

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

**In the Matter of the Accusation Against:**

**SCOTT JOHN VALLEY,**

**Pharmacist License No. RPH 51595**

**Respondent.**

**Agency Case No. 7770**

**OAH No. 2024090456**

**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 February 12, 2025.

It is so ORDERED on January 13, 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**

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12 In the Matter of the Accusation Against:

13 **SCOTT JOHN VALLEY**  
14 **725 West Lemon Avenue**  
**Monrovia, CA 91016**

15 **Pharmacist License No. RPH 51595**

16 Respondent.

Case No. 7770

OAH No. 2024090456

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 **PARTIES**

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

24 2. Scott John Valley (Respondent) is representing himself in this proceeding and has  
25 chosen not to exercise his right to be represented by counsel.

26 3. On or about April 6, 2000, the Board issued Pharmacist License Number RPH 51595  
27 to Respondent. The Pharmacist License was in full force and effect at all times relevant to the  
28 charges brought in Accusation Number 7770, and will expire on July 31, 2025, unless renewed.

1 **JURISDICTION**

2 4. Accusation Number 7770 was filed before the Board, and is currently pending against  
3 Respondent. The Accusation and all other statutorily required documents were properly served  
4 on Respondent on June 17, 2024. Respondent timely filed his Notice of Defense contesting the  
5 Accusation.

6 5. A copy of Accusation Number 7770 is attached as exhibit A and incorporated herein  
7 by reference.

8 **ADVISEMENT AND WAIVERS**

9 6. Respondent has carefully read, and understands the charges and allegations in  
10 Accusation Number 7770. Respondent has also carefully read, and understands the effects of this  
11 Stipulated Settlement and Disciplinary Order.

12 7. Respondent is fully aware of his legal rights in this matter, including the right to a  
13 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
14 his own expense; the right to confront and cross-examine the witnesses against him; the right to  
15 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
16 the attendance of witnesses and the production of documents; the right to reconsideration and  
17 court review of an adverse decision; and all other rights accorded by the California  
18 Administrative Procedure Act and other applicable laws.

19 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
20 every right set forth above.

21 **CULPABILITY**

22 9. Respondent admits the truth of each and every charge and allegation in Accusation  
23 Number 7770.

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

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**CONTINGENCY**

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

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

14       13. This Stipulated Settlement and Disciplinary 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 Settlement and Disciplinary  
18 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
19 writing executed by an authorized representative of each of the parties.

20       14. 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  
22 Disciplinary Order:

**DISCIPLINARY ORDER**

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24       IT IS HEREBY ORDERED that Pharmacist License No. RPH 51595 issued to Respondent  
25 Scott John Valley is revoked. However, the revocation is stayed and Respondent is placed on  
26 probation for three (3) years on the following terms and conditions:

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**1. Obey All Laws**

Respondent shall obey all state and federal laws and regulations.

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

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

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

**2. Report to the Board**

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

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

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1           **3. Interview with the Board**

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

7           **4. Cooperate with Board Staff**

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

14           **5. Continuing Education**

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

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

18           During the period of probation, respondent shall notify all present and prospective  
19 employers of the decision in case number 7770 and the terms, conditions and restrictions imposed  
20 on respondent by the decision, as follows:

21           Within thirty (30) days of the effective date of this decision, and within ten (10) days of  
22 undertaking any new employment, respondent shall report to the board in writing the name,  
23 physical address, and mailing address of each of his employer(s), and the name(s) and telephone  
24 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in-charge, designated  
25 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work  
26 schedule, if known. Respondent shall also include the reason(s) for leaving the prior  
27 employment. Respondent shall sign and return to the board a written consent authorizing the  
28 board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and

1 authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,  
2 concerning respondent's work status, performance, and monitoring. Failure to comply with the  
3 requirements or deadlines of this condition shall be considered a violation of probation.

4       Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
5 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)  
6 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other  
7 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the  
8 board in writing acknowledging that the listed individual(s) has/have read the decision in case  
9 number 7770, and terms and conditions imposed thereby. If one person serves in more than one  
10 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's  
11 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the  
12 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term  
13 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in  
14 writing within fifteen (15) days of the change acknowledging that he or she has read the decision  
15 in case number 7770, and the terms and conditions imposed thereby.

16       If respondent works for or is employed by or through an employment service, respondent  
17 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board  
18 of the decision in case number 7770, and the terms and conditions imposed thereby in advance of  
19 respondent commencing work at such licensed entity. A record of this notification must be  
20 provided to the board upon request.

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

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

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

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

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

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

#### 13 **8. Restrictions on Supervision and Oversight of Licensed Facilities**

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

#### 18 **9. Reimbursement of Board Costs**

19 As a condition precedent to successful completion of probation, respondent shall pay to the  
20 board its costs of investigation and prosecution in the amount of \$5,713.75. Respondent shall  
21 make said payments as follows:

22 There shall be no deviation from this schedule absent prior written approval by the board or  
23 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of  
24 probation.

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

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1           **10. 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           **11. Status of License**

7           Respondent shall, at all times while on probation, maintain an active, current Pharmacist  
8 License with the board, including any period during which suspension or probation is tolled.  
9 Failure to maintain an active, current Pharmacist License shall be considered a violation of  
10 probation.

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

15           **12. License Surrender While on Probation/Suspension**

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

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

1 of the date the application for that license is submitted to the board, including any outstanding  
2 costs.

### 3 **13. Practice Requirement – Extension of Probation**

4 Except during periods of suspension, respondent shall, at all times while on probation, be  
5 employed as a pharmacist in California for a minimum of 100 hours per calendar month. Any  
6 month during which this minimum is not met shall extend the period of probation by one month.  
7 During any such period of insufficient employment, respondent must nonetheless comply with all  
8 terms and conditions of probation, unless respondent receives a waiver in writing from the board  
9 or its designee.

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

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

### 23 **14. Violation of Probation**

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

3 If respondent violates probation in any respect, the board, after giving respondent notice  
4 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
5 was stayed. If a petition to revoke probation or an accusation is filed against respondent during  
6 probation, or the preparation of an accusation or petition to revoke probation is requested from  
7 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of  
8 probation shall be automatically extended until the petition to revoke probation or accusation is  
9 heard and decided.

### 10 **15. Completion of Probation**

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

### 13 **16. Pharmacists Recovery Program (PRP)**

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

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

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

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

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

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

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

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

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

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

15 Probation shall be automatically extended until respondent successfully completes the PRP.

16 The board will provide notice of any such suspension or extension of probation.

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

26 During any suspension, respondent shall not engage in any activity that requires the  
27 professional judgment of and/or licensure as a pharmacist. Respondent shall not direct or control  
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1 any aspect of the practice of pharmacy, or of the manufacturing, distributing, wholesaling, or  
2 retailing of dangerous drugs and/or dangerous devices or controlled substances.

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

### 5 **17. Drug and Alcohol Testing**

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

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

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

25 Prior to any vacation or other period of absence from the area where the approved testing  
26 vendor provides services, respondent shall seek and receive approval from the board or its  
27 designee to use an alternate testing vendor to ensure testing can occur. Upon approval,  
28 respondent shall enroll and register with the approved alternate drug testing vendor, provide to

1 that alternate vendor any documentation required by the vendor, including any necessary payment  
2 by respondent. During the period of absence of the area, respondent shall commence testing  
3 protocols with the alternate vendor, including required daily contacts with the testing vendor to  
4 determine if testing is required, and required testing. Any failure to timely seek or receive  
5 approval from the board or its designee, or to timely enroll and register with, timely commence  
6 testing protocols with, or timely undergo testing with, the alternate testing vendor, shall be  
7 considered a violation of probation.

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

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

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

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

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

### 17 **18. Notification of Departure**

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

### 22 **19. Abstain from Drugs and Alcohol**

23 Respondent shall completely abstain from the possession or use of alcohol, controlled  
24 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated  
25 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a  
26 necessary part of treatment. Respondent shall ensure that he is not in the same physical location  
27 as individuals who are using illicit substances even if respondent is not personally ingesting the  
28 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled

1 substances, or their associated paraphernalia for which a legitimate prescription has not been  
2 issued as a necessary part of treatment, or any physical proximity to persons using illicit  
3 substances, shall be considered a violation of probation.

#### 4 **20. Prescription Coordination and Monitoring of Prescription Use**

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

27 If at any time an approved practitioner determines that respondent is unable to practice  
28 safely or independently as a pharmacist, the practitioner shall notify the board or its designee

1 immediately by telephone and follow up by written letter within three (3) working days. Upon  
2 notification from the board or its designee of this determination, respondent shall be  
3 automatically suspended and shall not resume practice as a pharmacist until notified by the board  
4 or its designee that practice may be resumed.

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

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

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

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

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

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

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

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

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

## 21 **23. No Ownership or Management of Licensed Premises**

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

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**ACCEPTANCE**

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

DATED: \_\_\_\_\_  
SCOTT JOHN VALLEY  
*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  
THOMAS L. RINALDI  
Supervising Deputy Attorney General  
  
MICHAEL YI  
Deputy Attorney General  
*Attorneys for Complainant*

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DATED: 11-13-2024   
SCOTT JOHN VALLEY  
*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  
THOMAS L. RINALDI  
Supervising Deputy Attorney General

MICHAEL YI  
Deputy Attorney General  
*Attorneys for Complainant*

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DATED: \_\_\_\_\_  
SCOTT JOHN VALLEY  
*Respondent*

**ENDORSEMENT**

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

DATED: November 20, 2024

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
THOMAS L. RINALDI  
Supervising Deputy Attorney General



MICHAEL YI  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 7770**

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 THOMAS L. RINALDI  
Supervising Deputy Attorney General  
4 State Bar No. 206911  
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5 Los Angeles, CA 90013  
Telephone: (213) 269-6310  
6 Facsimile: (916) 731-2126  
E-mail: Thomas.Rinaldi@doj.ca.gov  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 7770

13 **SCOTT JOHN VALLEY**  
14 **725 West Lemon Avenue**  
**Monrovia, CA 91016**

**ACCUSATION**

15 **Pharmacist License No. RPH 51595**

16 Respondent.  
17

18 **PARTIES**

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

21 2. On or about April 6, 2000, the Board of Pharmacy issued Pharmacist License Number  
22 RPH 51595 to Scott John Valley (Respondent). The Pharmacist License was in full force and  
23 effect at all times relevant to the charges brought herein and will expire on July 31, 2025, unless  
24 renewed.

25 **JURISDICTION**

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



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

8. Section 4307 states:

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

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

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

27 (b) "Manager, administrator, owner, member, officer, director, associate,  
28 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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28

1 **REGULATORY PROVISIONS**

2 9. California Code of Regulations, title 16, section 1770, states:

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

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

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

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

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

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

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

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

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

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

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

**COST RECOVERY**

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

///

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(July 13, 2023 Conviction - DUI)**

3 11. Respondent is subject to disciplinary action under Code sections 490 and 4301,  
4 subdivision (l), in conjunction with California Code of Regulations, title 16, section 1770,  
5 subdivision (c)(5), in that Respondent was convicted of a crime substantially related to the  
6 qualifications, functions, and duties of a pharmacist. Specifically, on or about July 13, 2023, after  
7 his guilty plea, Respondent was convicted of Count One: Vehicle Code section 23152(a) (DUI  
8 with one prior DUI w/in 10 years, pursuant to Vehicle Code section 23540), a misdemeanor and  
9 Count Two: Vehicle Code section 23152(b) (driving while having a 0.08% or more by weight of  
10 alcohol in his blood) in the criminal proceeding titled: *The People of the State of California v.*  
11 *John Scott Valley, aka Scott John Valley* (Super. Ct. Orange County, 2022, No. 22WM02503).  
12 The court sentenced Respondent to serve 45 days in jail and placed Respondent on five (5) years  
13 of probation with terms and conditions. The circumstances surrounding the conviction are that on  
14 or about February 15, 2022 at approximately 9:51 P.M., California Highway Patrol officers  
15 responded to call regarding a vehicle blocking traffic on the freeway. Upon arrival, officers  
16 observed Respondent stopped in the #3 lane behind a construction vehicle. An officer noticed he  
17 displayed objective symptoms of alcohol intoxication after which a breath tests were administered  
18 at 10:30 p.m. and 10:34 p.m. which resulted in a breath alcohol content readings of 0.082% and  
19 0.077%, respectively. At or around 11:10 p.m., Respondent submitted to a blood test which  
20 resulted in a BAC of 0.094%. Respondent admitted he drank alcohol prior to driving and that he  
21 had consumed prescription drugs (Paxiel, Abilify, and Buspar) throughout the day.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Dangerous Use of Alcohol)**

24 12. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),  
25 in that on or about February 15, 2022, Respondent used alcoholic beverages to the extent or in a  
26 manner as to be dangerous or injurious to himself, another person, or the public. Complainant  
27 refers to, and by this reference, incorporates the allegations set forth in paragraph 11, as though  
28 set forth fully.

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Multiple Convictions Involving the Use of Alcohol)**

3 13. Respondent is subject to disciplinary action under Code section 4301, subdivision (k),  
4 in that Respondent was convicted of more than one misdemeanor involving the use, consumption,  
5 or self-administration of alcohol. Complainant refers to, and by this reference, incorporates the  
6 allegations set forth in paragraphs 11 and 14, as though set forth fully.

7 **DISCIPLINARY CONSIDERATIONS**

8 14. To determine the degree of discipline, if any, to be imposed on Respondent,  
9 Complainant alleges that on or about January 22, 2020, the Board issued Citation Number CI  
10 2018-83028 to Respondent for violating Business and Professions Code section 4301,  
11 subdivisions (h) and (l) as a result of his criminal conviction on November 19, 2019. The  
12 circumstances surrounding the conviction are that on or about November 19, 2019, after his plea  
13 of guilty, Respondent was convicted of violating Vehicle Code sections 23152(a) and 23152(b) in  
14 the criminal proceeding titled: *The People of the State of California v. John Scott Valley* (Super.  
15 Ct. Orange County, 2019, No. 19WM03357). Respondent was placed on three years of probation  
16 and ordered to attend three months of the First Offenders Alcohol Program.

17 **OTHER MATTERS**

18 15. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License  
19 Number RPH 32265 issued to Scott John Valley, Scott John Valley shall be prohibited from  
20 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a  
21 licensee for five years if Pharmacist License Number RPH 51595 is placed on probation or until  
22 Pharmacist License Number RPH 51595 is reinstated if it is revoked.

23 **PRAYER**

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

26 1. Revoking or suspending Pharmacist License Number RPH 51595, issued to Scott  
27 John Valley;

28 ///

1           2.     Prohibiting Scott John Valley from serving as a manager, administrator, owner,  
2 member, officer, director, associate, or partner of a licensee for five years if Pharmacy License  
3 Number RPH 51595 is placed on probation or until Pharmacy License Number RPH 51595 is  
4 reinstated if it is revoked;

5           3.     Ordering Scott John Valley to pay the Board of Pharmacy the reasonable costs of the  
6 investigation and enforcement of this case, pursuant to Business and Professions Code section  
7 125.3; and, if placed on probation, the costs of probation monitoring; and,

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

9  
10         DATED: 6/10/2024

Sodergren,  
Anne@DCA



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

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