

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

In the Matter of the Accusation Against:

ADNAN AZIZ KHAN, Respondent

Pharmacy Technician Registration No. TCH 197284

Agency Case No. 7865

OAH No. 2024090133

DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on January 8, 2025.

It is so ORDERED on December 9, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.
Board President

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ADNAN AZIZ KHAN, Respondent

Agency Case No. 7865

OAH Case No. 2024090133

PROPOSED DECISION

Wim van Rooyen, Administrative Law Judge, Office of Administrative Hearings (OAH), State of California, heard this matter by videoconference on October 1, 2024, from Sacramento, California.

Adriana Z. Lazark, Deputy Attorney General, represented Anne Sodergren (complainant), Executive Officer, Board of Pharmacy (Board), Department of Consumer Affairs, State of California.

Adnan Aziz Khan (respondent) represented himself.

Evidence was received, the record closed, and the matter submitted for decision on October 1, 2024.

FACTUAL FINDINGS

Jurisdiction

1. On February 13, 2024, the Board issued respondent Pharmacy Technician Registration No. TCH 197284 (license). The license will expire on January 31, 2026, unless renewed. On August 23, 2024, Administrative Law Judge Marcie Larson issued an Interim Suspension Order against respondent's license. Judge Larson immediately suspended respondent's license and prohibited him from using his license in California until an accusation was filed and a decision rendered thereon, or the matter was otherwise resolved.¹

2. On September 4, 2024, the Board's Executive Officer, in her official capacity, signed and later filed an accusation in Case No. 7865 (Accusation) against respondent. The Accusation alleges three causes to discipline respondent for unprofessional conduct: (1) dishonest acts; (2) self-administering a controlled substance; and (3) violating a statute regulating controlled substances. In addition to discipline, the Accusation seeks recovery of reasonable investigation and enforcement costs.

3. Respondent timely filed a Notice of Defense. The matter was set for an evidentiary hearing before an Administrative Law Judge of the OAH, an independent

¹ This decision references the Interim Suspension Order solely to note the current status of respondent's license. The decision gives no weight to the Interim Suspension Order's findings and instead resolves this matter on the evidence presented at hearing.

adjudicative agency of the State of California, pursuant to Government Code section 11500 et seq.

Complainant's Evidence

4. Respondent started working as a pharmacy technician at Walgreens Pharmacy Store No. 12528 in Sutter Creek, California on April 3, 2024. On April 17, 2024, respondent brought Pharmacist In Charge (PIC) Richard La (La) a leaflet and prescription bottle for 60 tablets of hydrocodone and acetaminophen (Norco), a Schedule II controlled substance under Health and Safety Code section 11055, subdivision (b)(1)(I)(ii), and a dangerous drug under Business and Professions Code section 4022. La testified at hearing. At the time, respondent told La the Norco prescription was an insurance rebill, but the patient was not present. La found it suspicious because it was unusual to rebill an insurance company when the patient was not present. After closing, La physically counted and found a discrepancy of approximately 72 tablets of Norco compared to the inventory system. La reported his observations and findings to store management.

5. Walgreens Asset Protection Manager Alexander Ogidi (Ogidi) was assigned to investigate the matter. Ogidi testified at hearing. On April 22, 2024, Ogidi reviewed prescription data and confirmed that respondent had removed 60 tablets of Norco from the pharmacy on April 17, 2024. During an April 24, 2024 interview by Ogidi, respondent admitted diverting a total of 72 tablets of Norco from his work at Walgreens. That same day, he signed a written voluntary statement containing the same admission.

6. On April 24, 2024, Walgreens suspended respondent and terminated his employment on April 29, 2024. On April 30, 2024, La also reported the matter to the Board.

7. The Board assigned Board Inspector Steven Kyle, Pharm.D., to investigate the matter. Dr. Kyle testified at hearing. Dr. Kyle has been a licensed California pharmacist since 1996 and a Board inspector for about 10 years. He has conducted over 500 investigations and testified at hearing on numerous occasions.

8. Dr. Kyle interviewed respondent as part of his investigation. Respondent admitted to Dr. Kyle that respondent had diverted a total of 72 tablets of Norco from his work at Walgreens. On May 23, 2024, respondent also signed a written statement to the Board acknowledging his misconduct.

9. Dr. Kyle explained that respondent's diversion of Norco raises serious concerns about respondent's ability to work as a pharmacy technician. By virtue of their employment, pharmacy technicians have access to dangerous drugs and controlled substances, including Norco. Norco is an opioid used to treat pain and is highly addictive. People can also easily overdose on Norco. If respondent is addicted to Norco, he cannot be trusted not to divert it for himself or others. Moreover, if respondent works under the influence of Norco, it may lead to medication errors and patient harm.

Respondent's Evidence

10. Respondent presented documentary evidence and testified at hearing. After graduation from high school, he took some academic courses from Butte College. He did very well in school, was a member of the Golden Key International Honour Society, and was later accepted into pharmacy school at Northeastern

University in Boston, Massachusetts. However, he subsequently had to drop out due to his inability to get a loan, bad family circumstances including his father declaring bankruptcy, and respondent's resulting depression. In 2010, he obtained a bachelor of science in biological sciences from California State University, Chico.

11. While pursuing academic studies, respondent worked as a pharmacy technician in California between approximately 2005 and 2008. He explained that he previously held an older pharmacy technician license that was issued in 2005 and later canceled. Between 2009 and 2017, respondent primarily worked for McDonald's and Taco Bell. Thereafter, he returned to California State University, Chico to obtain a teaching credential, but ultimately decided not to pursue a teaching career.

12. In February 2024, respondent obtained his current license as a pharmacy technician. He was initially hired by CVS Pharmacy, but then terminated before he even started working. According to respondent, CVS Pharmacy falsely claimed that he had failed a drug test, but he could not find an attorney to file a lawsuit on his behalf. He then found the position at Walgreens in Sutter Creek where he started working on April 3, 2024.

13. Respondent admitted that he stole the 72 tablets of Norco while employed at Walgreens in Sutter Creek. He also admitted that he lied to La to cover up his diversion of Norco. Respondent denies selling the Norco tablets. He testified that he ultimately only ingested 28 of the tablets, felt very guilty and regretted his actions, and then threw the rest in the toilet.

14. Respondent testified that the aforementioned misconduct was inconsistent with his personality and past behavior. He stole the Norco to cope with family stress and extreme pain in his back, knees, and neck. He used it to "wake up and

go do cardio for one and a half hours.” At the time, he felt desperate because he could not get an appointment with a physician for about three or four months to address his acute pain. However, respondent then conceded that his pain actually derived from old athletic injuries for which he had received longstanding medical care since at least 2018. At the time of his diversion, he was under the care of both a primary care provider and a psychiatrist, and was taking various prescription medications.

15. Following respondent’s termination from Walgreens, he experienced deep sadness that developed into extreme anxiety and suicidal thoughts. On May 11, 2024, he was voluntarily admitted to Sierra Vista Hospital for medication management, individual counseling, and group therapy. His treating psychiatrist found him suitable for discharge on May 17, 2024.

16. On July 27, 2024, Walmart hired respondent as a pharmacy technician. As part of the Walmart hiring process, he had to submit to a drug test, which was negative. After issuance of the Interim Suspension Order on August 23, 2024, respondent continued to work at Walmart as a store associate through the present.

17. Since June 13, 2024, respondent has attended weekly outpatient therapy with Chandler Dzida, LCSW.² Ms. Dzida authored two letters in support of respondent, dated August 7 and September 23, 2024, noting that they had been working on better managing respondent’s stress and impulses. She was encouraged by his resilience, persistence, growth, and progress in treatment. Neither letter specifically references treatment for substance abuse.

² LCSW is an abbreviation for Licensed Clinical Social Worker.

18. Respondent testified that he would not repeat his prior misconduct because his stress is now under much better control. In addition to therapy, respondent now manages his stress through exercise, Reiki and breathing techniques, prayer and spiritual practices, and by not overworking himself. He does not attend Narcotics Anonymous (NA) or another 12-step group because work does not permit him to attend the few groups in his area. He has not inquired about online 12-step groups.

19. Respondent strongly desires returning to work as a pharmacy technician. He keeps himself updated on pharmacy practice by reading various textbooks, journals, and articles.

Costs

20. Complainant incurred \$2,162.75 in investigation costs, as documented in a Certification of Costs of Investigation by Agency Executive Officer in Case No. 7865, dated September 18, 2024. The certification and its attachments describe the general tasks performed, the time spent on respective tasks, and the method of calculating the costs.

21. Complainant incurred \$3,294.75 in enforcement costs, as documented in a Certification of Prosecution Costs: Declaration of Adriana Z. Lazark, dated September 24, 2024. That certification describes the general tasks performed, the time spent on each task, and the method of calculating the costs.

LEGAL CONCLUSIONS

1. "Protection of the public shall be the highest priority for the California State Board of Pharmacy in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount." (Bus. & Prof. Code, § 4001.1.)

Burden and Standard of Proof

2. Absent a statute to the contrary, the burden of proof in civil administrative disciplinary proceedings rests upon the party making the charges. (*Parker v. City of Fountain Valley* (1981) 127 Cal.App.3d 99, 113; Evid. Code, § 115.) Thus, complainant bears the burden of proof.

3. In determining the proper standard of proof to apply in license disciplinary proceedings, courts have drawn a distinction between professional licenses and nonprofessional or occupational licenses. In proceedings involving a professional license, the standard of proof is clear and convincing evidence, while in disciplinary proceedings involving a nonprofessional or occupational license, the standard of proof is preponderance of the evidence. (*Lone Star Sec. & Video, Inc. v. Bur. of Security and Investigative Services* (2012) 209 Cal.App.4th 445, 453.)

4. A pharmacy technician registration is more akin to a nonprofessional or occupational license because pharmacy technicians are not required to satisfy extensive educational, training, and testing requirements like those required of pharmacists. Thus, the preponderance of the evidence standard of proof applies here. The term preponderance of the evidence means "more likely than not" (*Sandoval v.*

Bank of Am. (2002) 94 Cal.App.4th 1378, 1387), or “evidence that has more convincing force than that opposed to it.” (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

Cause for Discipline

5. “The board shall take action against any holder of a license who is guilty of unprofessional conduct” (Bus. & Prof. Code, § 4301.) Unprofessional conduct includes the following:

- The “commission of any act involving moral turpitude, dishonesty, fraud, 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” (*id.*, subd. (f));
- 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” (*id.*, subd. (h)); and
- The “violation of any of the statutes of this state, of any other state, or of the United States regulating controlled substances and dangerous drugs” (*id.*, subd. (j)).

6. Generally, it is unlawful to possess a controlled substance without a valid prescription. (Bus. & Prof. Code, § 4060.) “No person shall prescribe, administer, or

furnish a controlled substance for himself.” (Health & Saf. Code, § 11170.) Additionally, “[n]o person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.” (Health & Saf. Code, § 11173, subd. (a).)

7. Complainant established by a preponderance of the evidence that respondent unlawfully diverted Norco from his employer while working as a pharmacy technician. Respondent admitted the theft and that he lied to the PIC to cover up that theft. Thus, his actions were dishonest, fraudulent, and deceitful, and provide cause to discipline his license under Business and Professions Code section 4301, subdivision (f).

8. Additionally, complainant established by a preponderance of the evidence that respondent unlawfully self-administered the diverted Norco. Respondent admitted ingesting 28 of the 72 stolen Norco tablets. As noted above, Norco is a controlled substance. (Health & Saf. Code, § 11055, subd. (b)(1)(I)(ii).) Thus, cause exists to discipline respondent’s license under Business and Professions Code section 4301, subdivision (h).

9. Finally, complainant established by a preponderance of the evidence that respondent fraudulently and deceitfully obtained Norco in violation of Health and Safety Code section 11173, subdivision (a); unlawfully possessed Norco without a valid prescription in violation of Business and Professions Code section 4060; and unlawfully self-administered Norco in violation of Health and Safety Code section 11170. Respondent’s violation of these California statutes regulating controlled substances constitutes cause to discipline his license under Business and Professions Code section 4301, subdivision (j).

Appropriate Discipline

10. Respondent's diversion and self-administration of Norco are extremely serious. It occurred only about six months ago, not long after obtaining his license and mere weeks after starting employment at Walgreens. As Dr. Kyle persuasively explained, Norco is a highly addictive opioid that can easily result in overdose. If respondent is addicted to Norco, he cannot be trusted not to divert it again. Through his employment as a pharmacy technician, he would have access to controlled substances. Moreover, if respondent works under the influence of Norco, it may lead to medication errors and patient harm.

11. To respondent's credit, he admitted his diversion and self-administration. However, despite professing remorse and acceptance of responsibility, he also attempted to minimize any substance use. Respondent represented that he diverted and used Norco due to family stress and untreated acute pain at the time. However, he then admitted he actually had longstanding pain issues and had been receiving care from both a primary care provider and a psychiatrist. Also, respondent's testimony that he took Norco, an opioid, to "wake up and go do cardio for one and a half hours" makes little sense unless he had developed a troublingly high tolerance for opioids. Finally, respondent volunteered at hearing that he was previously terminated by CVS Pharmacy for purportedly failing a drug test. Although he insists that CVS Pharmacy's claim was false, this testimony raises further concerns that respondent may be in denial concerning a potentially serious substance use disorder.

12. It is commendable that respondent has prioritized self-care practices and sought treatment from a therapist. However, that therapy is still in its infancy, and it is unclear whether it includes treatment for substance use. Additionally, respondent's failure to participate in NA or another 12-step group is troubling. Given the availability

of online 12-step groups at various times throughout the day, respondent's work schedule and lacking local resources should not preclude a reasonably motivated licensee from participating.

13. In sum, given the seriousness and recency of respondent's misconduct, his lack of insight, and his relatively brief and insufficient rehabilitation efforts, respondent cannot presently be permitted to continue practicing as a pharmacy technician, even on a probationary basis. Revocation is necessary to protect the public health, safety, and welfare. However, respondent is encouraged to petition for reinstatement at the appropriate time in the future upon a documented record of sustained rehabilitation.

Other Matters

14. A person whose license has been revoked "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" until the license is reinstated. (Bus. & Prof. Code, § 4307, subd. (a)(2).) Given revocation of respondent's license, the foregoing prohibition shall apply to respondent unless and until his license is reinstated.

Costs

15. The Board may recover its reasonable investigation and enforcement costs of a case. (Bus. & Prof. Code, § 125.3, subd. (a).) As noted above, complainant here incurred \$2,162.75 in investigation costs and \$3,294.75 in enforcement costs, for total costs of \$5,457.50. Such costs are reasonable given the issues in this case.

16. In *Zuckerman v. State Board of Chiropractic Examiners* (2002) 29 Cal.4th 32, the California Supreme Court set forth guidelines for determining whether the costs should be assessed or reduced in the particular circumstances of each case. These factors include whether the licensee has been successful at hearing in getting charges dismissed or reduced, the licensee's subjective good faith belief in the merits of their position, whether the licensee has raised a colorable challenge to the proposed discipline, the licensee's financial ability to pay, and whether the scope of the investigation was appropriate to the alleged misconduct.

17. Here, the scope of the investigation was appropriate. No charges were dismissed or reduced at hearing, and respondent did not raise a colorable challenge to the proposed discipline of revocation. Moreover, respondent remains employed and did not offer evidence of inability to pay costs. Thus, it is appropriate to award the full amount of costs sought.

ORDER

1. Pharmacy Technician Registration No. TCH 197284 issued to respondent Adnan Aziz Khan is REVOKED.

2. Respondent shall relinquish his registration, including any indicia of registration issued by the Board, to the Board within 10 days of the effective date of this decision.

3. Respondent may not reapply or petition the Board for reinstatement of his revoked registration for three years from the effective date of this decision.

4. As a condition precedent to reinstatement of his revoked registration, respondent shall reimburse the Board for its costs of investigation and enforcement in the amount of \$5,457.50. That amount shall be paid in full prior to the reinstatement of his registration unless otherwise ordered by the Board.

5. Respondent 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 unless and until his license is reinstated.

DATE: October 31, 2024

Wim vanRooyen

WIM VAN ROOYEN

Administrative Law Judge

Office of Administrative Hearings

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

13 In the Matter of the Accusation Against:

Case No. 7865

14 **ADNAN AZIZ KHAN**
6141 Lincoln Avenue
15 Carmichael, CA 95608

ACCUSATION

16 **Pharmacy Technician License No. TCH**
197284

17 Respondent.
18

19 **PARTIES**

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

22 2. On or about February 13, 2024, the Board issued Pharmacy Technician License
23 Number TCH 197284 to Adnan Aziz Khan (Respondent). The Pharmacy Technician License
24 was in full force and effect at all times relevant to the charges brought herein and will expire on
25 January 31, 2026, unless renewed. On or about August 23, 2024, the Office of Administrative
26 Hearings issued an Interim Suspension Order against Respondent immediately suspending
27 Respondent's pharmacy technician license and prohibiting him from using the license until an
28 Accusation is filed and a decision is rendered thereon, or this matter is otherwise resolved.

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. Code section 4011 provides that the Board shall administer and enforce Pharmacy
6 Law [Bus. & Prof. Code, § 4000 et seq.].

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

9 6. Code section 4300.1 provides that the expiration, cancellation, forfeiture, or
10 suspension of a Board-issued license, the placement of a license on a retired status, or the
11 voluntary surrender of a license by a licensee, shall not deprive the Board of jurisdiction to
12 commence or proceed with any investigation of, or action or disciplinary proceeding against, the
13 licensee or to render a decision suspending or revoking the license.

14 **STATUTORY PROVISIONS**

15 7. Code section 4301 provides, in pertinent part:

16 The Board shall take action against any holder of a license who is guilty of
17 “unprofessional conduct,” defined to include, but not be limited to, any of the
18 following:

19 ...

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

23 ...

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

...

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

1 8. Code section 4022 defines dangerous drugs as follows:

2 “Dangerous drug” ... means any drug ... unsafe for self-use in humans or
3 animals, and includes the following:

4 (a) Any drug that bears the legend: “Caution: federal law prohibits dispensing
5 without prescription,” “Rx only,” or words of similar import.

6 ...

7 (c) Any other drug or device that by federal or state law can be lawfully
8 dispensed only on prescription or furnished pursuant to Section 4006.

9 9. Code section 4307 provides, in pertinent part:

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

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

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

27 ...

28 10. Code section 4060 provides that a person shall not possess any controlled substance,
except that furnished to a person upon the prescription of a physician, dentist, podiatrist,
optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished pursuant
to a drug order issued by a certified nurse-midwife pursuant to Section 2746.51, a nurse
practitioner pursuant to Section 2836.1, a physician assistant pursuant to Section 3502.1, a
naturopathic doctor pursuant to Section 3640.5, or a pharmacist pursuant to Section 4052.1,
4052.2, or 4052.6.

1 11. Health and Safety Code section 11170 provides that no person shall prescribe,
2 administer, or furnish a controlled substance for himself.

3 12. Health and Safety Code section 11173, subdivision (a), provides that no person shall
4 obtain or attempt to obtain controlled substances, or procure or attempt to procure the
5 administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation,
6 or subterfuge; or (2) by the concealment of a material fact.

7 COST RECOVERY

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

12 DRUGS

13 14. Norco is a narcotic combination of Acetaminophen and Hydrocodone and is a
14 Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision
15 (b)(1)(I)(ii), and is a dangerous drug pursuant to Code section 4022.

16 FACTUAL BACKGROUND

17 15. At all relevant times herein, Respondent was working as a Pharmacy Technician for
18 Walgreens Pharmacy Store No. 12528, located in Sutter Creek, California.

19 16. On or about April 30, 2024, the Board received a Report of Theft or Loss of
20 Controlled Substance from R.L., the Pharmacist-in-Charge at Walgreens Pharmacy, alleging that
21 Respondent had stolen a total of 72 Norco tablets from the pharmacy. R.L. became suspicious of
22 Respondent when, on or about April 17, 2024, Respondent presented him with a prescription
23 leaflet for 60 Norco tablets and said it was an insurance rebill. According to R.L., it is unusual to
24 rebill an insurance company when the patient is not present. A subsequent investigation and audit
25 revealed a shortage of approximately 72 Norco tablets.

26 17. On or about April 22, 2024, Asset Protection Manager A.O. conducted a prescription
27 data review which confirmed that, on or about April 17, 2024, Respondent removed at least 60
28 tablets of Norco from the Walgreens Pharmacy.

1 18. On or about April 24, 2024, Respondent provided a verbal and written statement to A.
2 O. admitting to having removed a total of 72 Norco tablets over multiple occasions. Respondent
3 self-administered Norco because he had “extreme knee, back, and neck pain” and did not have a
4 doctor who was willing to provide him treatment.

5 19. On or about May 6, 2024, R. L. conducted a 13-week item-movement audit report
6 that discovered a variance of approximately 72 Norco tablets.

7 20. On or about May 23, 2024, Respondent provided a voluntary, written statement
8 admitting to having taken 72 Norco tablets from the Walgreens Pharmacy. Respondent blamed
9 his actions on “the complex nature of life stressors (which) induced an uncommon coping
10 response...”

11 **FIRST CAUSE FOR DISCIPLINE**

12 **(Unprofessional Conduct: Dishonest Acts)**

13 21. Respondent is subject to disciplinary action pursuant to Code section 4301,
14 subdivision (f), and Health and Safety Code section 11173, subdivision (a), in that Respondent
15 unlawfully procured and possessed a controlled substance, including but not limited to Norco, as
16 described above in paragraphs 15 through 20.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct: Self-Administering a Controlled Substance)**

19 22. Respondent is subject to disciplinary action pursuant to Code section 4301,
20 subdivision (h), in that Respondent unlawfully self-administered a controlled substance, including
21 but not limited to Norco, as described above in paragraphs 15 through 20.

22 **THIRD CAUSE FOR DISCIPLINE**

23 **(Unprofessional Conduct: Violating a Statute Regulating Controlled Substances)**

24 23. Respondent is subject to disciplinary action pursuant to Code section 4301,
25 subdivision (j), in that Respondent unlawfully possessed and self-administered a controlled
26 substance, including but not limited to Norco, as described above in paragraphs 15 through 20, in
27 violation of Code section 4060 and Health and Safety Code sections 11170 and 11173,
28 subdivision (a).

1 **OTHER MATTERS**

2 24. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Technician
3 License No. TCH 197284 issued to Respondent, he shall be prohibited from serving as a as a
4 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
5 five years if the Pharmacy Technician License is placed on probation or until the Pharmacy
6 Technician License is reinstated if it is revoked.

7 **PRAYER**

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

10 1. Revoking or suspending Pharmacy Technician License Number TCH 197284, issued
11 to Adnan Aziz Khan;

12 2. Prohibiting Adnan Aziz Khan from serving as a manager, administrator, owner,
13 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Technician
14 License Number TCH 197284 is placed on probation or until the Pharmacy Technician License is
15 reinstated, if it is revoked;

16 3. Ordering Adnan Aziz Khan to pay the Board of Pharmacy the reasonable costs of the
17 investigation and enforcement of this case, pursuant to Business and Professions Code section
18 125.3; and, if placed on probation, the costs of probation monitoring; and

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

20 DATED: 9/4/2024

21 **Sodergren,** Digitally signed by
Anne@DCA Sodergren, Anne@DCA
Date: 2024.09.04
09:02:56 -07'00'

22 ANNE SODERGREN
23 Executive Officer
24 Board of Pharmacy
25 Department of Consumer Affairs
26 State of California
27 *Complainant*

28 SA2024302568
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