



California State Board of Pharmacy

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STATE AND CONSUMER SERVICES AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR GAVIN NEWSOM

Date: 10/10/25

Permit No.: Unlicensed

Name: Specialized Medical Services, Inc.

Address: 28301 Industrial Blvd. Suite H, Hayward, CA 94545

Authority for this Action:

Business and Professions Code Section 4316, subdivision (a), states, the board, through its executive officer, is authorized to issue a cease-and-desist order for operating any facility under this chapter that requires licensure or for practicing any activity under this chapter that requires licensure without obtaining that licensure. Subdivision (b) of that section provides that, whenever the board issues a cease-and-desist order pursuant to subdivision (a), the board shall immediately issue the facility a notice setting forth the acts or omissions with which it is charged, specifying the pertinent code section or sections and any regulations.

Activities under this chapter that require licensure include those set forth in the following regulations:

Business and Professions Code section 4043, "Wholesaler" means and includes a person who acts as a wholesale merchant, broker, jobber, customs broker, reverse distributor, agent, or a nonresident wholesaler, who sells for resale, or negotiates for distribution, or takes possession of, any drug or device included in Section 4022. Unless otherwise authorized by law, a wholesaler may not store, warehouse, or authorize the storage or warehousing of drugs with any person or at any location not licensed by the board.

Business and Professions Code section 4160, subdivision (a), states, a person shall not act as a wholesaler or third-party logistics provider of any dangerous drug or dangerous device unless he or she has obtained a license from the board. (b) Upon approval by the board and the payment of the required fee, the board shall issue a license to the applicant. (c) (1) A separate license shall be required for each place of business owned or operated by a wholesaler or third-party logistics provider. Each place of business may only be issued a single license by the board, except as provided in paragraph (2). Each license shall be renewed annually and shall not be transferable. At all times during which a place of business is open for business, at least one designated representative, in the case of a wholesaler, or designated representative-3PL in the case of a third-party logistics provider, shall be present. A wholesaler that only acts as a reverse distributor may use either a designated representative or a designated representative-reverse distributor to fulfill this requirement.

Business and Professions Code section 4201, subdivision (a), states, each application to conduct a pharmacy, wholesaler, third-party logistics provider, veterinary food-animal drug retailer, or outsourcing facility shall be made on a form furnished by the board and shall state the name, address, usual occupation, and professional qualifications, if any, of the applicant. If the applicant is other than a natural person, the application shall state the information as to each person beneficially interested therein or any person with management or control over the license. Business and Professions Code section 4201, subdivision (e), states, upon the approval of the

application by the board and payment of the fee required by this chapter for each pharmacy, wholesaler, third-party logistics provider, or veterinary food-animal drug retailer, the executive officer of the board shall issue a license to conduct a pharmacy, wholesaler, third-party logistics provider, veterinary food-animal drug retailer, or outsourcing facility if all of the provisions of this chapter have been complied with. Business and Professions Code section 4201, subdivision (f), states, notwithstanding any other law, the pharmacy license shall authorize the holder to conduct a pharmacy. The license shall be renewed annually and shall not be transferable.

Acts or Omissions Upon Which this Action is Based

Specialized Medical Services Inc. located at 28301 Industrial Blvd. Suite H in Hayward, CA 94545, is not licensed as a wholesaler by the California State Board of Pharmacy. Specialized Medical Services Inc. is owned by Lincare Holdings located at 19387 US Highway 19 N in Clearwater, FL 33764.

The Board's investigation determined, Specialized Medical Services Inc., an unlicensed location, located at 28301 Industrial Blvd. Suite H in Hayward, CA 94545 is engaging in activities under this chapter that require licensure, without having obtained the necessary licensure. Specifically, Specialized Medical Services Inc., initiated the process of distributing dangerous devices as follows:

- Specialized Medical Services Inc. was previously licensed by the Board from 7/25/2007 to 7/1/2025 (WLS5100) at another location, 83 Jackson Street in Hayward, CA 94544. On 7/1/2025, Specialized Medical Services Inc. license expired, and the license was no longer active after 7/1/2025. This license is currently delinquent
- On 4/7/2025, the Board received a new California Wholesaler License Application for Specialized Medical Services Inc. at a new location at 28301 Industrial Blvd. Suite H in Hayward, CA 94545. This application was not approved and there were ten deficient items required in order to complete the application
- Between 4/16/2025 and 9/11/2025, the Board office communicated with Colin Waller, Licensing Administrator for Specialized Medical Services Inc. and Lincare in an effort to obtain the information necessary to complete the ten deficient items and application
- In April 2025, Specialized Medical Services Inc. closed the location at 83 Jackson Street in Hayward, CA 94544 and moved to 28301 Industrial Blvd. Suite H in Hayward, CA 94545
- Between April 2025 and 10/1/2025, Specialized Medical Services Inc. operated from an unlicensed location at 28301 Industrial Blvd. Suite H in Hayward, CA 94545 by distributing dangerous devices including respiratory equipment to customers in California
- On 10/1/2025, Inspector Sara Mullen went to Specialized Medical Services Inc. located at 28301 Industrial Blvd. Suite H in Hayward, CA and found the wholesaler was open and operating. A subsequent inspection of the facility showed Specialized Medical Services Inc. stored and distributed dangerous devices including oxygen concentrators, tracheostomy tubes, pressure line adapters and Resmed full face masks to long-term care facilities in California. Designated Representative-in-Charge Ashwin Kumar was not present during the inspection. The only employee present was customer service representative Katherine Gandara Noriega

Order

On the basis of the foregoing, the Board, through its Executive Officer therefore ORDERS:

Effective immediately, Specialized Medical Services Inc. located at 28301 Industrial Blvd. Suite H in Hayward, CA 94545, an unlicensed wholesaler, shall cease and desist practicing any activity under this chapter that requires licensure, including storing and distributing dangerous devices to facilities in California.

Specialized Medical Services Inc. is to immediately close the wholesale business. All dangerous drugs, dangerous devices and records of acquisition and disposition are to be moved to an appropriately licensed Board premise.

Pursuant to Business and Professions Code sections 4008, and 4081, Specialized Medical Services Inc. is instructed to inventory all dangerous drugs and devices and provide the inventory to the Board. In addition, provide to the Board, the name, address and license number, of the licensed location to which the dangerous drugs, devices and records of acquisition and disposition are being moved to, within 72 hours.

Unlicensed Entity's Right to be Heard and Procedure

Pursuant to Business and Professions Code Section 4316, subdivision (c), within 15 days of receipt of this notice, Specialized Medical Services Inc. may request a hearing before the president of the Board to contest this cease and desist order. Any contest of the cease and desist order will comply with the requirements of Section 11425.10 of the Government Code. Chapter 5 of the Administrative Procedure Act (commencing at Government Code Section 11500) does not apply to this proceeding. The hearing will be held no later than five business days from the date the owner's request for a hearing is received by the board. The president will render a written decision within five business days of the hearing. In the absence of the president of the board, the vice president of the board may conduct the hearing permitted by this subdivision. The owner or person in possession or control of the facility may seek review of the decision of the president of the board pursuant to Section 1094.5 of the Code of Civil Procedure.

California State Board of Pharmacy

By: Anne Sodergren, Executive Officer

Signed: **Sodergren,** Digitally signed by
Anne@DCA Sodergren, Anne@DCA
Date: 2025.10.10
10:19:00 -07'00'

Acknowledgement

I hereby acknowledge receipt of the above cease and desist order and notice.

By:

Date:

Please return a copy of this signed and acknowledged document to the Board of Pharmacy by fax to 916-574-8618 and to sara.mullen@dca.ca.gov.