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

In the Matter of the Accusation Against:

LA NOVA PHARMACY INC. dba NOVA PHARMACY; ARMEN POGOSSIAN and ANAIDA POGOSSIAN, OWNERS
290 N. Hill Ave. No. 4
Pasadena, CA 91106
Pharmacy Permit No. PHY 44112

and

ANAIDA POGOSSIAN
2335 Kinclair Dr.
Pasadena, CA 91107
Pharmacist Technician Registration No. TCII 14658, Owner/Secretary 50%,

and

JAQUELINE ASHKAR
918 Encanto Drive
Arcadia, CA 91007
Pharmacist License No. RPH 37156
Respondents.

Case No. 6338

ACCUSATION
Complainant alleges:

PARTIES

1. Virginia Herold ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Pharmacy ("Board"), Department of Consumer Affairs.

2. On or about May 18, 1999, the Board issued Pharmacy Permit Number PHY 44112 to LA Nova Pharmacy Inc. dba Nova Pharmacy; Armen Pogossian and Anaida Pogossian, owners ("Respondent Nova Pharmacy"). The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on May 1, 2019, unless renewed.

3. On or about December 15, 1994, the Board issued Pharmacist Technician Registration No. TCH 14658 to Anaida Pogossian ("Respondent Anaida Pogossian"). Respondent Anaida Pogossian is an Owner and Secretary of Respondent Nova Pharmacy. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2020, unless renewed.

4. On or about August 25, 1982, the Board issued Pharmacist License No. RPH 37156 to Jaqueline Ashkar ("Respondent Ashkar"). The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2020, unless renewed.

JURISDICTION

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

6. Section 4300, subdivision (a) of the Code provides that "[e]very license issued may be suspended or revoked."

7. Section 4011 of the Code states that in addition to administering and enforcing the Pharmacy Law (Cal. Bus. & Prof. §§ 4000, et seq.), the board shall administer and enforce "the Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and Safety Code)."
8. 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."

9. Section 4059 of the Code states in pertinent part:

"(a) A person may not furnish any dangerous drug, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7. A person may not furnish any dangerous device, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor pursuant to Section 3640.7."

10. Section 4081 of the Code states in pertinent part:

"(a) All records of manufacture and of sale, acquisition, receipt, shipment, or disposition of dangerous drugs or dangerous devices shall be at all times during business hours open to inspection by authorized officers of the law, and shall be preserved for at least three years from the date of making. A current inventory shall be kept by every manufacturer, wholesaler, third-party logistics provider, pharmacy, veterinary food-animal drug retailer, outsourcing facility, physician, dentist, podiatrist, veterinarian, laboratory, clinic, hospital, institution, or establishment holding a currently valid and unrevoked certificate, license, permit, registration, or exemption under Division 2 (commencing with Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section 16000) of Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous drugs or dangerous devices."

11. Section 4105 of the Code states in pertinent part:

"(a) All records or other documentation of the acquisition and disposition of dangerous drugs and dangerous devices by any entity licensed by the board shall be retained on the licensed premises in a readily retrievable form."
... 
(c) The records required by this section shall be retained on the licensed premises for a period of three years from the date of making.”

12. Section 4301 of the Code states 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 shall include, but is not limited to, any of the following:
... 
(f) 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.
(g) Knowingly making or signing any certificate or other document that falsely represents the existence or nonexistence of a state of facts.
... 
(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of this chapter or of the applicable federal and state laws and regulations governing pharmacy, including regulations established by the board or by any other state or federal regulatory agency.
... 
(q) Engaging in any conduct that subverts or attempts to subvert an investigation of the board.”

13. Section 4302 of the Code states:
“The board may deny, suspend, or revoke any license where conditions exist in relation to any person holding 10 percent or more of the ownership interest or where conditions exist in relation to any officer, director, or other person with management or control of the license that would constitute grounds for disciplinary action against a licensee.”

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14. Section 4307 of the Code states:

“(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.

(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.”
REGULATORY PROVISIONS

15. California Code of Regulations, title 16, section 1718, states:

"Current Inventory" as used in Sections 4081 and 4332 of the Business and Professions Code shall be considered to include complete accountability for all dangerous drugs handled by every licensee enumerated in Sections 4081 and 4332.

The controlled substances inventories required by Title 21, CFR, Section 1304 shall be available for inspection upon request for at least 3 years after the date of the inventory.

COST RECOVERY

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

CONTROLLED SUBSTANCES AND DANGEROUS DRUGS

17. Aripiprazole, brand name Abilify, is an antipsychotic and is a dangerous drug pursuant to Business and Professions Code section 4022.

18. Fluticasone propionate, brand name Flovent, is used to treat asthma and is a dangerous drug pursuant to Business and Professions Code section 4022.

19. Canagliflozin, brand name Invokana, is used to treat diabetes and is a dangerous drug pursuant to Business and Professions Code section 4022.

20. Sitagliptin plus metformin, brand name Janumet, is used to treat diabetes and is a dangerous drug pursuant to Business and Professions Code section 4022.

21. Insulin glargine, brand name Lantus Solastar, is used to treat diabetes and is a dangerous drug pursuant to Business and Professions Code section 4022.

22. Linaclotide, brand name Linzess, is used to treat irritable bowel syndrome and is a dangerous drug pursuant to Business and Professions Code section 4022.

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23. Esomeprazole, brand name Nexium, is used to treat gastroesophageal reflux disease and is a dangerous drug pursuant to Business and Professions Code section 4022.

24. Budesonide plus formoterol, brand name Symbicort, is used to treat asthma and is a dangerous drug pursuant to Business and Professions Code section 4022.

25. Solifenacin succinate, brand name Vesicare, is used to treat overactive bladder and is a dangerous drug pursuant to Business and Professions Code section 4022.

26. Diclofenac sodium gel 1%, brand name Voltaren Gel 1%, is used to treat pain and is a dangerous drug pursuant to Business and Professions Code section 4022.

FACTUAL BACKGROUND

27. Respondent Ashkar has been the Pharmacist-in-Charge at Respondent Nova Pharmacy since February 10, 2003. Armen Pogossian is the CEO/President with 50% ownership of Respondent Nova Pharmacy. Respondent Anaida Pogossian is a pharmacy technician and secretary of Respondent Nova Pharmacy with 50% ownership.

28. On March 15, 2017, the Board conducted an investigation of Respondent Nova Pharmacy, which revealed that Respondent Nova Pharmacy dispensed prescriptions (numbers 507567 and 507568) for Dexilant 60mg and Vesicare 5mg to a patient (MM) without a prescriber’s authorization. The prescriptions were generated by Respondent Nova Pharmacy’s staff without the prescriber’s approval.

29. During the Board’s investigation, Respondents provided purchase history records to the Board for the period between January 6, 2015 and March 15, 2017 from wholesaler International Pharmaceutical Services. Upon further investigation, the documents were determined to be fraudulent and contained false and misleading information.

30. The Board conducted an audit of Respondent Nova Pharmacy, which revealed overages of medications as follows:

   a. An audit of the period between June 1, 2014 and March 15, 2017 revealed overages as follows:

      • 2,340 tablets of Abilify 5mg
      • 1,350 tablets of Abilify 2mg
• 1,004 tablets of aripiprazole 2mg
• 1,678 tablets of aripiprazole 5mg
• 11,370 tablets of Vesicare 5mg
• 50 boxes of Flovent 220mcg
• 386 boxes of Symbicort (120 inhalations) 160-4.5mg
• 18,450 tablets of Janumet 50-1000mg
• 91,730 grams of Voltaren Gel 1%

b. An audit of the period between June 1, 2014 and March 16, 2017 revealed as overages as follows:
• 58,860 tablets of Nexium 40mg
• 3,400 MLs of Lantus Solastar
• 3,720 tablets of Linzess 145mg
• 120 tablets of Invokana 100mg

CAUSES FOR DISCIPLINE AGAINST RESPONDENT NOVA PHARMACY

FIRST CAUSE FOR DISCIPLINE
(Furnishing Dangerous Drugs Without a Prescription)

31. Respondent Nova Pharmacy is subject to disciplinary action under Code section 4301, subdivision (o), for violating Code section 4059, subdivision (a), in that Respondent Nova Pharmacy dispensed prescriptions (numbers 507567 and 507568) for Dexilant 60mg and Vesicare 5mg to a patient (MM) without a prescriber’s authorization. The prescriptions were generated by Respondent Nova Pharmacy’s staff without the prescriber’s approval. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

SECOND CAUSE FOR DISCIPLINE
(Unprofessional Conduct – Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)

32. Respondent Nova Pharmacy is subject to disciplinary action under Code section 4301, subdivision (f), in that Respondent Nova Pharmacy provided to the Board fraudulent
purchase history records for the period between January 6, 2015 and March 15, 2017 from
wholesaler International Pharmaceutical Services. Complainant refers to, and by this reference
incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set
forth fully herein.

THIRD CAUSE FOR DISCIPLINE
(Unprofessional Conduct – False Representations)

33. Respondent Nova Pharmacy is subject to disciplinary action under Code section
4301, subdivision (g), in that Respondent Nova Pharmacy provided to the Board fraudulent
purchase history records for the period between January 6, 2015 and March 15, 2017 from
wholesaler International Pharmaceutical Services. Complainant refers to, and by this reference
incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set
forth fully herein.

FOURTH CAUSE FOR DISCIPLINE
(Failure to Maintain Adequate Records of Acquisition and Disposition)

34. Respondent Nova Pharmacy is subject to disciplinary action under Code section
4301, subdivision (o), for violating Code sections 4081, subdivision (a), in conjunction with
California Code of Regulations, title 16, section 1718 and Code section 4105, subdivisions (a)
and (c), in that an audit of Respondent Nova Pharmacy revealed overages of the numerous
medications. Complainant refers to, and by this reference incorporates, the allegations set forth
above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

FIFTH CAUSE FOR DISCIPLINE
(Failure to Maintain Current Inventory)

35. Respondent Nova Pharmacy is subject to disciplinary action under Code section
4301, subdivision (o) and Code section 4081, subdivision (a), in conjunction with California
Code of Regulations, title 16, section 1718, in that an audit of Respondent Nova Pharmacy
revealed overages of numerous medications. Complainant refers to, and by this reference
incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set
forth fully herein.
SIXTH CAUSE FOR DISCIPLINE
(Subversion of an Investigation)

36. Respondent Nova Pharmacy is subject to disciplinary action under Code section 4301, subdivisions (f) and (q), in that Respondent Nova Pharmacy provided to the Board fraudulent purchase history records for the period between January 6, 2015 through March 15, 2017 from wholesaler International Pharmaceutical Services. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

SEVENTH CAUSE FOR DISCIPLINE
(Misconduct by Owner and/or Persons with Management or Control)

37. Respondent Nova Pharmacy is subject to disciplinary action under Code section 4302 in that grounds for disciplinary action exist with respect to a person holding 10 percent or more of the ownership interest in the pharmacy and/or a person with management or control of the pharmacy. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

CAUSES FOR DISCIPLINE AGAINST RESPONDENT ANAIDA POGOSSIAN

EIGHTH CAUSE FOR DISCIPLINE
(Furnishing Dangerous Drugs Without a Prescription)

38. Respondent Anaida Pogossian is subject to disciplinary action under Code section 4301, subdivision (o), for violating Code section 4059, subdivision (a), in that Respondent Anaida Pogossian, acting as a technician, secretary and 50% owner of Respondent Nova Pharmacy, permitted pharmacy staff to dispense prescriptions (numbers 507567 and 507568) for Dexilant 60mg and Vesicare 5mg to a patient (MM) without a prescriber’s authorization. The prescriptions were authorized by Respondent Nova Pharmacy’s staff without the prescriber’s approval. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.
NINTH CAUSE FOR DISCIPLINE
(Unprofessional Conduct – Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)

39. Respondent Anaida Pogossian is subject to disciplinary action under Code section 4301, subdivisions (f), in that Respondent Anaida Pogossian, acting as a technician, secretary and 50% owner of Respondent Nova Pharmacy, permitted pharmacy staff to provide fraudulent purchase history records for the period between January 6, 2015 and March 15, 2017 from wholesaler International Pharmaceutical Services. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

TENTH CAUSE FOR DISCIPLINE
(Unprofessional Conduct – False Representations)

40. Respondent Anaida Pogossian is subject to disciplinary action under Code section 4301, subdivisions (g), in that Respondent Anaida Pogossian, acting as a technician, secretary and 50% owner of Respondent Nova Pharmacy, permitted pharmacy staff to provide fraudulent purchase history records for the period between January 6, 2015 and March 15, 2017 from wholesaler International Pharmaceutical Services. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

ELEVENTH CAUSE FOR DISCIPLINE
(Failure to Maintain Adequate Records of Acquisition and Disposition)

41. Respondent Anaida Pogossian is subject to disciplinary action under Code section 4301, subdivision (o), for violating Code sections 4081, subdivision (a), in conjunction with California Code of Regulations, title 16, section 1718 and Code section 4105, subdivisions (a) and (c), in that Respondent Anaida Pogossian, while acting as a technician, secretary and 50% owner of Respondent Nova Pharmacy during the audit periods of June 1, 2014 to March 15, 2017 and June 1, 2014 to March 16, 2017 failed to maintain accurate records for all of the medications as evidenced by the overages found as a result of the audit. Complainant refers to, and by this
reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

**TWELFTH CAUSE FOR DISCIPLINE**

*(Failure to Maintain Current Inventory)*

42. Respondent Anaida Pogossian is subject to disciplinary action under Code section 4301, subdivision (o) and Code section 4081, subdivision (a), in conjunction with California Code of Regulations, title 16, section 1718, in that Respondent Anaida Pogossian, while acting as a technician, secretary and 50% owner of Respondent Nova Pharmacy during the audit periods of June 1, 2014 to March 15, 2017 and June 1, 2014 to March 16, 2017, failed to maintain current inventory. An audit of Respondent Nova Pharmacy revealed overages of numerous medications. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

**THIRTEENTH CAUSE FOR DISCIPLINE**

*(Subversion of an Investigation)*

43. Respondent Anaida Pogossian is subject to disciplinary action under Code section 4301, subdivisions (t) and (q), in that Respondent Anaida Pogossian, while acting as a technician, secretary and 50% owner of Respondent Nova Pharmacy, permitted pharmacy staff to provide fraudulent purchase history records to the Board for the period between January 6, 2015 through March 15, 2017 from wholesaler International Pharmaceutical Services. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

**CAUSES FOR DISCIPLINE AGAINST RESPONDENT ASHKAR**

**FOURTEENTH CAUSE FOR DISCIPLINE**

*(Furnishing Dangerous Drugs Without a Prescription)*

44. Respondent Ashkar is subject to disciplinary action under Code section 4301, subdivision (o), for violating Code section 4059, subdivision (a), in that Respondent Ashkar, acting as the Pharmacist-in-Charge at Respondent Nova Pharmacy, allowed the dispensing of prescriptions (numbers 507567 and 507568) for Dexilant 60mg and Vesicare 5mg to a patient...
(MM) without a prescriber’s authorization. The prescriptions were generated by Respondent
Nova Pharmacy’s staff without the prescriber’s approval. Complainant refers to, and by this
reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as
though set forth fully herein.

FIFTEENTH CAUSE FOR DISCIPLINE
(Unprofessional Conduct – Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or
Corruption)

45. Respondent Ashkar is subject to disciplinary action under Code section 4301,
subdivisions (f), in that Respondent Ashkar, acting as the Pharmacist-in-Charge at Respondent
Nova Pharmacy, provided fraudulent purchase history records to the Board for the period
between January 6, 2015 and March 15, 2017 from wholesaler International Pharmaceutical
Services. Complainant refers to, and by this reference incorporates, the allegations set forth
above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

SIXTEENTH CAUSE FOR DISCIPLINE
(Unprofessional Conduct – False Representations)

46. Respondent Ashkar is subject to disciplinary action under Code section 4301,
subdivisions (g), in that Respondent Ashkar, acting as the Pharmacist-in-Charge at Respondent
Nova Pharmacy, provided fraudulent purchase history records to the Board for the period
between January 6, 2015 and March 15, 2017 from wholesaler International Pharmaceutical
Services. Complainant refers to, and by this reference incorporates, the allegations set forth
above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

SEVENTEENTH CAUSE FOR DISCIPLINE
(Failure to Maintain Adequate Records of Acquisition and Disposition)

47. Respondent Ashkar is subject to disciplinary action under Code section 4301,
subdivision (o), for violating Code sections 4081, subdivision (a), in conjunction with California
Code of Regulations, title 16, section 1718 and Code section 4105, subdivisions (a) and (c), in
that Respondent Ashkar, while acting as the Pharmacist-in-Charge at Respondent Nova Pharmacy
during the audit periods of June 1, 2014 to March 15, 2017 and June 1, 2014 to March 16, 2017,
failed to maintain accurate records for all of the medications as evidenced by the overages found.
An audit of Respondent Nova Pharmacy revealed overages of numerous medications.
Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

**EIGHTEENTH CAUSE FOR DISCIPLINE**

(Failure to Maintain Current Inventory)

48. Respondent Ashkar is subject to disciplinary action under Code section 4301, subdivision (o) and Code section 4081, subdivision (a), in conjunction with California Code of Regulations, title 16, section 1718, in that Respondent Ashkar, acting as the Pharmacist-in-Charge at Respondent Nova Pharmacy during the audit periods of June 1, 2014 to March 15, 2017 and June 1, 2014 to March 16, 2017, failed to maintain current inventory. An audit of Respondent Nova Pharmacy revealed overages of numerous medications. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 30, inclusive, as though set forth fully herein.

**OTHER MATTERS**

49. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number PHY 44112, issued to LA Nova Pharmacy Inc., doing business as Nova Pharmacy, Armen Pogossian and Anaida Pogossian owners; LA Nova Pharmacy Inc. shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 44112 is placed on probation or until Pharmacy Permit Number PHY 44112 is reinstated if it is revoked.

50. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number PHY 44112, issued to LA Nova Pharmacy Inc., doing business as Nova Pharmacy, Armen Pogossian and Anaida Pogossian owners, while Armen Pogossian has been an officer and owner and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, Armen Pogossian shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy
Permit Number PHY 44112 is placed on probation or until Pharmacy Permit Number PHY 44112 is reinstated if it is revoked.

51. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number PHY 44112, issued to LA Nova Pharmacy Inc., doing business as Nova Pharmacy, Armen Pogossian and Anaida Pogossian owners, while Anaida Pogossian has been an officer and owner and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, Anaida Pogossian shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 44112 is placed on probation or until Pharmacy Permit Number PHY 44112 is reinstated if it is revoked.

52. Pursuant to Code section 4307, if discipline is imposed on Pharmacist Technician Registration No. TCH 14658 issued to Anaida Pogossian, Anaida Pogossian shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist Technician Registration No. TCH 14658 is placed on probation or until Pharmacist Technician Registration No. TCH 14658 is reinstated if it is revoked.

53. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License No. RPH 37156 issued to Jaqueline Ashkar, Jaqueline Ashkar shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist License No. RPH 37156 is placed on probation or until Pharmacist License No. RPH 37156 is reinstated if it is revoked.

**PRAYER**

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

1. Revoking or suspending Pharmacy Permit Number PHY 44112, issued to LA Nova Pharmacy Inc. dba Nova Pharmacy, Armen Pogossian and Anaida Pogossian owners;

2. Revoking or suspending Pharmacist Technician Registration No. TCH 14658 issued to Anaida Pogossian;

ACCUSATION
3. Revoking or suspending Pharmacist License No. RPH 37156 issued to Jaqueline Ashkar;

4. Prohibiting LA Nova Pharmacy Inc., doing business as Nova Pharmacy, from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 441112 is placed on probation or until Pharmacy Permit Number PHY 441112 is reinstated if Pharmacy Permit Number PHY 441112 issued to LA Nova Pharmacy Inc., doing business as Nova Pharmacy, is revoked;

5. Prohibiting Anaida Pogossian from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 441112 is placed on probation or until Pharmacy Permit Number PHY 441112 issued to Nova Pharmacy is revoked;

6. Prohibiting Anaida Pogossian from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist Technician Registration No. TCH 14658 is placed on probation or until Pharmacist Technician Registration No. TCH 14658 issued to Anaida Pogossian is revoked;

7. Prohibiting Armen Pogossian from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 441112 is placed on probation or until Pharmacy Permit Number PHY 441112 issued to Nova Pharmacy is revoked;

8. Prohibiting Jaqueline Ashkar from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacist License No. RPH 37156 is placed on probation or until Pharmacist License No. RPH 37156 issued to Jaqueline Ashkar is revoked;

9. Ordering Nova Pharmacy, Anaida Pogossian and Jaqueline Ashkar to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
10. Taking such other and further action as deemed necessary and proper.

DATED: 9/21/18

VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant