

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

In the Matter of the Accusation Against:

SARAH EMEIL KAMEL, Respondent

Pharmacist License No. RPH 81870

Agency Case No. 7816

OAH No. 2024060724

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 November 20, 2024.

It is so ORDERED on October 21, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh", is written over a light blue rectangular background.

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 MARISSA N. HAMILTON
Deputy Attorney General
4 State Bar No. 322489
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6701
6 Facsimile: (916) 731-2126
E-mail: Marissa.Hamilton@doj.ca.gov
7 *Attorneys for Complainant*

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

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13 In the Matter of the Accusation Against:

14 **SARAH EMEIL KAMEL**
15 **12504 Honolulu Ter.**
Whittier, CA 90601

16 **Pharmacist License No. RPH 81870**

17 Respondent.

Case No. 7816

OAH No. 2024060724

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

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

22 **PARTIES**

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

27 2. Respondent Sarah Emeil Kamel is represented in this proceeding by attorney Negin
28 Yamini, Esq., whose address is: 5757 Wilshire Blvd. #340, Los Angeles, California 90036.

3. On or about January 10, 2020, the Board issued Pharmacist License No. RPH 81870 to Sarah Emeil Kamel (Respondent). The Pharmacist License was in full force and effect at all times relevant to the charges brought in Accusation No. 7816, and will expire on October 31, 2025, unless renewed.

JURISDICTION

4. Accusation No. 7816 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 10, 2024. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 7816 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 7816. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

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

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 7816.

9. Respondent agrees that her Pharmacist License is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

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

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

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

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Pharmacist License No. RPH 81870 issued to Respondent Sarah Emeil Kamel is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions:

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.

3. Interview with the Board

Upon receipt of reasonable prior notice, Respondent shall appear in person for interviews with the Board or its designee, at such intervals and locations as are determined by the Board or its designee. Failure to appear for any scheduled interview without prior notification to Board

1 staff, or failure to appear for two (2) or more scheduled interviews with the Board or its designee
2 during the period of probation, shall be considered a violation of probation.

3 **4. Cooperate with Board Staff**

4 Respondent shall timely cooperate with the Board's inspection program and with the
5 Board's monitoring and investigation of Respondent's compliance with the terms and conditions
6 of her probation, including but not limited to: timely responses to requests for information by
7 Board staff; timely compliance with directives from Board staff regarding requirements of any
8 term or condition of probation; and timely completion of documentation pertaining to a term or
9 condition of probation. Failure to timely cooperate shall be considered a violation of probation.

10 **5. Continuing Education**

11 Respondent shall provide evidence of efforts to maintain skill and knowledge as a
12 pharmacist as directed by the Board or its designee.

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

14 During the period of probation, Respondent shall notify all present and prospective
15 employers of the decision in case number 7816 and the terms, conditions and restrictions imposed
16 on Respondent by the decision, as follows:

17 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
18 undertaking any new employment, Respondent shall report to the Board in writing the name,
19 physical address, and mailing address of each of her employer(s), and the name(s) and telephone
20 number(s) of all of her direct supervisor(s), as well as any pharmacist(s)-in-charge, designated
21 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work
22 schedule, if known. Respondent shall also include the reason(s) for leaving the prior
23 employment. Respondent shall sign and return to the Board a written consent authorizing the
24 Board or its designee to communicate with all of Respondent's employer(s) and supervisor(s),
25 and authorizing those employer(s) or supervisor(s) to communicate with the Board or its
26 designee, concerning Respondent's work status, performance, and monitoring. Failure to comply
27 with the requirements or deadlines of this condition shall be considered a violation of probation.

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1 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
2 Respondent undertaking any new employment, Respondent shall cause (a) her direct supervisor,
3 (b) her pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
4 compliance supervisor, and (c) the owner or owner representative of her employer, to report to the
5 Board in writing acknowledging that the listed individual(s) has/have read the decision in case
6 number 7816, and terms and conditions imposed thereby. If one person serves in more than one
7 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the Respondent's
8 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the
9 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
10 of probation, Respondent shall cause the person(s) taking over the role(s) to report to the Board in
11 writing within fifteen (15) days of the change acknowledging that he or she has read the decision
12 in case number 7816, and the terms and conditions imposed thereby.

13 If Respondent works for or is employed by or through an employment service, Respondent
14 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board
15 of the decision in case number 7816, and the terms and conditions imposed thereby in advance of
16 Respondent commencing work at such licensed entity. A record of this notification must be
17 provided to the Board upon request.

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

24 Failure to timely notify present or prospective employer(s) or failure to cause the identified
25 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board
26 shall be considered a violation of probation.

27 "Employment" within the meaning of this provision includes any full-time, part-time,
28 temporary, relief, or employment/management service position as a Pharmacist, or any position

1 for which a Pharmacist is a requirement or criterion for employment, whether the Respondent is
2 an employee, independent contractor or volunteer.

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

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

6 Failure to timely notify the Board of any change in employer, name, address, or phone
7 number shall be considered a violation of probation.

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

9 During the period of probation, Respondent shall not supervise any intern pharmacist, be
10 the pharmacist-in-charge, designated representative-in-charge, responsible manager or other
11 compliance supervisor of any entity licensed by the Board, nor serve as a consultant. Assumption
12 of any such unauthorized supervision responsibilities shall be considered a violation of probation.

13 **9. Reimbursement of Board Costs**

14 As a condition precedent to successful completion of probation, Respondent shall pay to the
15 Board its costs of investigation and prosecution in the amount of \$3,501.50. Respondent shall be
16 permitted to pay these costs in a payment plan approved by the Board or its designee, so long as
17 full payment is completed no later than one (1) year prior to the end date of probation.

18 **10. Probation Monitoring Costs**

19 Respondent shall pay any costs associated with probation monitoring as determined by the
20 Board each and every year of probation. Such costs shall be payable to the Board on a schedule
21 as directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed
22 shall be considered a violation of probation.

23 **11. Status of License**

24 Respondent shall, at all times while on probation, maintain an active, current Pharmacist
25 License with the Board, including any period during which suspension or probation is tolled.
26 Failure to maintain an active, current Pharmacist License shall be considered a violation of
27 probation.

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

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

6 Following the effective date of this decision, should Respondent cease practice due to
7 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,
8 Respondent may relinquish her license, including any indicia of licensure issued by the Board,
9 along with a request to surrender the license. The Board or its designee shall have the discretion
10 whether to accept the surrender or take any other action it deems appropriate and reasonable.
11 Upon formal acceptance of the surrender of the license, Respondent will no longer be subject to
12 the terms and conditions of probation. This surrender constitutes a record of discipline and shall
13 become a part of the Respondent's license history with the Board.

14 Upon acceptance of the surrender, Respondent shall relinquish her pocket and/or wall
15 license, including any indicia of licensure not previously provided to the Board within ten (10)
16 days of notification by the Board that the surrender is accepted if not already provided.
17 Respondent may not reapply for any license from the Board for three (3) years from the effective
18 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
19 of the date the application for that license is submitted to the Board, including any outstanding
20 costs.

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

22 Except during periods of suspension, Respondent shall, at all times while on probation, be
23 employed as a Pharmacist in California for a minimum of 100 hours per calendar month, unless
24 otherwise determined by the Pharmacists Recovery Program (PRP). Any month during which
25 this minimum is not met shall extend the period of probation by one month. During any such
26 period of insufficient employment, Respondent must nonetheless comply with all terms and
27 conditions of probation, unless Respondent receives a waiver in writing from the Board or its
28 designee.

1 If Respondent does not practice as a Pharmacist in California for the minimum number of
2 hours in any calendar month, for any reason (including vacation), Respondent shall notify the
3 Board in writing within ten (10) days of the conclusion of that calendar month. This notification
4 shall include at least: the date(s), location(s), and hours of last practice; the reason(s) for the
5 interruption or reduction in practice; and the anticipated date(s) on which Respondent will resume
6 practice at the required level. Respondent shall further notify the Board in writing within ten (10)
7 days following the next calendar month during which Respondent practices as a Pharmacist in
8 California for the minimum of hours. Any failure to timely provide such notification(s) shall be
9 considered a violation of probation.

10 It is a violation of probation for Respondent's probation to be extended pursuant to the
11 provisions of this condition for a total period, counting consecutive and non-consecutive months,
12 exceeding thirty-six (36) months. The Board or its designee may post a notice of the extended
13 probation period on its website.

14 **14. Violation of Probation**

15 If Respondent has not complied with any term or condition of probation, the Board shall
16 have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent
17 that probation shall automatically be extended, until all terms and conditions have been satisfied
18 or the Board has taken other action as deemed appropriate to treat the failure to comply as a
19 violation of probation, to terminate probation, and to impose the penalty that was stayed. The
20 Board or its designee may post a notice of the extended probation period on its website.

21 If Respondent violates probation in any respect, the Board, after giving Respondent notice
22 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
23 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during
24 probation, or the preparation of an accusation or petition to revoke probation is requested from
25 the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of
26 probation shall be automatically extended until the petition to revoke probation or accusation is
27 heard and decided.

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1 **15. Completion of Probation**

2 Upon written notice by the Board or its designee indicating successful completion of
3 probation, Respondent 's license will be fully restored.

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

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

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

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

20 Any of the following shall result in the automatic suspension of practice by Respondent and
21 shall be considered a violation of probation:

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

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

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

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

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

6 Respondent may not resume the practice of pharmacy until notified by the Board in writing.

7 Probation shall be automatically extended until Respondent successfully completes the
8 PRP. The Board will provide notice of any such suspension or extension of probation.

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

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

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

24 **17. Drug and Alcohol Testing**

25 Respondent, at her own expense, shall participate in testing as directed by the Board or its
26 designee for the detection of alcohol, controlled substances, and dangerous drugs and/or
27 dangerous devices. Testing protocols may include biological fluid testing (urine, blood),
28 breathalyzer, hair follicle testing, or other testing protocols as directed by the Board or its

1 designee. All testing must be pursuant to an observed testing protocol, unless Respondent is
2 informed otherwise in writing by the Board or its designee. Respondent may be required to
3 participate in testing for the entire probation period and frequency of testing will be determined
4 by the Board or its designee.

5 By no later than thirty (30) days after the effective date of this decision, Respondent shall
6 have completed all of the following tasks: enrolled and registered with an approved drug and
7 alcohol testing vendor; provided that vendor with any documentation, and any information
8 necessary for payment by Respondent; commenced testing protocols, including all required
9 contacts with the testing vendor to determine testing date(s); and begun testing. At all times,
10 Respondent shall fully cooperate with the testing vendor, and with the Board or its designee, with
11 regard to enrollment, registration, and payment for, and compliance with, testing. Any failure to
12 cooperate timely shall be considered a violation of probation.

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

16 Prior to any vacation or other period of absence from the area where the approved testing
17 vendor provides services, Respondent shall seek and receive approval from the Board or its
18 designee to use an alternate testing vendor to ensure testing can occur. Upon approval,
19 Respondent shall enroll and register with the approved alternate drug testing vendor, provide to
20 that alternate vendor any documentation required by the vendor, including any necessary payment
21 by Respondent. During the period of absence of the area, Respondent shall commence testing
22 protocols with the alternate vendor, including required daily contacts with the testing vendor to
23 determine if testing is required, and required testing. Any failure to timely seek or receive
24 approval from the Board or its designee, or to timely enroll and register with, timely commence
25 testing protocols with, or timely undergo testing with, the alternate testing vendor, shall be
26 considered a violation of probation.

27 Upon detection of an illicit drug, controlled substance or dangerous drug, the Board or its
28 designee may require Respondent to timely provide documentation from a licensed practitioner

1 authorized to prescribe the detected substance demonstrating that the substance was administered
2 or ingested pursuant to a legitimate prescription issued as a necessary part of treatment. All such
3 documentation shall be provided by Respondent within ten (10) days of being requested.

4 Any of the following shall be considered a violation of probation and shall result in
5 Respondent being immediately suspended from practice as a Pharmacist until notified by the
6 Board in writing that she may resume practice: failure to timely complete all of the steps required
7 for enrollment/registration with the drug testing vendor, including making arrangements for
8 payment; failure to timely commence drug testing protocols; failure to contact the drug testing
9 vendor as required to determine testing date(s); failure to test as required; failure to timely supply
10 documentation demonstrating that a detected substance was taken pursuant to a legitimate
11 prescription issued as a necessary part of treatment; and/or detection through testing of alcohol, or
12 of an illicit drug, or of a controlled substance or dangerous drug absent documentation that the
13 detected substance was taken pursuant to a legitimate prescription and a necessary treatment. In
14 the event of a suspension ordered after detection through testing of alcohol, an illicit drug, or of a
15 controlled substance or dangerous drug absent documentation that the detected substance was
16 taken pursuant to a legitimate prescription and a necessary treatment, the Board or its designee
17 shall inform Respondent of the suspension and inform her to immediately leave work, and shall
18 notify Respondent's employer(s) and work site monitor(s) of the suspension.

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

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

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

8 **18. Notification of Departure**

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

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

14 Respondent shall completely abstain from the possession or use of alcohol, controlled
15 substances, illicit drugs, dangerous drugs and/or dangerous devices, or their associated
16 paraphernalia, except when possessed or used pursuant to a legitimate prescription issued as a
17 necessary part of treatment. Respondent shall ensure that she is not in the same physical location
18 as individuals who are using illicit substances even if Respondent is not personally ingesting the
19 drugs. Any possession or use of alcohol, dangerous drugs and/or dangerous devices or controlled
20 substances, or their associated paraphernalia for which a legitimate prescription has not been
21 issued as a necessary part of treatment, or any physical proximity to persons using illicit
22 substances, shall be considered a violation of probation.

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

24 Within thirty (30) days of the effective date of this decision, Respondent shall submit to the
25 Board, for its prior approval, the name and qualifications of a single physician, nurse practitioner,
26 physician assistant, or psychiatrist of Respondent 's choice, who shall be aware of the
27 Respondent's history with the use of alcohol, illicit drugs, controlled substances, and/or
28 dangerous drugs and who will coordinate and monitor any prescriptions for Respondent for

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

18 If at any time an approved practitioner determines that Respondent is unable to practice
19 safely or independently as a Pharmacist, the practitioner shall notify the Board or its designee
20 immediately by telephone and follow up by written letter within three (3) working days. Upon
21 notification from the Board or its designee of this determination, Respondent shall be
22 automatically suspended and shall not resume practice as a Pharmacist until notified by the Board
23 or its designee that practice may be resumed.

24 During any suspension, Respondent shall not enter any pharmacy area or any portion of the
25 licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug
26 retailer, or any other distributor of drugs which is licensed by the Board, or any manufacturer, or
27 any area where dangerous drugs and/or dangerous devices or controlled substances are
28 maintained. Respondent shall not practice pharmacy nor do any act involving drug selection,

1 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall
2 Respondent manage, administer, or be a consultant to any licensee of the Board, or have access to
3 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or
4 dangerous devices and controlled substances. Respondent shall not resume practice until notified
5 by the Board.

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

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

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

13 Within thirty (30) days of the effective date of this decision, Respondent shall begin regular
14 attendance at a group recovery and/or support meeting that is run by a trained facilitator approved
15 in advance by the Board or its designee. The required frequency of group meeting attendance
16 shall be determined by the Board or its designee. Respondent shall continue regular attendance as
17 directed at an approved facilitated group meeting until the Board or its designee advises the
18 Respondent in writing that she may cease regular attendance. Respondent shall provide signed
19 and dated documentation of attendance as required with each quarterly report. Failure to attend as
20 required or to submit documentation of attendance shall be considered a violation of probation.

21 If Respondent is required to participate in the PRP, compliance with this term can be
22 demonstrated through that program. Where Respondent is enrolled in the PRP, participation as
23 required in a facilitated group meeting approved by the PRP shall be sufficient for satisfaction of
24 this requirement. Any deviation from participation requirements for the PRP-approved group
25 shall be considered a violation of probation.

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

27 Within thirty (30) days of the effective date of this decision, Respondent shall begin regular
28 attendance at a recognized and established substance abuse recovery support group in California

(e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) which has been approved by the Board or its designee. Respondent must attend the number of group meetings per week or month directed by the Board or its designee, which shall typically be at least one per week. Respondent shall continue regular attendance and submit signed and dated documentation confirming attendance with each quarterly report for the duration of probation. Failure to attend or submit documentation thereof shall be considered a violation of probation.

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

23. No Ownership or Management of Licensed Premises

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

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DATED: _____ SARAH EMEIL KAMEL
Respondent

DATED: _____

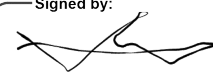
NEGIN YAMINI, ESQ.
Attorney for Respondent

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Negin Yamini, Esq. 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.

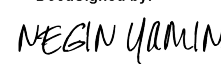
DATED: 9/16/2024

Signed by:

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SARAH EMEIL KAMEL
Respondent

I have read and fully discussed with Respondent Sarah Emeil Kamel the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 9/16/2024

DocuSigned by:

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NEGIN YAMINI, ESQ.
Attorney for Respondent

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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
ARMANDO ZAMBRANO
Supervising Deputy Attorney General

MARISSA N. HAMILTON
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

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

DATED: 9/17/2024 _____

Respectfully submitted,

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

Marissa N. Hamilton

MARISSA N. HAMILTON
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7816

1 ROB BONTA
Attorney General of California
2 ARMANDO ZAMBRANO
Supervising Deputy Attorney General
3 MARISSA N. HAMILTON
Deputy Attorney General
4 State Bar No. 322489
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6701
6 Facsimile: (916) 731-2126
E-mail: Marissa.Hamilton@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. 7816

13 **SARAH EMEIL KAMEL**
14 **12504 Honolulu Ter.**
Whittier, CA 90601

ACCUSATION

15 **Pharmacist License No. RPH 81870**

16 Respondent.
17

18
19
20 **PARTIES**

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

23 2. On or about January 10, 2020, the Board of Pharmacy issued Pharmacist License
24 Number RPH 81870 to Sarah Emeil Kamel (Respondent). The Pharmacist License was in full
25 force and effect at all times relevant to the charges brought herein and will expire on October 31,
26 2025, unless renewed.

27 3. *In the Matter of the Petition for Interim Suspension Order Against: Sarah Emeil*
28 *Kamel*, in Case No. 7816, an Interim Suspension Order was granted temporarily suspending

Pharmacist License Number RPH 81870, issued to Respondent Sarah Emeil Kamel, effective June 7, 2024.

JURISDICTION

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

5. Code section 4011 provides that the Board shall administer and enforce both the Pharmacy Law (Bus. & Prof. Code, § 4000 et seq.) and the Uniform Controlled Substances Act (Health & Safety Code, § 11000 et seq.).

6. Code section 4300, subdivision (a), provides that every license issued by the Board may be suspended or revoked.

7. Section 4300.1 of the Code states:

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

STATUTORY PROVISIONS

8. Business and Professions Code section 4301 provides, in pertinent part:

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

...

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

...

(i) The conviction of a crime substantially related to the qualifications, functions, 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 regulating controlled substances or of a violation of the statutes of this state regulating controlled substances or dangerous drugs shall be conclusive

evidence of 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 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 dangerous drugs, to determine if the conviction is of an offense substantially related to the qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this provision. The board may take action when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw their 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.

...

(n) The revocation, suspension, or other discipline by another state of a license to practice pharmacy, operate a pharmacy, or do any other act for which a license is required by this chapter that would be grounds for revocation, suspension, or other discipline under this chapter. Any disciplinary action taken by the board pursuant to this section shall be coterminous with action taken by another state, except that the term of any discipline taken by the board may exceed that of another state, consistent with the board's enforcement guidelines. The evidence of discipline by another state is conclusive proof of unprofessional conduct.

...

9. Business and Professions Code section 4307 provides, in pertinent part:

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

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

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

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1 **COST RECOVERY**

2 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
7 included in a stipulated settlement.

8 **DRUG DEFINITIONS**

9 11. Xanax is a brand name for alprazolam, which is a Schedule IV controlled substance
10 as designated by Health and Safety Code section 11507(d)(1), and a dangerous drug as designated
11 by Business and Professions Code section 4022. Xanax is part of the benzodiazepine class and is
12 a depressant used to treat anxiety and panic disorders.

13 12. Difluoroethane is a chemical ingredient commonly found in aerosol sprays and
14 propellant dusting products. Difluoroethane can cause a brief sense of euphoria when inhaled,
15 and is misused as a recreational “drug.”

16 **FIRST CAUSE FOR DISCIPLINE**

17 **(October 16, 2023 Criminal Conviction – Driving While Intoxicated on March 15, 2023)**

18 13. Respondent is subject to disciplinary action under Code section 4301, subdivision (I),
19 on the grounds of unprofessional conduct, in that on or about October 16, 2023, in a criminal
20 proceeding entitled *The State of Arkansas, City of Springdale vs. Sarah Kamel*, in Washington
21 County District Court, Springdale Department, Case No. DWI-23-142, Respondent pled guilty
22 and was convicted of one count of violating Arkansas Code section 5-65-103 (driving while
23 intoxicated). Respondent was sentenced to serve one day in jail, and ordered to pay fines
24 and fees.

25 The circumstances surrounding the conviction are that on or about March 15, 2023, at
26 approximately 9:24 P.M., police officers responded to multiple 911 calls to investigate a possible
27 DUI incident involving Respondent where Respondent almost struck several vehicles and had
28 stopped in the middle of the road. When contacted by the officers, Respondent was parked in a

1 gas station parking lot. Respondent told the officers that she was driving home from her job as a
2 pharmacist at Walgreens and had just finished a shift. Respondent was unable to complete field
3 sobriety tests as explained and demonstrated and appeared to the officers to be under the
4 influence of drugs or alcohol. The officers found two Xanax pills in Respondent's wallet and a
5 Xanax prescription bottle in Respondent's vehicle. Respondent agreed to submit to a blood
6 toxicology test, which returned positive results for the controlled substance benzodiazepine
7 (Xanax) and difluoroethane, a gas that is inhaled and misused as a recreational drug.

8 **SECOND CAUSE FOR DISCIPLINE**

9 **(Dangerous Use of Drugs)**

10 14. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),
11 on the grounds of unprofessional conduct, in that Respondent used controlled substances or
12 dangerous drugs to the extent and in a manner as to be dangerous to herself or the public and that
13 impaired her ability to conduct with safety to the public the practice authorized by her license, as
14 alleged above in paragraph 13. Moreover, on or about February 25, 2024, Respondent contacted
15 the Board to provide a written statement in which Respondent admitted: "On March 15, 2023, I
16 made the very unfortunate mistake of huffing computer cleaner while driving home from work in
17 Springdale, AR. My driving was erratic and three people called the cops because of this, so the
18 cops found me and arrested me for DWI-drugs 1st offense."

19 **THIRD CAUSE FOR DISCIPLINE**

20 **(Out-of-State License Discipline)**

21 15. Respondent is subject to disciplinary action under Code section 4301, subdivision (n),
22 on the grounds of unprofessional conduct, in that Respondent was disciplined by the Arkansas
23 State Board of Pharmacy. On or about June 15, 2023, in a disciplinary matter entitled *In the*
24 *Matter of Sarah Emeil Jamel PD16359*, Case No. No. 2023-052, the Arkansas State Board of
25 Pharmacy issued a Preliminary Consent Order suspending Respondent's pharmacist license
26 indefinitely. The Order provided, among other things, that Respondent shall be immediately
27 evaluated by an approved Mental Health Professional to determine her present ability to safely
28 engage in the practice of pharmacy, enter into a recovery contract with Arkansas Pharmacy

1 Support Group to monitor her recovery, and completely abstain from consumption of alcohol or
2 any mood-altering chemicals except those prescribed by a physician.

3 On or about December 12, 2023, the Arkansas State Board of Pharmacy notified
4 Respondent that she was in violation of her Arkansas Pharmacy Support Group contract, in that
5 she had two positive drug tests, failed to maintain contact with her program monitor, and failed to
6 secure a mental health professional. Due to these violations, Respondent's Arkansas Pharmacy
7 Support Group contract was revoked.

8 **OTHER MATTERS**

9 16. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License
10 Number RPH 81870, issued to Respondent Sarah Emeil Kamel, Respondent Sarah Emeil
11 Kamel shall be prohibited from serving as a manager, administrator, owner, member, officer,
12 director, associate, or partner of a licensee for five years if Pharmacist License Number RPH
13 81870 is placed on probation or until Pharmacist License Number RPH 81870 is reinstated if it
14 is revoked.

15 **PRAYER**

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

18 1. Revoking or suspending Pharmacist License Number RPH 81870, issued to Sarah
19 Emeil Kamel;

20 2. Prohibiting Sarah Emeil Kamel from serving as a manager, administrator, owner,
21 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License
22 Number RPH 81870 is placed on probation or until Pharmacist License Number RPH 81870 is
23 reinstated if Pharmacist License Number RPH 81870 issued to Sarah Emeil Kamel is revoked;

24 3. Ordering Sarah Emeil Kamel to pay the Board of Pharmacy the reasonable costs of
25 the investigation and enforcement of this case, pursuant to Business and Professions Code section
26 125.3; and, if placed on probation, the costs of probation monitoring; and,

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

DATED: 6/5/2024

Sodergren,
Anne@DCA

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Sodergren, Anne@DCA
Date: 2024.06.05
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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