohol, an illicit drug, or of a
3 controlled substance or dangerous drug absent documentation that the detected substance was
4 taken pursuant to a legitimate prescription and a necessary treatment, the board or its designee
5 shall inform respondent of the suspension and inform him to immediately leave work, and shall
6 notify respondent's employer(s) and work site monitor(s) of the suspension.

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

16 During any such suspension, respondent shall not engage in any activity that requires the
17 professional judgment of and/or licensure as a Pharmacist. Respondent shall not direct or control
18 any aspect of the practice of pharmacy, or of the manufacturing, distributing, wholesaling, or
19 retailing of dangerous drugs and/or dangerous devices.

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

23 **18. Notification of Departure**

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

28 **19. Abstain from Drugs and Alcohol**

1 Respondent shall completely abstain from the possession or use of alcohol, controlled
2 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated
3 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a
4 necessary part of treatment. Respondent shall ensure that he is not in the same physical location
5 as individuals who are using illicit substances even if respondent is not personally ingesting the
6 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled
7 substances, or their associated paraphernalia for which a legitimate prescription has not been
8 issued as a necessary part of treatment, or any physical proximity to persons using illicit
9 substances, shall be considered a violation of probation.

10 **20. Prescription Coordination and Monitoring of Prescription Use**

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

1 for its prior approval. Failure to timely submit the selected practitioner or replacement
2 practitioner to the board or its designee for approval, or to ensure the required quarterly reporting
3 thereby, shall be considered a violation of probation.

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

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

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

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

26 **21. Facilitated Group Recovery and/or Support Meetings**

27 Within thirty (30) days of the effective date of this decision, respondent shall begin regular
28 attendance at a group recovery and/or support meeting that is run by a trained facilitator approved

1 in advance by the board or its designee. The required frequency of group meeting attendance
2 shall be determined by the board or its designee. Respondent shall continue regular attendance as
3 directed at an approved facilitated group meeting until the board or its designee advises the
4 respondent in writing that he may cease regular attendance. Respondent shall provide signed and
5 dated documentation of attendance as required with each quarterly report. Failure to attend as
6 required or to submit documentation of attendance shall be considered a violation of probation.

7 If respondent is required to participate in the PRP, compliance with this term can be
8 demonstrated through that program. Where respondent is enrolled in the PRP, participation as
9 required in a facilitated group meeting approved by the PRP shall be sufficient for satisfaction of
10 this requirement. Any deviation from participation requirements for the PRP-approved group
11 shall be considered a violation of probation.

12 22. **Attend Substance Abuse Recovery Relapse Prevention and Support Groups**

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

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

25 23. **Ethics Course**

26 Within sixty (60) calendar days of the effective date of this decision, respondent shall enroll
27 in a course in ethics, at respondent's expense, approved in advance by the board or its designee
28 that complies with Title 16 California Code of Regulations section 1773.5. Respondent shall

1 provide proof of enrollment upon request. Within five (5) days of completion, respondent shall
2 submit a copy of the certificate of completion to the board or its designee. Failure to timely enroll
3 in an approved ethics course, to initiate the course during the first year of probation, to
4 successfully complete it before the end of the second year of probation, or to timely submit proof
5 of completion to the board or its designee, shall be considered a violation of probation.

6 **24. No Ownership or Management of Licensed Premises**

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

14
15 **ACCEPTANCE**

16 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
17 discussed it with my attorney, Adam B. Brown, Esq.. I understand the stipulation and the effect it
18 will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary
19 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order
20 of the Board of Pharmacy.

21
22 DATED: _____

_____ ALPHONSUS MICHAEL BRADY
Respondent

23
24 ///

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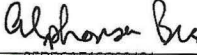
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20 of the Board of Pharmacy.

21
22 DATED: 12/5/2024

DocuSigned by:

85D66AF16C80491
ALPHONSUS MICHAEL BRADY
Respondent

23
24 ///
25 ///
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27 ///
28 ///

1 I have read and fully discussed with Respondent Alphonsus Michael Brady the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
3 I approve its form and content.

4
5 DATED: _____ ADAM B. BROWN, ESQ.
6 *Attorney for Respondent*

7
8 **ENDORSEMENT**

9 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
10 submitted for consideration by the Board of Pharmacy.

11 DATED: _____

Respectfully submitted,

12
13 ROB BONTA
Attorney General of California
14 KAREN R. DENVIR
Supervising Deputy Attorney General

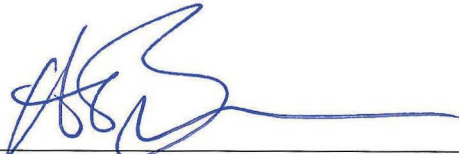
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16 KATELYN E. DOCHERTY
17 Deputy Attorney General
Attorneys for Complainant

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DATED: 12/5/24


ADAM B. BROWN, ESQ.
Attorney for Respondent

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
KAREN R. DENVIR
Supervising Deputy Attorney General

KATELYN E. DOCHERTY
Deputy Attorney General
Attorneys for Complainant

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5 DATED: _____ ADAM B. BROWN, ESQ.
6 *Attorney for Respondent*

7
8 **ENDORSEMENT**

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10 submitted for consideration by the Board of Pharmacy.

11 DATED: 12/5/2024

12 Respectfully submitted,

13 ROB BONTA
14 Attorney General of California
15 KAREN R. DENVIR
16 Supervising Deputy Attorney General



17 KATELYN E. DOCHERTY
18 Deputy Attorney General
19 *Attorneys for Complainant*

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Exhibit A

Accusation No. 7690

1 ROB BONTA
Attorney General of California
2 KAREN R. DENVER
Supervising Deputy Attorney General
3 KATELYN E. DOCHERTY
Deputy Attorney General
4 State Bar No. 322028
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-6277
Facsimile: (916) 327-8643
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 Accusation Against:

Case No. 7690

13 **ALPHONSUS MICHAEL BRADY**
14 3848 W. Carson St, Ste 206,
Torrance, CA 90503.

FIRST AMENDED ACCUSATION
ACCUSATION

15 **Pharmacist License No. RPH 71414**

16 Respondent.
17

18
19 **PARTIES**

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

23 2. On or about September 8, 2014, the Board of Pharmacy issued Pharmacist License
24 Number RPH 71414 to Alphonsus Michael Brady (Respondent). The Pharmacist License was in
25 full force and effect at all times relevant to the charges brought herein and will expire on
26 September 30, 2024, unless renewed.

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28 ///

JURISDICTION

1
2 3. This First Amended Accusation is brought before the Board of Pharmacy (Board),
3 Department of Consumer Affairs, under the authority of the following laws. All section
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 4. Code section 4011 provides that the Board shall administer and enforce both the
6 Pharmacy Law [Bus. & Prof. Code §§ 4000, *et seq.*] and the Uniform Controlled Substances Act
7 [Health & Safety Code §§ 11000, *et seq.*].

8 5. Code section 4300 states, in pertinent part:

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

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

12 (1) Suspending judgment.

13 (2) Placing him or her upon probation.

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

15 (4) Revoking his or her license.

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

18 (e) The proceedings under this article shall be conducted in accordance with
19 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the
20 Government Code, and the board shall have all the powers granted therein. The
21 action shall be final, except that the propriety of the action is subject to review by the
22 superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

23 6. Code section 4300.1, states:

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

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STATUTORY PROVISIONS

7. Section 4100 of the Code states, in pertinent part:

Within 30 days after changing his or her address of record with the board or after changing his or her name according to law, a pharmacist, intern pharmacist, technician, designated representative, designated representative-3PL, or designated representative-reverse distributor shall notify the executive officer of the board of the change of address or change of name.

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

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

...

(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be 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.

...

(o) Violating or attempting to violate, directly or indirectly, or assisting in or 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, including regulations established by the board or by any other state or federal regulatory agency.

9. Code section 4307 states, in pertinent part:

(a) Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under

suspension, or who has been a manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control of any partnership, corporation, trust, firm, or association whose application for a license has been denied or revoked, is under suspension or has been placed on probation, and while acting as the manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control had knowledge of or knowingly participated in any conduct for which the license was denied, revoked, suspended, or placed on probation, shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, partner, or in any other position with management or control of a licensee as follows:

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

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

...

1 **COST RECOVERY**

2 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee 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, with failure of the licensee to comply subjecting the license to not being
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
7 included in a stipulated settlement.

8 **FACTUAL ALLEGATIONS**

9 11. At all times relevant, Respondent was employed as a contracted Pharmacist through
10 Soliant Health at Providence Queen of the Valley Medical Center (PQVMC) in Napa, California.

11 12. On or around April 2, 2022, Respondent called to advise pharmacist, DH, that he
12 would be late to work that day. Respondent showed up 40 minutes late to work.

13 13. On or around April 2, 2022, Respondent refused to perform the final verification of a
14 compounded total parenteral nutrition (TPN), and RT, the pharmacy technician on duty, had to
15 call SB, another pharmacist who was not scheduled to work to come to the pharmacy, to check
16 the order to avoid a delay of therapy.

17 14. On or around April 3, 2022, Emergency Medical Services (EMS) responded to a 911
18 call of an individual who was passed out. EMS later identified this individual as Respondent.
19 Respondent was observed sitting on the street with multiple alcohol containers around him, and
20 vomit on his shirt. Respondent was taken by ambulance to the PQVMC emergency room.

21 15. On or around April 3, 2022, the EMS contacted a pharmacy technician at PQVMC
22 and told them that Respondent had been found unconscious and was being brought to the
23 emergency room.

24 16. On or around April 3, 2022, while Respondent was a patient at PQVMC's emergency
25 department, numerous laboratory tests were conducted around 12:36 am, including the
26 measurement of Respondent's serum/plasma alcohol level, which was recorded as "markedly
27 elevated" at 396 mg/dL.

28 ///

1 extent or in a manner as to be dangerous or injurious to himself and others, as alleged in greater
2 detail above in paragraphs 11-22.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Failure to Notify the Board of Change of Address within 30 days)**

5 24. Respondent is subject to disciplinary action under Code section 4301, subdivision (o),
6 in that he violated section 4100 when he failed to notify the Board of his new address of record
7 within 30 days of the change occurring, as alleged in greater detail above in paragraph 22.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(Unprofessional Conduct)**

10 25. Respondent is subject to disciplinary action under Code section 4301, on the grounds
11 of unprofessional conduct, in that while licensed as pharmacist, Respondent engaged in
12 unprofessional conduct, as set forth in paragraphs 11 through 24 above.

13 **OTHER MATTERS**

14 26. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No.
15 RPH 71414 issued to Alphonsus Michael Brady shall be prohibited from serving as a manager,
16 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if
17 Pharmacist License Number RPH 71414 is placed on probation or until Pharmacist License
18 Number RPH 71414 is reinstated if it is revoked.

19 **PRAYER**

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

22 1. Revoking or suspending Pharmacist License Number RPH 71414, issued to Alphonsus
23 Michael Brady;

24 2. Prohibiting Alphonsus Michael Brady from serving as a manager, administrator,
25 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist
26 License Number RPH 71414 is placed on probation or until Pharmacist License Number RPH
27 71414 is reinstated if it is revoked

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3. Ordering Alphonsus Michael Brady 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,

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

DATED: 11/15/2024

Sodergren,
Anne@DCA
ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

Digitally signed by Sodergren,
Anne@DCA
Date: 2024.11.15 13:04:10 -08'00'

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