

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

In the Matter of the Accusation Against:

COLLIN K. SANCHEZ, Respondent

Pharmacist License No. RPH 60885

Agency Case No. 7780

OAH No. 2024110267

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 12, 2025.

It is so ORDERED on February 10, 2025.

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 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 STEPHEN A. ARONIS
Deputy Attorney General
4 State Bar No. 204995
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9451
7 Facsimile: (619) 645-2581
E-mail: Steve.Aronis@doj.ca.gov
8 *Attorneys for Complainant*

9 **BEFORE THE**
10 **BOARD OF PHARMACY**

11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 7780

14 **COLLIN K. SANCHEZ**
15 **5962 Via Las Nubes**
Riverside, CA 92506

OAH No. 2024110267

16 **Pharmacist License No. RPH 60885**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17 Respondent.

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

21 **PARTIES**

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

26 2. Respondent Collin K. Sanchez (Respondent) is representing himself in this
27 proceeding and has chosen not to exercise his right to be represented by counsel at own his
28 expense.

CONTINGENCY

1
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 60885 issued to Respondent
25 Collin K. Sanchez is revoked. However, the revocation is stayed and Respondent is placed on
26 probation for two (2) 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 7780 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,
6 (b) 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 7780, 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 7780, 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 7780, 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
24 service 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
15 the 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 During the period of probation, Respondent shall not supervise any ancillary personnel,
19 including, but not limited to, pharmacy technicians, designated representatives, designated
20 representative-3PL in any entity licensed by the board. Assumption of any such unauthorized
21 ancillary personnel supervision responsibilities shall be considered a violation of probation.

22 **9. Reimbursement of Board Costs**

23 As a condition precedent to successful completion of probation, respondent shall pay to the
24 board its costs of investigation and prosecution in the amount of \$2,500. Respondent shall be
25 permitted to pay these costs in a payment plan approved by the board or its designee, so long as
26 full payment is completed no later than one six (6) months prior to the end 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 80 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
8 all terms and conditions of probation, unless respondent receives a waiver in writing from the
9 board 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. Clinical Diagnostic Evaluation**

14 Within thirty (30) days of the effective date of this decision, and on a periodic basis
15 thereafter if required by the board or its designee, Respondent shall undergo, at his own expense,
16 clinical diagnostic evaluation(s) by a practitioner selected or approved prior to the evaluation by
17 the board or its designee. The approved evaluator shall be provided with a copy of the board's
18 accusation and decision. Respondent shall sign a release authorizing the evaluator to furnish the
19 board with a current diagnosis and a written report regarding the respondent's judgment and
20 ability to function independently as a pharmacist with safety to the public. If the evaluator
21 recommends restrictions or conditions on respondent's practice, including but not limited to other
22 terms and conditions listed in these guidelines (e.g., required psychotherapy, inpatient treatment,
23 prescription coordination and monitoring, restricted practice), the board or its designee may by
24 written notice to Respondent adopt any such restrictions or conditions as additional probation
25 terms and conditions, violation of which shall be considered a violation of probation. Failure to
26 comply with any requirement or deadline stated by this paragraph shall be considered a violation
27 of probation.

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1 If at any time the approved evaluator or therapist determines that Respondent is unable to
2 practice safely or independently, the licensed mental health practitioner shall notify the board
3 immediately by telephone and follow up by written letter within three (3) working days. Upon
4 notification from the board or its designee of this determination, Respondent shall be
5 automatically suspended and shall not resume practice until notified by the board or its designee
6 that practice may resume.

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

9 If recommended by the evaluator, the board or its designee may suspend Respondent from
10 practice as a pharmacist by providing written notice of suspension to the Respondent. Upon
11 suspension, Respondent shall not resume practice as a pharmacist until: 1) another evaluation is
12 done at respondent's expense by a licensed practitioner selected or approved by the board or its
13 designee; 2) the evaluator recommends that respondent return to practice; 3) the board or its
14 designee accepts the recommendation; 4) and the board notifies the respondent in writing that
15 practice may resume.

16 The report(s) from any such additional evaluation(s) shall be provided to the board or its
17 designee in writing by the evaluator no later than ten (10) days from the date the evaluator is
18 assigned the matter unless the evaluator requests additional information to complete the
19 evaluation, not to exceed thirty (30) days.

20 During any suspension, Respondent shall not enter any pharmacy area or any portion of the
21 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug
22 retailer, or any other distributor of drugs which is licensed by the board, or any manufacturer, or
23 any area where dangerous drugs and/or dangerous devices or controlled substances are
24 maintained.

25 During any suspension, Respondent shall not practice pharmacy nor do any act involving
26 drug selection, selection of stock, manufacturing, compounding, dispensing or patient
27 consultation; nor shall Respondent manage, administer, or be a consultant to any licensee of the
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1 board, or have access to or control the ordering, distributing, manufacturing or dispensing of
2 dangerous drugs and/or dangerous devices or controlled substances.

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

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

9 17. **Psychotherapy**

10 If deemed appropriate by the Clinical Evaluation described above in Term 16, Respondent
11 shall submit to the board or its designee, for prior approval, the name and qualifications of a
12 licensed mental health practitioner of Respondent's choice. Within thirty (30) days of approval
13 thereof, Respondent shall submit documentation to the board demonstrating the commencement
14 of psychotherapy with the approved licensed mental health practitioner. Should Respondent, for
15 any reason, cease treatment with the approved licensed mental health practitioner, Respondent
16 shall notify the board immediately and, within thirty (30) days of ceasing treatment, submit the
17 name of a replacement psychotherapist or licensed mental health practitioner of respondent's
18 choice to the board for its prior approval. Within thirty (30) days of approval thereof, Respondent
19 shall submit documentation to the board demonstrating the commencement of psychotherapy with
20 the approved replacement. Failure to comply with any requirement or deadline stated by this
21 paragraph shall be considered a violation of probation.

22 Upon approval of the initial or any subsequent licensed mental health practitioner,
23 Respondent shall undergo and continue treatment with that therapist, at Respondent's own
24 expense, until the therapist recommends in writing to the board, and the board or its designee
25 agrees by way of a written notification to respondent, that no further psychotherapy is necessary.
26 Upon receipt of such recommendation from the treating therapist, and before determining whether
27 to accept or reject said recommendation, the board or its designee may require respondent to
28 undergo, at Respondent's own expense, a mental health evaluation by a board-appointed or

1 board-approved psychiatrist or psychologist. If the approved evaluator recommends that
2 Respondent continue psychotherapy, the board or its designee may require respondent to continue
3 psychotherapy.

4 Psychotherapy shall be at least once a week unless otherwise approved by the board.
5 Respondent shall provide the therapist with a copy of the board's accusation and decision no later
6 than the first therapy session. Respondent shall take all necessary steps to ensure that the treating
7 therapist submits written quarterly reports to the board concerning respondent's fitness to
8 practice, progress in treatment, and such other information required by the board or its designee.

9 If at any time the treating therapist determines that Respondent cannot practice safely or
10 independently, the therapist shall notify the board immediately by telephone and follow up by
11 written letter within three (3) working days. Upon notification from the board or its designee of
12 this determination, Respondent shall be automatically suspended and shall not resume practice
13 until notified by the board that practice may be resumed.

14 During any suspension, Respondent shall not enter any pharmacy area or any portion of the
15 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug
16 retailer, or any other distributor of drugs which is licensed by the board, or any manufacturer, or
17 any area where dangerous drugs and/or dangerous devices or controlled substances are
18 maintained.

19 During any suspension, Respondent shall not practice pharmacy nor do any act involving
20 drug selection, selection of stock, manufacturing, compounding, dispensing or patient
21 consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the
22 board, or have access to or control the ordering, distributing, manufacturing or dispensing of
23 dangerous drugs and/or dangerous devices or controlled substances. Respondent shall not resume
24 practice until notified by the board.

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

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

3 **ACCEPTANCE**

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

8
9 DATED: _____

10 COLLIN K. SANCHEZ
11 *Respondent*

12 **ENDORSEMENT**

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

15 DATED: _____

16 Respectfully submitted,

17 ROB BONTA
18 Attorney General of California
19 GREGORY J. SALUTE
20 Supervising Deputy Attorney General

21 STEPHEN A. ARONIS
22 Deputy Attorney General
23 *Attorneys for Complainant*


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2 violation of probation.

3 **ACCEPTANCE**

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6 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
7 bound by the Decision and Order of the Board of Pharmacy.

8
9 DATED: 1/15/25


10 COLLIN K. SANCHEZ
11 *Respondent*

12 **ENDORSEMENT**

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

15 DATED: January 15, 2025

16 Respectfully submitted,

17 ROB BONTA
18 Attorney General of California
19 GREGORY J. SALUTE
20 Supervising Deputy Attorney General



21 STEPHEN A. ARONIS
22 Deputy Attorney General
23 *Attorneys for Complainant*

24 SD2024801059

Exhibit A

Accusation No. 7780

1 ROB BONTA
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 STEPHEN A. ARONIS
Deputy Attorney General
4 State Bar No. 204995
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9451
7 Facsimile: (619) 645-2581
Attorneys for Complainant

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

13 In the Matter of the Accusation Against:

Case No. 7780

14 **COLLIN K. SANCHEZ**
15 **5962 Via Las Nubes**
Riverside, CA 92506

ACCUSATION

16 **Pharmacist License No. RPH 60885**

17 Respondent.

18
19 **PARTIES**

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

22 2. On or about April 9, 2008, the Board issued Pharmacist License Number RPH 60885
23 to Collin K. Sanchez (Respondent). The Pharmacist License was in full force and effect at all
24 times relevant to the charges brought herein and will expire on January 31, 2026, unless renewed.

25 **JURISDICTION**

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

1 4. Code section 4300, subdivision (a), states, “Every license issued may be suspended or
2 revoked.”

3 5. Code section 4300.1 states:

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

8 STATUTORY PROVISIONS

9 6. Code section 482 states:

10 (a) Each board under this code shall develop criteria to evaluate the rehabilitation
11 of a person when doing either of the following:

12 (1) Considering the denial of a license by the board under Section 480.

13 (2) Considering suspension or revocation of a license under Section 490.

14 (b) Each board shall consider whether an applicant or licensee has made a
15 showing of rehabilitation if either of the following are met:

16 (1) The applicant or licensee has completed the criminal sentence at issue
17 without a violation of parole or probation.

18 (2) The board, applying its criteria for rehabilitation, finds that the applicant
19 is rehabilitated.

20 ...

21 (d) This section shall become operative on July 1, 2020.

22 7. Code section 490 provides, in pertinent part, that a board may suspend or revoke a
23 license on the ground that the licensee has been convicted of a crime substantially related to the
24 qualifications, functions, or duties of the business or profession for which the license was issued.

25 8. Code section 493 states:

26 (a) Notwithstanding any other law, in a proceeding conducted by a board within
27 the department pursuant to law to deny an application for a license or to suspend or
28 revoke a license or otherwise take disciplinary action against a person who holds a
license, upon the ground that the applicant or the licensee has been convicted of a crime
substantially related to the qualifications, functions, and duties of the licensee in
question, the record of conviction of the crime shall be conclusive evidence of the fact
that the conviction occurred, but only of that fact.

1 (b) (1) Criteria for determining whether a crime is substantially related to the
2 qualifications, functions, or duties of the business or profession the board regulates
shall include all of the following:

3 (A) The nature and gravity of the offense.

4 (B) The number of years elapsed since the date of the offense.

5 (C) The nature and duties of the profession.

6 (2) A board shall not categorically bar an applicant based solely on the type
7 of conviction without considering evidence of rehabilitation.

8 (c) As used in this section, “license” includes “certificate,” “permit,” “authority,”
and “registration.”

9 ...

10 (e) This section shall become operative on July 1, 2020.

11 9. Code section 4301 states:

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

14 ...

15 (f) The commission of any act involving moral turpitude, dishonesty, fraud,
16 deceit, or corruption, whether the act is committed in the course of relations as a
licensee or otherwise, and whether the act is a felony or misdemeanor or not.

17 (g) Knowingly making or signing any certificate or other document that falsely
18 represents the existence or nonexistence of a state of facts.

19 ...

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

1 10. Code section 4307, subdivision (a) states:

2 Any person who has been denied a license or whose license has been revoked
3 or is under suspension, or who has failed to renew his or her license while it was
4 under suspension, or who has been a manager, administrator, owner member, officer,
5 director, associate, or partner of any partnership, corporation, firm, or association
6 whose application for a license has been denied or revoked, is under suspension or
7 has been placed on probation, and while acting as the manger, administrator, owner,
8 member, officer, director, associate, or partner had knowledge or knowingly
9 participated in any conduct for which the license was denied, revoked, suspended, or
10 placed on probation, shall be prohibited from serving as a manger, administrator,
11 owner, member, officer, director, associate, or partner of a licensee as follows:

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

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

17 **REGULATORY PROVISIONS**

18 11. California Code of Regulations, title 16, section 1769, subdivision (c), states:

19 When considering the suspension or revocation of a facility or a personal
20 license on the ground that the licensee has been convicted of a crime, the board will
21 consider whether the licensee made a showing of rehabilitation and is presently fit for
22 a license, if the licensee completed the criminal sentence at issue without a violation
23 of parole or probation. In making this determination, the board will consider the
24 criteria in subdivisions (b)(1)(A) through (E). If the licensee has not completed the
25 criminal sentence at issue without a violation of parole or probation or the board
26 determines that the licensee did not make the showing of rehabilitation based on the
27 criteria in subdivisions (b)(1)(A) through (E), the board will apply the following
28 criteria in evaluating the licensee's rehabilitation:

(1) Nature and gravity of the act(s) or offenses.

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offenses.

(4) Whether the licensee has complied with all terms of parole, probation,
restitution or any other sanctions lawfully imposed against the licensee.

(5) The criteria in subdivisions (b)(1)(A) through (E), as applicable.

(6) Evidence, if any, of rehabilitation submitted by the licensee, including as
provided in the board's Disciplinary Guidelines, identified in section 1760.

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

(a) For the purpose of denial, suspension, or revocation of a personal or facility
license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the
Business and Professions Code, a crime, professional misconduct, or act shall be

1 considered substantially related to the qualifications, functions or duties of the
2 practice, profession, or occupation that may be performed under the license type
3 sought or held if to a substantial degree it evidences present or potential unfitness of
4 an applicant or licensee to perform the functions authorized by the license in a
5 manner consistent with the public health, safety, or welfare.

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

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

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

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

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

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

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

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

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

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

28 **COST RECOVERY**

13. Code section 125.3 provides, 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, with failure of the licentiate to comply subjecting the license to not being
renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
included in a stipulated settlement.

///

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(August 22, 2023 Criminal Conviction for Child Abuse on July 13, 2022)**

3 14. Respondent has subjected his pharmacy technician registration to disciplinary action
4 under Code sections 490 and 4301, subdivision (l), because he was convicted of a crime that is
5 substantially related to the qualifications, functions, and duties of a pharmacy technician. On
6 August 22, 2023, in a criminal proceeding entitled *The People of the State of California v. Collin*
7 *Kenny Sanchez*, in Riverside County Superior Court, Case Number RIM2208164, Respondent
8 pled guilty and was convicted of inflicting cruel and inhumane corporal punishment and injury to
9 a child resulting in a traumatic condition (“child abuse”) (Pen. Code, § 273d, subd. (a)), a
10 misdemeanor. The court suspended sentencing and granted Respondent summary probation for
11 36 months, with certain terms and conditions. Respondent was ordered to serve 160 days in
12 Riverside County Sheriff’s custody, with a credit of two days for time served, and the remaining
13 158 days to be completed through the Work Release Program. Respondent was also ordered to
14 enroll in and complete parenting classes, pay court fines, and to have no negative contact with the
15 victim in this case pursuant to a Criminal Protective Order, effective through August 22, 2026,
16 among other things.

17 15. The circumstances that led to the conviction are that on July 14, 2022, Riverside
18 Police Department officers were dispatched to Riverside Community Hospital regarding a
19 possible child abuse investigation. Upon arrival, officers made contact with the victim’s mother
20 (“Person 1”). The victim is Person 1 and Respondent’s two-year-old son. Person 1 stated she left
21 the victim with Respondent the night before and that on this date, she noticed major bruising and
22 welts on the child’s buttocks when she changed his diaper. Person 1 asked Respondent how their
23 child was injured and Respondent said that he did not know. While Person 1 drove the child to
24 the hospital, Respondent attempted to intervene by telling her not to “do anything stupid” and
25 saying that he did not realize he had hit the victim as hard as he did.

26 16. At the hospital, medical staff confirmed that the markings and bruising on the victim
27 appear to be the result of physical trauma.
28

PRAYER

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

- 1. Revoking or suspending Pharmacist License Number RPH 60885, issued to Respondent Collin K. Sanchez;
- 2. Ordering Respondent Collin K. Sanchez 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, if placed on probation, the costs of probation monitoring; and,
- 3. Prohibiting Collin K. Sanchez from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number 60885 is placed on probation or until Pharmacy Permit Number PHY 60885 is reinstated if it is revoked;
- 4. Taking such other and further action as deemed necessary and proper.

DATED: 7/26/2024

**Sodergren,
Anne@DCA**

Digitally signed by Sodergren,
Anne@DCA
Date: 2024.07.26 07:54:25
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

SD2024801059