

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

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

**BRANDON JOHN KURNIAWAN, Respondent**

**Pharmacist License No. RPH 81262**

**Agency Case No. 7862**

**OAH No. 2024110078**

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

12 In the Matter of the Accusation Against:

13 **BRANDON JOHN KURNIAWAN**  
5800 Hellman Ave  
14 Rancho Cucamonga, CA 91737  
**Pharmacist License No. RPH 81262**

15 Respondent.

Case No. 7862

OAH No. 2024110078

16 **STIPULATED SETTLEMENT AND**  
17 **DISCIPLINARY ORDER**

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

20 **PARTIES**

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

25 2. Respondent Brandon John Kurniawan (Respondent) is represented in this proceeding  
26 by attorneys Sai Upadhyayula and Tony J. Park, both whose address is: 9090 Irvine Center  
27 Drive, Irvine, CA 92618-4658.

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1 CULPABILITY

2 9. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 7862.

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

6 CONTINGENCY

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

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

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

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

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Pharmacist License No. RPH 81262 issued to Respondent  
3 Brandon John Kurniawan is revoked. However, the revocation is stayed and Respondent is  
4 placed on probation for five (5) years on the following terms and conditions:

5 STANDARD CONDITIONS OF PROBATIONS

6 1. **Obey All Laws**

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

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

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

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

22 2. **Report to the Board**

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

27 Failure to submit timely reports in a form as directed shall be considered a violation of  
28 probation. Any period(s) of delinquency in submission of reports as directed may be added to the

1 total period of probation. Moreover, if the final probation report is not made as directed,  
2 probation shall be automatically extended until such time as the final report is made and accepted  
3 by the Board.

4 **3. Interview with the Board**

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

10 **4. Cooperate with Board Staff**

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

17 **5. Continuing Education**

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

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

21 During the period of probation, Respondent shall notify all present and prospective  
22 employers of the decision in Case Number 7862 and the terms, conditions and restrictions  
23 imposed on Respondent by the decision, as follows:

24 Within thirty (30) days of the effective date of this decision, and within ten (10) days of  
25 undertaking any new employment, Respondent shall report to the Board in writing the name,  
26 physical address, and mailing address of each of his employer(s), and the name(s) and telephone  
27 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in-charge, designated  
28 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work

1 schedule, if known. Respondent shall also include the reason(s) for leaving the prior  
2 employment. Respondent shall sign and return to the Board a written consent authorizing the  
3 Board or its designee to communicate with all of Respondent's employer(s) and supervisor(s),  
4 and authorizing those employer(s) or supervisor(s) to communicate with the Board or its  
5 designee, concerning Respondent's work status, performance, and monitoring. Failure to comply  
6 with the requirements or deadlines of this condition shall be considered a violation of probation.

7       Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
8 Respondent undertaking any new employment, Respondent shall cause (a) his direct supervisor,  
9 (b) his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other  
10 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the  
11 Board in writing acknowledging that the listed individual(s) has/have read the decision in Case  
12 Number 7862, and terms and conditions imposed thereby. If one person serves in more than one  
13 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the Respondent's  
14 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the  
15 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term  
16 of probation, Respondent shall cause the person(s) taking over the role(s) to report to the Board in  
17 writing within fifteen (15) days of the change acknowledging that he or she has read the decision  
18 in Case Number 7862, and the terms and conditions imposed thereby.

19       If Respondent works for or is employed by or through an employment service, Respondent  
20 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the Board  
21 of the decision in Case Number 7862, and the terms and conditions imposed thereby in advance  
22 of Respondent commencing work at such licensed entity. A record of this notification must be  
23 provided to the Board upon request.

24       Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
25 (15) days of Respondent undertaking any new employment by or through an employment service,  
26 Respondent shall cause the person(s) described in (a), (b), and (c) above at the employment  
27 service to report to the Board in writing acknowledging that he or she has read the decision in  
28 Case Number, and the terms and conditions imposed thereby. It shall be Respondent's

1 responsibility to ensure that these acknowledgment(s) are timely submitted to the Board.

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

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

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

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

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

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

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

19 **9. Reimbursement of Board Costs**

20 As a condition precedent to successful completion of probation, Respondent shall pay to the  
21 Board its costs of investigation and prosecution in the amount of \$5,207.50.

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

25 There shall be no deviation from this schedule absent prior written approval by the Board or  
26 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of  
27 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  
4 as directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed  
5 shall 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 one hundred (100) hours per calendar  
6 month, unless otherwise determined by the Clinical Diagnostic Evaluation or the Pharmacist  
7 Recovery Program. Any month during which this minimum is not met shall extend the period of  
8 probation by one month. During any such period of insufficient employment, Respondent must  
9 nonetheless comply with all terms and conditions of probation, unless Respondent receives a  
10 waiver in writing from the Board or its designee.

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

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

24 **14. Violation of Probation**

25 If Respondent has not complied with any term or condition of probation, the Board shall  
26 have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent  
27 that probation shall automatically be extended, until all terms and conditions have been satisfied  
28 or the Board has taken other action as deemed appropriate to treat the failure to comply as a

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  
22 other terms and conditions listed in these guidelines (e.g., required psychotherapy, inpatient  
23 treatment, prescription coordination and monitoring, restricted practice), the Board or its designee  
24 may by written notice to Respondent adopt any such restrictions or conditions as additional  
25 probation terms and conditions, violation of which shall be considered a violation of probation.  
26 Failure to comply with any requirement or deadline stated by this paragraph shall be considered a  
27 violation 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 **17. Pharmacists Recovery Program (PRP)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **18. Ethics Course**

4 Within sixty (60) calendar days of the effective date of this decision, Respondent shall  
5 enroll in a course in ethics, at Respondent's expense, approved in advance by the Board or its  
6 designee that complies with Title 16 California Code of Regulations section 1773.5. Respondent  
7 shall provide proof of enrollment upon request. Respondent is required to complete the 6-month  
8 and 12- month ethics follow up courses in order to be compliance with this condition. Within  
9 five (5) days of completion, Respondent shall submit a copy of the certificate of completion to the  
10 Board or its designee. Failure to timely enroll in an approved ethics course, to initiate the course  
11 during the first year of probation, to successfully complete it before the end of the second year of  
12 probation, or to timely submit proof of completion to the Board or its designee, shall be  
13 considered a violation of probation.

14 **19. Supervised Practice**

15 Within thirty (30) days of the effective date of this decision, Respondent shall submit to the  
16 Board or its designee, for prior approval, the name of a pharmacist by and not on probation with  
17 the Board, to serve as Respondent's practice supervisor. As part of the documentation submitted,  
18 Respondent shall cause the proposed practice supervisor to report to the Board in writing  
19 acknowledging that he or she has read the decision in Case Number 7862, and is familiar with the  
20 terms and conditions imposed thereby, including the level of supervision required by the Board or  
21 its designee. This level will be determined by the Board or its designee, will be communicated to  
22 the Respondent on or before the effective date of this decision and shall be one of the following:

23 Continuous – At least 75% of a work week

24 Substantial - At least 50% of a work week

25 Partial - At least 25% of a work week

26 Daily Review - Supervisor's review of probationer's daily activities within 24 hours

27 Respondent may practice only under the required level of supervision by an approved  
28 practice supervisor, unless otherwise determined by the Clinical Diagnostic Evaluation or the

1 Pharmacist Recovery Program. If, for any reason, including change of employment, Respondent  
2 is no longer supervised at the required level by an approved practice supervisor, within ten (10)  
3 days of this change in supervision Respondent shall submit to the Board or its designee, for prior  
4 approval, the name of a pharmacist by and not on probation with the Board, to serve as  
5 Respondent's replacement practice supervisor. As part of the documentation submitted,  
6 Respondent shall cause the proposed replacement practice supervisor to report to the Board in  
7 writing acknowledging that he or she has read the decision in Case Number 7862, and is familiar  
8 with the terms and conditions imposed thereby, including the level of supervision required.

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

11 Failure to nominate an initial practice supervisor, and to have that practice supervisor report  
12 to the Board in writing acknowledging the decision, terms and conditions, and supervision level,  
13 within thirty (30) days;

14 Failure to nominate a replacement practice supervisor, and to have that practice supervisor  
15 report to the Board in writing acknowledging the decision, terms and conditions, and supervision  
16 level, within ten (10) days;

17 Practicing in the absence of an approved practice supervisor beyond the initial or  
18 replacement nomination period; or

19 Any failure to adhere to the required level of supervision.

20 Respondent shall not resume practice until notified in writing by the Board or its designee.

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

1 dangerous devices or controlled substances.

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

6 Failure to comply with any suspension shall be considered a violation of probation.

7 **20. No Ownership or Management of Licensed Premises**

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

15 **21. Criminal Probation/Parole Reports**

16 Within ten (10) days of the effective date of this decision, or within ten (10) days of the  
17 issuance or assignment/replacement of same, whichever is earlier, Respondent shall provide the  
18 Board or its designee in writing: a copy of the conditions of any criminal probation/parole  
19 applicable to Respondent; and the name and contact information of any probation, parole or  
20 similar supervisory officer assigned to Respondent. Respondent shall provide a copy of all  
21 criminal probation/parole reports to the Board within ten (10) days after such report is issued.  
22 Failure to timely make any of the submissions required hereby shall be considered a violation of  
23 probation.

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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

STEPHANIE J. LEE  
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: 1/14/2025

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General

*Stephanie Lee*  
STEPHANIE J. LEE  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 7862**

1 ROB BONTA  
Attorney General of California  
2 THOMAS L. RINALDI  
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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. 7862

13 **BRANDON JOHN KURNIAWAN**

**ACCUSATION**

14 5800 Hellman Ave  
Rancho Cucamonga, CA 91737

15 **Pharmacist License No. RPH 81262**

16 Respondent.

17  
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 December 5, 2019, the Board issued Pharmacist License Number RPH  
23 81262 to Brandon John Kurniawan (Respondent). On or about November 15, 2023, a Los  
24 Angeles Superior Court judge issued an order restricting Respondent's practice as a Pharmacist  
25 pursuant to Penal Code section 23. The Pharmacist License will expire on November 30, 2025,  
26 unless renewed.

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1 **JURISDICTION**

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

5 4. Section 4300 of the Code provides, in pertinent part, that every license issued by the  
6 Board is subject to discipline including suspension or revocation.

7 5. Section 4300.1 of the Code states:

8 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
9 by operation of law or by order or decision of the board or a court of law, the  
10 placement of a license on a retired status, or the voluntary surrender of a license by a  
11 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.

12 **STATUTORY PROVISIONS**

13 6. Section 490 of the Code provides, in pertinent part, that a board may suspend or  
14 revoke a license on the ground that the licensee has been convicted of a crime substantially  
15 related to the qualifications, functions, or duties of the business or profession for which the  
16 license was issued.

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

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

20 . . .

21 (f) The commission of any act involving moral turpitude, dishonesty, fraud,  
22 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.

23 . . .

24 (l) The conviction of a crime substantially related to the qualifications,  
25 functions, and duties of a licensee under this chapter. The record of conviction of a  
26 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  
27 state regulating controlled substances or dangerous drugs shall be conclusive  
evidence of unprofessional conduct. In all other cases, the record of conviction shall  
28 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

1 substances or dangerous drugs, to determine if the conviction is of an offense  
2 substantially related to the qualifications, functions, and duties of a licensee under this  
3 chapter. A plea or verdict of guilty or a conviction following a plea of nolo  
4 contendere is deemed to be a conviction within the meaning of this provision. The  
5 board may take action when the time for appeal has elapsed, or the judgment of  
6 conviction has been affirmed on appeal or when an order granting probation is made  
7 suspending the imposition of sentence, irrespective of a subsequent order under  
8 Section 1203.4 of the Penal Code allowing the person to withdraw their plea of guilty  
9 and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing  
10 the accusation, information, or indictment.

11 ...

12 8. Section 4307 of the Code states:

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

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

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

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

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

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1 **REGULATORY PROVISIONS**

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

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

8 **COST RECOVERY**

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

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(April 16, 2024 Criminal Conviction -**

17 **Attempted First Degree Residential Burglary on February 18, 2023)**

18 11. Respondent is subject to disciplinary action under Code sections 490 and 4301, in  
19 conjunction with California Code of Regulations, title 16, section 1770(a), in that on or about  
20 April 16, 2024, in a criminal proceeding entitled *The People of the State of California vs.*  
21 *Brandon John Kurniawan*, in Superior Court of California, County of Los Angeles, Case Number  
22 KA133355, Respondent pled nolo contendere and was convicted of violating Penal Code section  
23 644-459 (attempted first degree residential burglary), a felony. Respondent was sentenced to  
24 serve one day in jail, placed on formal probation for two years with terms and conditions, ordered  
25 to obey the protective order, complete a treatment program, and pay fines and fees.

26 The circumstances surrounding the conviction are that on or about February 18, 2023, at  
27 approximately 9:45 a.m., a Glendora Police Department officer was dispatched to an attempted  
28 residential burglary report involving Respondent. Respondent entered a female victim's backyard

1 of her residence at approximately 2:30 a.m. without authorization. Respondent then forcibly  
2 attempted to make entry into her residence through a side door. The officer observed tool marks  
3 on the door, strike plate, above the deadbolt, and below the door knob. The police investigation  
4 discovered additional evidence including secretly recorded videos of the victim at work where  
5 they were co-workers, going to the victim's residence multiple times without her knowledge,  
6 secretly recording her in the shower, and stealing her underwear.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

9 12. Respondent is subject to disciplinary action under Code section 4301(f), on the  
10 grounds of unprofessional conduct, in that Respondent committed acts involving moral turpitude,  
11 dishonesty, fraud, deceit, or corruption, as alleged above in paragraph 11.

12 **OTHER MATTERS**

13 13. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License  
14 Number RPH 81262 issued to Brandon John Kurniawan, Brandon John Kurniawan shall be  
15 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,  
16 or partner of a licensee for five years if Pharmacist License Number RPH 81262 is placed on  
17 probation or until Pharmacist License Number RPH 81262 is reinstated if it is revoked.

18 **PRAYER**

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

21 1. Revoking or suspending Pharmacist License Number RPH 81262, issued to Brandon  
22 John Kurniawan;

23 2. Prohibiting Brandon John Kurniawan from serving as a manager, administrator,  
24 owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist  
25 License Number RPH 81262 is placed on probation or until Pharmacy License Number RPH  
26 81262 is reinstated if it is revoked;

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1           3.     Ordering Brandon John Kurniawan to pay the Board of Pharmacy the reasonable  
2 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
3 Code section 125.3; and, if placed on probation, the costs of probation monitoring; and,

4           4.     Taking such other and further action as deemed necessary and proper.  
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6  
7     DATED: 7/28/2024

Sodergren,  
Anne@DCA  Digitally signed by Sodergren,  
Anne@DCA  
Date: 2024.07.28 13:36:08 -07'00'

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

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