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

In the Matter of the Accusation Against:

Case No. 7739

WALGREENS #05300
27951 Baseline
Highland, CA 92346

**STIPULATION FOR
CONTINUING JURISDICTION**

Pharmacy Permit No. PHY 52866

Respondent.

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IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties that the following is true:

1. The parties to this agreement are **Anne Sodergren**, acting in her official capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs, and **Tracey Dionne Brown**, CEO/PRS, authorized representative of Walgreens.

2. On or about June 20, 2025, Walgreens #05300, 27951 Baseline, Highland, California, 92346, (hereinafter "applicant") submitted an application to the Board for a change of ownership of Walgreens #05300, 27951 Baseline, Highland, California, 92346, (Pharmacy Permit No. PHY 52866). The granting of the application would require the cancellation of Pharmacy Permit No. PHY 52866 issued to Walgreens #05300, 27951 Baseline, Highland, California, 92346, and the issuance of a new pharmacy permit number to applicant pursuant to Business and Professions Code section 4201(f).

3. The existing permit (Pharmacy Permit No. PHY 52866) is currently the subject of a disciplinary order issued effective January 8, 2025, by the Board in the disciplinary matter entitled *In the Matter of the Accusation Against WALGREENS #05300*, Board of Pharmacy Case No. 7739. A true and correct copy of the decision and order in this matter is attached hereto as **Exhibit A** and incorporated by this reference.

1 4. In exchange for processing and issuance of the new permit pursuant to the change
2 of ownership, applicant understands and agrees that the Board shall have continuing jurisdiction
3 over the new permit issued to applicant such that the disciplinary order issued by the Board in
4 Case No. 7739, including any terms and conditions and remaining tenure of probation, shall
5 carry forward and be applicable to the new permit issued to applicant. The Board hereby waives
6 any right it may have had to deny issuance of the new permit.

7 5. A portable document format (PDF) or facsimile signature on this document shall be
8 binding as an original signature. Parties agree to use of PDF or facsimile signatures in lieu of
9 original signatures for all purposes relevant to enforcement of this Stipulation.

11 Dated: 08 / 21 / 2025

Tracey Brown
Tracey Dionne Brown
Walgreens CEO/PRS

15 Dated: 8/27/25

Julia Ansel for
____ Anne Sodergren
Executive Officer
California State Board of Pharmacy

Exhibit A

**Final Decision and Order
Board of Pharmacy Disciplinary Case No. 7739**

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

In the Matter of the Accusation Against:

WALGREENS CO., DBA WALGREENS #05300

Pharmacy Permit No. PHY 52866,

Respondent.

Agency Case No. 7739

OAH No. 2024050759

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 January 8, 2025.

It is so ORDERED on December 9, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 CHRISTINE J. LEE
Deputy Attorney General
4 State Bar No. 282502
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6285
6 Facsimile: (916) 731-2126
Attorneys for Complainant
7

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

12 In the Matter of the Accusation Against:
13 **WALGREENS CO., DBA WALGREENS**
14 **#05300**
15 **27941 Baseline**
Highland, CA 92346
16 **Pharmacy Permit No. PHY 52866**

17 Respondent.

Case No. 7739

OAH No. 2024050759

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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19
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 Christine J. Lee, 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. 7739.

4 10. Respondent agrees that its Pharmacy Permit is subject to discipline and they agree to
5 be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

6 **CONTINGENCY**

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

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

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

25 14. In consideration of the foregoing admissions and stipulations, the parties agree that
26 the Board may, without further notice or formal proceeding, issue and enter the following
27 Disciplinary Order:

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 52866 issued to Respondent
3 Walgreens Co., dba Walgreens #05300 is revoked. However, the revocation is stayed and
4 Respondent is placed on probation for two (2) years on the following terms and conditions:

5 1. Definition: Respondent: For the purposes of these terms and conditions, “respondent”
6 shall refer to Walgreens Co., dba Walgreens #05300. All terms and conditions stated herein shall
7 bind and be applicable to the licensed premises and to all owners, managers, officers,
8 administrators, members, directors, trustees, associates, or partners thereof. For purposes of
9 compliance with any term or condition, any report, submission, filing, payment, or appearance
10 required to be made by respondent to or before the board or its designee shall be made by an
11 owner or executive officer with authority to act on behalf of and legally bind the licensed entity.

12 2. Obey All Laws

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

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

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

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

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

8 4. Interview with the Board

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

14 5. Cooperate with Board Staff

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

21 6. Reimbursement of Board Costs

22 As a condition precedent to successful completion of probation, respondent shall pay to the
23 board its costs of investigation and prosecution in the amount of \$7,500. There shall be no
24 deviation from this schedule absent prior written approval by the board or its designee. Failure to
25 pay costs by the deadline(s) as directed shall be considered a violation of probation.

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

1 7. Probation Monitoring Costs

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

6 8. Status of License

7 Respondent shall, at all times while on probation, maintain current pharmacy permit with
8 the board. Failure to maintain current licensure shall be considered a violation of probation.

9 If respondent's license expires or is cancelled by operation of law or otherwise at any time
10 during the period of probation, including any extensions thereof or otherwise, upon renewal or
11 reapplication respondent's license shall be subject to all terms and conditions of this probation not
12 previously satisfied.

13 9. License Surrender While on Probation/Suspension

14 Following the effective date of this decision, should respondent wish to discontinue
15 business, respondent may tender the premises license to the board for surrender. The board or its
16 designee shall have the discretion whether to grant the request for surrender or take any other
17 action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the
18 license, respondent will no longer be subject to the terms and conditions of probation.

19 Respondent may not apply for any new license from the board for three (3) years from the
20 effective date of the surrender. Respondent shall meet all requirements applicable to the license
21 sought as of the date the application for that license is submitted to the board.

22 Respondent further stipulates that it shall reimburse the board for its costs of investigation
23 and prosecution prior to the acceptance of the surrender.

24 Respondent shall also, by the effective date of this decision, arrange for the continuation of
25 care for ongoing patients of the pharmacy by, at minimum, providing a written notice to ongoing
26 patients that specifies the anticipated closing date of the pharmacy and that identifies one or more
27 area pharmacies capable of taking up the patients' care, and by cooperating as may be necessary
28 in the transfer of records or prescriptions for ongoing patients. Within five days of its provision to

1 the pharmacy's ongoing patients, Respondent shall provide a copy of the written notice to the
2 board. For the purposes of this provision, "ongoing patients" means those patients for whom the
3 pharmacy has on file a prescription with one or more refills outstanding, or for whom the
4 pharmacy has filled a prescription within the preceding sixty (60) days.

5 10. Sale or Discontinuance of Business

6 During the period of probation, should respondent sell, trade or transfer all or part of the
7 ownership of the licensed entity, discontinue doing business under the license issued to
8 respondent, or should practice at that location be assumed by another full or partial owner,
9 person, firm, business, or entity, under the same or a different premises license number, the board
10 or its designee shall have the sole discretion to determine whether to exercise continuing
11 jurisdiction over the licensed location, under the current or new premises license number, and/or
12 carry the remaining period of probation forward to be applicable to the current or new premises
13 license number of the new owner.

14 11. Notice to Employees

15 Respondent shall, upon or before the effective date of this decision, ensure that all
16 employees involved in permit operations are made aware of all the terms and conditions of
17 probation, either by posting a notice of the terms and conditions, circulating such notice, or both.
18 If the notice required by this provision is posted, it shall be posted in a prominent place and shall
19 remain posted throughout the probation period. Respondent shall ensure that any employees hired
20 or used after the effective date of this decision are made aware of the terms and conditions of
21 probation by posting a notice, circulating a notice, or both. Additionally, respondent shall submit
22 written notification to the board, within fifteen (15) days of the effective date of this decision, that
23 this term has been satisfied. Failure to timely provide such notification to employees, or to timely
24 submit such notification to the board shall be considered a violation of probation.

25 "Employees" as used in this provision includes all full-time, part-time,
26 volunteer, temporary and relief employees and independent contractors employed or
27 hired at any time during probation.

28 12. Owners and Officers: Knowledge of the Law

1 Respondent shall provide, within thirty (30) days after the effective date of this decision,
2 signed and dated statements from its owners or officers, involved in pharmacy permit operations
3 including any owner or holder of ten percent (10%) or more of the interest in respondent or
4 respondent's stock, and all of its officer, stating under penalty of perjury that said individuals have
5 read and are familiar with state and federal laws and regulations governing the practice of
6 pharmacy. The failure to timely provide said statements under penalty of perjury shall be
7 considered a violation of probation.

8 13. Premises Open for Business

9 Respondent shall remain open and engaged in its ordinary business as a pharmacy in
10 California for a minimum of 120 hours per calendar month. Any month during which this
11 minimum is not met shall toll the period of probation, i.e., the period of probation shall be
12 extended by one month for each month during with this minimum is not met. During any such
13 period of tolling of probation, respondent must nonetheless comply with all terms and conditions
14 of probation, unless respondent is informed otherwise in writing by the board or its designee. If
15 respondent is not open and engaged in its ordinary business as a pharmacy for a minimum of 120
16 hours in any calendar month, for any reason (including vacation), respondent shall notify the
17 board in writing within ten (10) days of the conclusion of that calendar month. This notification
18 shall include at minimum all of the following: the date(s) and hours respondent was open; the
19 reason(s) for the interruption or why business was not conducted; and the anticipated date(s) on
20 which respondent will resume business as required. Respondent shall further notify the board in
21 writing with ten (10) days following the next calendar month during which respondent is open
22 and engaged in its ordinary business as a pharmacy in California for a minimum of hours. Any
23 failure to timely provide such notification(s) shall be considered a violation of probation.

24 14. Posted Notice of Probation

25 Respondent shall prominently post a probation notice provided by the board or its designee
26 in a place conspicuous to and readable by the public within two (2) days of receipt thereof from
27 the board or its designee. Failure to timely post such notice, or to maintain the posting during the
28 entire period of probation, shall be considered a violation of probation.

1 Respondent shall not, directly or indirectly, engage in any conduct or make any statement
2 which is intended to mislead or is likely to have the effect of misleading any patient, customer,
3 member of the public, or other person(s) as to the nature of and reason for the probation of the
4 licensed entity.

5 15. Violation of Probation

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

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

16 16. Completion of Probation

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

19 17. Report of Controlled Substances

20 Respondent shall submit reports to the board detailing the total acquisition and disposition
21 of such controlled substances as the board or its designee may direct. Respondent shall specify
22 the manner of disposition (e.g., by prescription, due to burglary, etc.) or acquisition (e.g., from a
23 manufacturer, from another retailer, etc.) of such controlled substances. Respondent shall report
24 on a quarterly basis or as directed by the board or its designee. The report shall be delivered or
25 mailed to the board no later than ten business (10) days following the discovery as determined by
26 the board or its designee. Failure to timely prepare or submit such reports shall be considered a
27 violation of probation.

28 **ACCEPTANCE**

1 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
2 discussed it with my attorney, Sweta Patel. I understand the stipulation and the effect it will have
3 on my Pharmacy Permit. I enter into this Stipulated Settlement and Disciplinary Order
4 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
5 Board of Pharmacy.

6
7 DATED: _____
8 WALGREENS CO., DBA WALGREENS #05300
9 Respondent

10 I have read and fully discussed with Respondent Walgreens Co., dba Walgreens #05300 the
11 terms and conditions and other matters contained in the above Stipulated Settlement and
12 Disciplinary Order. I approve its form and content.

13 DATED: _____
14 SWETA PATEL
15 Attorney for Respondent

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24 **ENDORSEMENT**

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

1 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
2 discussed it with my attorney, Sweta Patel. I understand the stipulation and the effect it will have
3 on my Pharmacy Permit. I enter into this Stipulated Settlement and Disciplinary Order
4 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
5 Board of Pharmacy.

6
7 DATED: 10/09/2024


8 WALGREENS CO., DBA WALGREENS #05300
Respondent

9 I have read and fully discussed with Respondent Walgreens Co., dba Walgreens #05300 the
10 terms and conditions and other matters contained in the above Stipulated Settlement and
11 Disciplinary Order. I approve its form and content.

12
13 DATED: 10/9/24


14 SWETA PATEL
Attorney for Respondent

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24 **ENDORSEMENT**

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General

CHRISTINE J. LEE
Deputy Attorney General
Attorneys for Complainant

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DATED: 10/9/2024

Respectfully submitted,

ROB BONTA
Attorney General of California
ARMANDO ZAMBRANO
Supervising Deputy Attorney General



CHRISTINE J. LEE
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7739

1 ROB BONTA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 CHRISTINE J. LEE
Deputy Attorney General
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5 Los Angeles, CA 90013
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Attorneys for Complainant
7

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

12 In the Matter of the Accusation Against:
13 **WALGREENS CO.,**
14 **DBA WALGREENS #05300**
15 **27951 Baseline**
16 **Highland, CA 92346**

17 **Pharmacy Permit No. PHY 52866,**
18
19 Respondent.

Case No. 7739

ACCUSATION

20 **PARTIES**

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

23 2. On or about December 31, 2014, the Board of Pharmacy issued Pharmacy Permit
24 Number PHY 52866 to Walgreens Co., dba Walgreens #05300 (Respondent). The Pharmacy
25 Permit was in full force and effect at all times relevant to the charges brought herein and will
26 expire on December 1, 2024, unless renewed.

27 **JURISDICTION**

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

1 4. Section 4300 of the Code provides, in pertinent part:

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

3 5. Section 118, subdivision (b), of the Code provides that the expiration of a license
4 shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period
5 within which the license may be renewed, restored, reissued or reinstated.

6 6. Section 4307 of the Code states:

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

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

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

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

27 (c) The provisions of subdivision (a) may be alleged in any pleading filed pursuant to
28 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the

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

8 **STATUTORY PROVISIONS**

9 7. Section 4300.1 of the Code states:

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

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

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

19

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

22

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

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1 **REGULATORY PROVISIONS**

2 9. California Code of Regulation, title 16, section 1714, subdivision (b), provides:

3 “Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and
4 equipment so that drugs are safely and properly prepared, maintained, secured and distributed.
5 The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice
6 of pharmacy.”

7 **COST RECOVERY**

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

12 **DRUG DEFINITIONS**

13 11. Norco is a combination medication used to relieve moderate to severe pain. It
14 contains an opioid pain reliever (hydrocodone) and a non-opioid pain reliever (acetaminophen).
15 Hydrocodone is a Schedule II controlled substance as designated by Health and Safety Code
16 section 11055(b)(1)(I)(ii) and a dangerous drug as designated by Business and Professions Code
17 section 4022.

18 12. Alprazolam, the generic name for Xanax, is a Schedule IV controlled substance
19 pursuant to Health and Safety Code section 11057, subdivision (d)(1), and a dangerous drug
20 pursuant to Business and Professions Code section 4022. Alprazolam is commonly prescribed for
21 anxiety.

22 13. Percocet is the brand name for oxycodone/acetaminophen, is a Schedule II controlled
23 substance pursuant to Health and Safety Code section 11055, subdivision (b)(1)(M), and a
24 dangerous drug pursuant to Business and Professions Code section 4022. Percocet is utilized to
25 relieve pain.

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1 **FACTUAL ALLEGATIONS**

2 14. During the period of July to August 2023, Respondent reported to the Board of
3 Pharmacy three thefts and losses of controlled substances. The DEA 106 forms listed a date of
4 loss of December 9, 2022, June 1, 2023, and June 9, 2023.

5 15. The missing controlled substances included 5,724 tablets of
6 hydrocodone/acetaminophen 10/325 mg, 298 tablets of oxycodone 15 mg, 1,206 tablets of
7 alprazolam 2mg, and others totaling 7,228 tablets. A second theft reported missing controlled
8 substances included 1,607 tablets of hydrocodone/acetaminophen 10/325 mg, 542 tablets of
9 oxycodone 15 mg, and 1,950 tablets of alprazolam 2mg and others totaling 5,916 units. A third
10 theft reported missing controlled substances included 742 tables of clonazepam 0.5 mg, 420
11 tablets of clobazam 2.5ml/ml susp, and 215 methylphenidate 20 mg tablets and others totaling
12 1,689 units.

13 16. An investigation determined Respondent was not properly securing and maintaining
14 the pharmacy area that contained controlled substances.

15 17. The investigation also revealed that about 2,000 hydrocodone/acetaminophen 10/325
16 mg tablets were stolen by one pharmacy technician.

17 **FIRST CAUSE FOR DISCIPLINE**

18 **(Failure to Comply with Operational Standards and Security)**

19 18. Respondent is subject to disciplinary action under California Code of Regulations,
20 title 16, section 1714, subdivision (b), in that it failed to maintain its facilities, space, fixtures and
21 equipment as required by pharmacy law. Complainant refers to paragraphs 14 through 17 as set
22 forth fully.

23 **DISCIPLINARY CONSIDERATIONS**

24 19. On or about January 14, 2022, Respondent was issued Citation CI 2021 92765 for
25 violating Business and Professions Code 125.9 and the California Code of Regulations, title 16,
26 section 1775 et seq. (variation from prescription) for a fine of \$2,500. Respondent has complied
27 with the citation.

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

DATED: 2/20/2024

Sodergren,
Anne@DCA

Digitally signed by Sodergren,
Anne@DCA
Date: 2024.02.20 16:55:01
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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