

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

**In the Matter of the Accusation and Petition to Revoke Probation  
Against:**

**ALGUNAS INC DBA  
WOODLAND HILLS PHARMACY, STEVEN A. LEVIN,  
Pharmacy Permit No. PHY 50815;**

**and**

**STEVEN A. LEVIN,  
Pharmacist License No. RPH 46443,**

**Respondents**

**Agency Case No. 6927**

**OAH No. 2020100471**

## 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 June 23, 2021.

It is so ORDERED on May 24, 2021.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

Greg Lippe  
Board President

1 MATTHEW RODRIQUEZ  
Acting Attorney General of California  
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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 and Petition to  
13 Revoke Probation Against:

Case No. 6927

14 **ALGUNAS INC DBA WOODLAND HILLS**  
**PHARMACY, STEVEN A. LEVIN**  
15 **20631 Ventura Blvd., Ste. 305**  
**Woodland Hills, CA 91364**

OAH No. 2020100471

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

16 **Permit No. PHY 50815,**

17 **and**

18 **STEVEN A. LEVIN**  
19 **22349 Alguas Road**  
**Woodland Hills, CA 91364**

20 **Pharmacist License No. RPH 46443**

21 Respondents.  
22

23  
24 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
25 entitled proceedings that the following matters are true:

26 **PARTIES**

27 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
28 (Board). She brought this action solely in her official capacity and is represented in this matter by

1 Matthew Rodriquez, Acting Attorney General of the State of California, by Gillian E. Friedman,  
2 Deputy Attorney General.

3 2. Respondents Alguas Inc., doing business as Woodland Hills Pharmacy, with Steven  
4 A. Levin as the President, Director, Pharmacist-in-Charge and 100% shareholder (“Respondent  
5 Woodland Hills Pharmacy”) and Steven A. Levin (“Respondent Levin”) are represented  
6 collectively in this proceeding by attorney Ivan Petrzelka, Esq., whose address is: 55 Cetus, 1st  
7 Floor, Irvine, CA 92618

8 3. On or about February 1, 2012, the Board issued Original Permit Number  
9 PHY 50815 to Respondent Woodland Hills Pharmacy. The Permit was in full force and effect at  
10 all times relevant to the charges brought in Accusation No. 6927, and will expire on February 1,  
11 2022, unless renewed.

12 4. On or about August 13, 1993, the Board issued Original Pharmacist  
13 License Number RPH 46443 to Respondent Levin. The Original Pharmacist License was in full  
14 force and effect at all times relevant to the charges brought herein and will expire on December  
15 31, 2022, unless renewed.

### 16 **JURISDICTION**

17 5. Accusation No. 6927 was filed before the Board, and is currently pending against  
18 Respondents Woodland Hills Pharmacy and Levin. The Accusation and all other statutorily  
19 required documents were properly served on Respondents on July 14, 2020. Respondents timely  
20 filed their Notice of Defense contesting the Accusation.

21 6. A copy of Accusation No. 6927 is attached as exhibit A and incorporated herein by  
22 reference.

### 23 **ADVISEMENT AND WAIVERS**

24 7. Respondents have carefully read, fully discussed with counsel, and understand the  
25 charges and allegations in Accusation No. 6927. Respondents have also carefully read, fully  
26 discussed with counsel, and understand the effects of this Stipulated Settlement and Disciplinary  
27 Order.

28

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

7 9. Respondents voluntarily, knowingly, and intelligently waive and give up each and  
8 every right set forth above.

9 **CULPABILITY**

10 10. Respondents Woodland Hills Pharmacy and Levin admit the truth of each and every  
11 charge and allegation in Accusation No. 6927.

12 11. Respondents Woodland Hills Pharmacy and Levin agree that the Permit and License,  
13 respectively, are each subject to discipline and they agree to be bound by the Board's probationary  
14 terms as set forth in the Disciplinary Order below.

15 **CONTINGENCY**

16 12. This stipulation shall be subject to approval by the Board. Respondents Woodland  
17 Hills Pharmacy and Levin understand and agree that counsel for Complainant and the staff of the  
18 Board may communicate directly with the Board regarding this stipulation and settlement,  
19 without notice to or participation by Respondents or their counsel. By signing the stipulation,  
20 Respondents understand and agree that they may not withdraw their agreement or seek to rescind  
21 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
22 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall  
23 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
24 between the parties, and the Board shall not be disqualified from further action by having  
25 considered this matter.

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



- a conviction of any crime
- the filing of a disciplinary pleading, issuance of a citation, or initiation of another administrative action filed by any state or federal agency which involves respondent's license or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

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

## **2. Report to the Board**

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

Failure to submit timely reports in a form as directed shall be considered a violation of probation. Any period(s) of delinquency in submission of reports as directed may be added to the total period of probation. Moreover, if the final probation report is not made as directed, probation shall be automatically extended until such time as the final report is made and accepted by the board.

## **3. Interview with the Board**

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

## **4. Cooperate with Board Staff**

Respondent Woodland Hills Pharmacy shall timely cooperate with the board's inspection program and with the board's monitoring and investigation of respondent's compliance with the terms and conditions of Entity probation, including but not limited to: timely responses to

1 requests for information by board staff; timely compliance with directives from board staff  
2 regarding requirements of any term or condition of probation; and timely completion of  
3 documentation pertaining to a term or condition of probation. Failure to timely cooperate shall be  
4 considered a violation of probation.

5 **5. Reimbursement of Board Costs**

6 As a condition precedent to successful completion of probation, respondent owner shall  
7 jointly and severally with Respondent Levin be responsible to pay to the Board its costs of  
8 investigation and prosecution in the amount of \$15,000.00. Costs may be paid on a payment plan  
9 approved in writing by the board. Failure to pay costs by the deadline(s) as directed shall be  
10 considered a violation of probation.

11 **6. Probation Monitoring Costs**

12 Respondent owner shall pay any costs associated with probation monitoring as determined  
13 by the Board each and every year of probation. Such costs shall be payable to the Board on a  
14 schedule as directed by the board or its designee. Failure to pay such costs by the deadline(s) as  
15 directed shall be considered a violation of probation.

16 **7. Status of License**

17 Respondent owner shall, at all times while on probation, maintain current licensure with the  
18 board. If respondent owner submits an application to the board, and the application is approved,  
19 for a change of location, change of permit or change of ownership, the board shall retain  
20 continuing jurisdiction over the license, and the respondent shall remain on probation as  
21 determined by the Board. Failure to maintain current licensure shall be considered a violation of  
22 probation.

23 If respondent owner's license expires or is cancelled by operation of law or otherwise at any  
24 time during the period of probation, including any extensions thereof or otherwise, upon renewal  
25 or reapplication respondent owner's license shall be subject to all terms and conditions of this  
26 probation not previously satisfied.

27 **8. License Surrender While on Probation/Suspension**

28 Following the effective date of this decision, should respondent owner discontinue



1 business, respondent owner may tender the premises license to the board for surrender. The  
2 board or its designee shall have the discretion whether to grant the request for surrender or take  
3 any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of  
4 the license, respondent will no longer be subject to the terms and conditions of probation.

5 Upon acceptance of the surrender, respondent owner shall relinquish the premises wall and  
6 renewal license to the board within ten (10) days of notification by the board that the surrender is  
7 accepted. Respondent owner shall further submit a completed Discontinuance of Business form  
8 according to board guidelines and shall notify the board of the records inventory transfer.

9 Respondent owner shall also, by the effective date of this decision, arrange for the  
10 continuation of care for ongoing patients of the pharmacy by, at minimum, providing a written  
11 notice to ongoing patients that specifies the anticipated closing date of the pharmacy and that  
12 identifies one or more area pharmacies capable of taking up the patients' care, and by cooperating  
13 as may be necessary in the transfer of records or prescriptions for ongoing patients. Within five  
14 days of its provision to the pharmacy's ongoing patients, Respondent owner shall provide a copy  
15 of the written notice to the Board. For the purposes of this provision, "ongoing patients" means  
16 those patients for whom the pharmacy has on file a prescription with one or more refills  
17 outstanding, or for whom the pharmacy has filled a prescription within the preceding sixty (60)  
18 days.

19 Respondent owner may not apply for any new licensure from the Board for three (3) years  
20 from the effective date of the surrender. Respondent owner shall meet all requirements applicable  
21 to the license sought as of the date the application for that license is submitted to the board.

22 Respondent owner further stipulates that he or she shall reimburse the board for its costs of  
23 investigation and prosecution prior to the acceptance of the surrender.

#### 24 **9. Notice to Employees**

25 Respondent owner shall, upon or before the effective date of this decision, ensure that all  
26 employees involved in permit operations are made aware of all the terms and conditions of  
27 probation, either by posting a notice of the terms and conditions, circulating such notice, or both.  
28 If the notice required by this provision is posted, it shall be posted in a prominent place and shall

1 remain posted throughout the probation period. Respondent owner shall ensure that any  
2 employees hired or used after the effective date of this decision are made aware of the terms and  
3 conditions of probation by posting a notice, circulating a notice, or both. Additionally,  
4 respondent owner shall submit written notification to the Board, within fifteen (15) days of the  
5 effective date of this decision, that this term has been satisfied. Failure to submit such  
6 notification to the Board shall be considered a violation of probation.

7 "Employees" as used in this provision includes all full-time, part-time,  
8 volunteer, temporary and relief employees and independent contractors employed or  
9 hired at any time during probation.

10 **10. Owners and Officers: Knowledge of the Law**

11 Respondent Woodland Hills Pharmacy shall provide, within thirty (30) days after the  
12 effective date of this decision, signed and dated statements from its owners, including any owner  
13 or holder of ten percent (10%) or more of the interest in respondent or respondent's stock, and any  
14 officer, stating under penalty of perjury that said individuals have read and are familiar with state  
15 and federal laws and regulations governing the practice of pharmacy. The failure to timely  
16 provide said statements under penalty of perjury shall be considered a violation of probation.

17 **11. Posted Notice of Probation**

18 Respondent owner shall prominently post a probation notice provided by the board in a  
19 place conspicuous and readable to the public. The probation notice shall remain posted during  
20 the entire period of probation.

21 Respondent owner shall not, directly or indirectly, engage in any conduct or make any  
22 statement which is intended to mislead or is likely to have the effect of misleading any patient,  
23 customer, member of the public, or other person(s) as to the nature of and reason for the probation  
24 of the licensed entity.

25 Failure to post such notice shall be considered a violation of probation.

26 **12. Violation of Probation**

27 If a respondent owner has not complied with any term or condition of probation, the Board  
28 shall have continuing jurisdiction over respondent license, and probation shall be automatically

1 extended until all terms and conditions have been satisfied or the board has taken other action as  
2 deemed appropriate to treat the failure to comply as a violation of probation, to terminate  
3 probation, and to impose the penalty that was stayed.

4 If respondent owner violates probation in any respect, the Board, after giving respondent  
5 owner notice and an opportunity to be heard, may revoke probation and carry out the disciplinary  
6 order that was stayed. Notice and opportunity to be heard are not required for those provisions  
7 stating that a violation thereof may lead to automatic termination of the stay and/or revocation of  
8 the license. If a petition to revoke probation or an accusation is filed against respondent during  
9 probation, the board shall have continuing jurisdiction and the period of probation shall be  
10 automatically extended until the petition to revoke probation or accusation is heard and decided.

11 **13. Completion of Probation**

12 Upon written notice by the Board or its designee indicating successful completion of  
13 probation, respondent license will be fully restored.

14 **14. Consultant for Owner or Pharmacist-In-Charge**

15 Respondent Levin may no longer serve as a pharmacist-in-charge. Respondent Woodland  
16 Hills Pharmacy shall retain an independent consultant at its own expense who shall be responsible  
17 for reviewing pharmacy operations on a monthly basis for compliance by respondent with state  
18 and federal laws and regulations governing the practice of pharmacy and for compliance by  
19 respondent with the obligations of a pharmacist-in-charge. The consultant shall be a pharmacist  
20 licensed by and not on probation with the Board and whose name shall be submitted to the Board  
21 or its designee, for prior approval, within thirty (30) days of the effective date of this decision.  
22 The Consultant must have compounding experience. Failure to timely retain, seek approval of, or  
23 ensure timely reporting by the consultant shall be considered a violation of probation. The  
24 Consultant must report to the Board, within one (1) business day, any areas of non-compliance  
25 identified and include an action plan to secure compliance.

26 During the period of probation, the Board or its designee retains the discretion to reduce the  
27 frequency of the pharmacist consultant's review of Respondent Pharmacy's operations.

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1           **15. Remedial Education**

2           Within sixty (60) days of the effective date of this decision, respondent owner shall submit  
3 to the board or its designee, for prior approval, an appropriate program of remedial education  
4 related to compounding for all pharmacy staff involved in compounding. The program of  
5 remedial education shall consist of at least six (6) hours and shall be completed within six months  
6 of probation at respondent's own expense. All remedial education shall be in addition to, and  
7 shall not be credited toward, continuing education (CE) courses used for license renewal  
8 purposes.

9           Failure to timely submit or complete the approved remedial education shall be considered a  
10 violation of probation. The period of probation will be automatically extended until such  
11 remedial education is successfully completed and written proof, in a form acceptable to the  
12 Board, is provided to the board or its designee.

13           Following the completion of each course, the Board or its designee may require pharmacy  
14 staff of the respondent, at respondent pharmacy's expense to take an approved examination to test  
15 the respondent's knowledge of the course. If the pharmacy staff does not achieve a passing score  
16 on the examination, this failure shall be considered a violation of probation. Any such  
17 examination failure shall require respondent to take another course approved by the board in the  
18 same subject area.

19           **PHARMACIST LEVIN**

20           **16. Obey All Laws**

21           Respondent Levin shall obey all state and federal laws and regulations.

22           Respondent shall report any of the following occurrences to the board, in writing, within  
23 seventy-two (72) hours of such occurrence:

- 24           • an arrest or issuance of a criminal complaint for violation of any provision of the  
25           Pharmacy Law, state and federal food and drug laws, or state and federal controlled  
26           substances laws
- 27           • a plea of guilty or nolo contendere in any state or federal criminal proceeding to any  
28           criminal complaint, information or indictment

- a conviction of any crime
- discipline, citation, or other administrative action filed by any state or federal agency which involves respondent's Pharmacy license or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

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

**17. Report to the Board**

Respondent Levin shall report to the board quarterly, on a schedule as directed by the board or its designee. The report shall be made either in person or in writing, as directed. Among other requirements, respondent shall state in each report under penalty of perjury whether there has been compliance with all the terms and conditions of probation. Failure to submit timely reports in a form as directed shall be considered a violation of probation. Any period(s) of delinquency in submission of reports as directed may be added to the total period of probation. Moreover, if the final probation report is not made as directed, probation shall be automatically extended until such time as the final report is made and accepted by the board.

**18. Interview with the Board**

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

**19. Cooperate with Board Staff**

Respondent Levin shall cooperate with the board's inspection program and with the Board's monitoring and investigation of respondent's compliance with the terms and conditions of their probation. Failure to cooperate shall be considered a violation of probation.

**20. Continuing Education**

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

1           **21. Notice to Employers**

2           During the period of probation, Respondent Levin shall notify all present and prospective  
3 employers of the decision in case number 5704 and the terms, conditions and restrictions imposed  
4 on respondent by the decision, as follows:

5           Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
6 respondent undertaking any new employment, respondent shall cause their direct supervisor,  
7 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
8 tenure of employment) and owner to report to the board in writing acknowledging that the listed  
9 individual(s) has/have read the decision in case number 5704, and terms and conditions imposed  
10 thereby. It shall be respondent's responsibility to ensure that their employer(s) and/or  
11 supervisor(s) submit timely acknowledgment(s) to the board.

12           If respondent works for or is employed by or through a pharmacy employment service,  
13 respondent must notify their direct supervisor, pharmacist-in-charge, and owner at every entity  
14 licensed by the board of the terms and conditions of the decision in case number 5704 in advance  
15 of the respondent commencing work at each licensed entity. A record of this notification must be  
16 provided to the board upon request.

17           Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
18 (15) days of respondent undertaking any new employment by or through a pharmacy employment  
19 service, respondent shall cause his direct supervisor with the pharmacy employment service to  
20 report to the board in writing acknowledging that they has read the decision in case number 5704  
21 and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure  
22 that their employer(s) and/or supervisor(s) submit timely acknowledgment(s) to the board.

23           Failure to timely notify present or prospective employer(s) or to cause that/those  
24 employer(s) to submit timely acknowledgments to the board shall be considered a violation of  
25 probation.

26           "Employment" within the meaning of this provision shall include any full-time,  
27 part-time, temporary, relief or pharmacy management service as a pharmacist or any  
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1 position for which a pharmacist license is a requirement or criterion for employment,  
2 whether the respondent is an employee, independent contractor or volunteer.

3 **22. No Supervision of Interns, Serving as Pharmacist-in-Charge (PIC), Serving as**  
4 **Designated Representative-in-Charge, or Serving as a Consultant**

5 During the period of probation, Respondent Levin shall not supervise any intern  
6 pharmacist, be the pharmacist-in-charge, designated representative-in-charge, responsible  
7 manager or other compliance supervisor of any entity licensed by the board, nor serve as a  
8 consultant. Assumption of any such unauthorized supervision responsibilities shall be considered  
9 a violation of probation. A replacement pharmacist-in-charge must be submitted within 10 days  
10 of the effective date of the Decision.

11 **23. Reimbursement of Board Costs**

12 As a condition precedent to successful completion of probation, Respondent Levin shall  
13 pay to the board its costs of investigation and prosecution in the amount of \$15,000.00.  
14 Respondent Levin shall be jointly and severally responsible for payment of costs with Respondent  
15 Woodland Hills Pharmacy. Costs may be paid on a payment plan approved in writing by the  
16 board.

17 Failure to pay costs by the deadline(s) as directed shall be considered a violation of  
18 probation.

19 The filing of bankruptcy by respondent shall not relieve respondent of his responsibility to  
20 reimburse the board its costs of investigation and prosecution.

21 **24. Probation Monitoring Costs**

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

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1           **25. Status of License**

2           Respondent Levin shall, at all times while on probation, maintain an active, current license  
3 with the board, including any period during which suspension or probation is tolled. Failure to  
4 maintain an active, current license shall be considered a violation of probation.

5           If respondent's license expires or is cancelled by operation of law or otherwise at any time  
6 during the period of probation, including any extensions thereof due to tolling or otherwise, upon  
7 renewal or reapplication respondent's license shall be subject to all terms and conditions of this  
8 probation not previously satisfied.

9           **26. License Surrender While on Probation/Suspension**

10          Following the effective date of this decision, should Respondent Levin cease practice due to  
11 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
12 respondent may tender their license to the board for surrender. The Board or its designee shall  
13 have the discretion whether to grant the request for surrender or take any other action it deems  
14 appropriate and reasonable. Upon formal acceptance of the surrender of the license, Respondent  
15 will no longer be subject to the terms and conditions of probation. This surrender constitutes a  
16 record of discipline and shall become a part of the Respondent's license history with the board.

17          Upon acceptance of the surrender, Respondent shall relinquish their pocket and wall license  
18 to the board within ten (10) days of notification by the Board that the surrender is accepted.  
19 Respondent may not reapply for any license from the board for three (3) years from the effective  
20 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
21 of the date the application for that license is submitted to the Board, including any outstanding  
22 costs.

23           **27. Notification of a Change in Name, Residence Address, Mailing Address or**  
24           **Employment**

25          Respondent Levin shall notify the board in writing within ten (10) days of any change of  
26 employment. Said notification shall include the reasons for leaving, the address of the new  
27 employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
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1 shall further notify the Board in writing within ten (10) days of a change in name, residence  
2 address, mailing address, or phone number.

3 Failure to timely notify the Board of any change in employer(s), name(s), address(es), or  
4 phone number(s) shall be considered a violation of probation.

### 5 **28. Tolling of Probation**

6 Except during periods of suspension, Respondent Levin shall, at all times while on  
7 probation, be employed as a pharmacist in California for a minimum of 40 hours per calendar  
8 month. Any month during which this minimum is not met shall toll the period of probation, i.e.,  
9 the period of probation shall be extended by one month for each month during which this  
10 minimum is not met. During any such period of tolling of probation, Respondent must  
11 nonetheless comply with all terms and conditions of probation.

12 Should Respondent, regardless of residency, for any reason (including vacation) cease  
13 practicing as a pharmacist for a minimum of 40 hours per calendar month in California,  
14 respondent must notify the Board in writing within ten (10) days of the cessation of practice, and  
15 must further notify the Board in writing within ten (10) days of the resumption of practice. Any  
16 failure to provide such notification(s) shall be considered a violation of probation.

17 It is a violation of probation for Respondent's probation to remain tolled pursuant to the  
18 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
19 exceeding thirty-six (36) months.

20 "Cessation of practice" means any calendar month during which respondent is  
21 not practicing as a pharmacist for at least 40 hours, as defined by Business and  
22 Professions Code section 4000 et seq . "Resumption of practice" means any calendar  
23 month during which respondent is practicing as a pharmacist for at least 40 hours as a  
24 pharmacist as defined by Business and Professions Code section 4000 et seq.

### 25 **29. Violation of Probation**

26 If a Respondent Levin has not complied with any term or condition of probation, the Board  
27 shall have continuing jurisdiction over Respondent, and probation shall automatically be  
28 extended, until all terms and conditions have been satisfied or the Board has taken other action as

1 deemed appropriate to treat the failure to comply as a violation of probation, to terminate  
2 probation, and to impose the penalty that was stayed.

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. Notice and opportunity to be heard are not required for those provisions stating that a  
6 violation thereof may lead to automatic termination of the stay and/or revocation of the license. If  
7 a petition to revoke probation or an accusation is filed against respondent during probation, the  
8 board shall have continuing jurisdiction and the period of probation shall be automatically  
9 extended until the petition to revoke probation or accusation is heard and decided.

10 **30. Completion of Probation**

11 Upon written notice by the board or its designee indicating successful completion of  
12 probation, Respondent Levin's license will be fully restored.

13 **31. Restricted Practice**

14 Respondent Levin shall be restricted from the practice of pharmacy compounding until he  
15 has satisfactorily completed a Board approved remedial compounding course (Live attendance  
16 required course) and must do so within one year of the effective date. Respondent must complete  
17 at least six (6) hours of compounding related courses prior to resuming compounding activities.  
18 Respondent shall submit proof satisfactory to the board of compliance with this term of probation.

19 **32. Community Services Program**

20 Within sixty (60) days of the effective date of this decision, Respondent Levin shall submit  
21 to the Board or its designee, for prior approval, a community service program in which  
22 respondent shall provide free health-care related services on a regular basis to a community or  
23 charitable facility or agency for at least thirty-two (32) hours per year within one year of the  
24 effective date. Within thirty (30) days of Board approval thereof, respondent shall submit  
25 documentation to the Board demonstrating commencement of the community service program. A  
26 record of this notification must be provided to the Board upon request. Respondent shall report  
27 on progress with the community service program in the quarterly reports. Failure to timely  
28 submit, commence, or comply with the program shall be considered a violation of probation.

1           **33. Remedial Education**

2           Within sixty (60), days of the effective date of this decision, Respondent Levin shall submit  
3 to the Board or its designee, for prior approval, an appropriate program of remedial education  
4 related to compounding. The program of remedial education shall consist of at least six (6) hours,  
5 which shall be completed yearly at Respondent's own expense. At least 50% of the training must  
6 be in person training. All remedial education shall be in addition to, and shall not be credited  
7 toward, continuing education (CE) courses used for license renewal purposes.

8           Failure to timely submit or complete the approved remedial education shall be considered a  
9 violation of probation. The period of probation will be automatically extended until such  
10 remedial education is successfully completed and written proof, in a form acceptable to the  
11 Board, is provided to the Board or its designee.

12           Following the completion of each course, the Board or its designee may require the  
13 Respondent, at their own expense, to take an approved examination to test the respondent's  
14 knowledge of the course. If the respondent does not achieve a passing score on the examination,  
15 this failure shall be considered a violation of probation. Any such examination failure shall  
16 require Respondent to take another course approved by the board in the same subject area.

17           Respondent shall be restricted from the practice of compounding until the initial six (6)  
18 hours of remedial education program has been successfully completed.

19           **34. No Ownership of Licensed Premises**

20           Respondent Levin shall not acquire any new ownership, legal or beneficial interest nor  
21 serve as a manager, administrator, member, officer, director, trustee, associate, or partner of any  
22 additional business, firm, partnership, or corporation licensed by the board. If Respondent Levin  
23 currently owns or has any legal or beneficial interest in, or serves as a manager, administrator,  
24 member, officer, director, trustee, associate, or partner of any business, firm, partnership, or  
25 corporation currently or hereinafter licensed by the board, respondent may continue to serve in  
26 such capacity or hold that interest, but only to the extent of that position or interest as of the  
27 effective date of this decision. Violation of this restriction shall be considered a violation of  
28 probation.

1           **35. Ethics Course**

2           Within sixty (60) calendar days of the effective date of this decision, Respondent Levin  
3 shall enroll in a course in ethics, at Respondent’s expense, approved in advance by the Board or  
4 its designee. Failure to initiate the course during the first year of probation, and complete it  
5 within the second year of probation, is a violation of probation.

6           Respondent shall submit a certificate of completion to the board or its designee within five  
7 days after completing the course.

8           **36. Supervised Practice**

9           Within thirty (30) days of the effective date of this decision, Respondent Levin shall submit  
10 to the board or its designee, for prior approval, the name of a Pharmacist by and not on probation  
11 with the board, to serve as Respondent’s practice supervisor. As part of the documentation  
12 submitted, Respondent shall cause the proposed practice supervisor to report to the board in  
13 writing acknowledging that he or she has read the decision in case number 6927, and is familiar  
14 with the terms and conditions imposed thereby, including the level of supervision required by the  
15 Board or its designee. This level will be determined by the Board or its designee, will be  
16 communicated to the Respondent on or before the effective date of this decision and shall be one  
17 of the following:

18           Continuous – At least 75% of a work week

19           Substantial - At least 50% of a work week

20           Partial - At least 25% of a work week

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

22           Respondent may practice only under the required level of supervision by an approved  
23 practice supervisor. If, for any reason, including change of employment, Respondent is no longer  
24 supervised at the required level by an approved practice supervisor, within ten (10) days of this  
25 change in supervision Respondent shall submit to the board or its designee, for prior approval, the  
26 name of a Pharmacist by and not on probation with the board, to serve as Respondent’s  
27 replacement practice supervisor. As part of the documentation submitted, Respondent shall cause  
28 the proposed replacement practice supervisor to report to the Board in writing acknowledging that

1 he or she has read the decision in case number 6927, and is familiar with the terms and conditions  
2 imposed thereby, including the level of supervision required.

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

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

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

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

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

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

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 pharmacy nor do any act involving drug selection,  
20 selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall  
21 respondent manage, administer, or be a consultant to any licensee of the board, or have access to  
22 or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or  
23 dangerous devices or controlled substances.


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

28 ///

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

2 ACCEPTANCE

3 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
4 discussed it with my attorney, Ivan Petrzelka, Esq. I understand the stipulation and the effect it  
5 will have on my Permit. I enter into this Stipulated Settlement and Disciplinary Order voluntarily,  
6 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of  
7 Pharmacy.

8  
9 DATED: 4/16/21   
10 STEVEN A. LEVIN,  
11 President & Pharmacist in Charge  
12 ALGUNAS INC DBA WOODLAND HILLS  
13 PHARMACY, *Respondent*

14 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
15 discussed it with my attorney, Ivan Petrzelka, Esq. I understand the stipulation and the effect it  
16 will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary  
17 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order  
18 of the Board of Pharmacy.

19 DATED: 4/16/21   
20 STEVEN A. LEVIN  
21 *Respondent*

22  
23 I have read and fully discussed with Respondents Alguas Inc dba Woodland Hills  
24 Pharmacy with Steven A. Levin as President, Pharmacist in Charge and Steven A. Levin,

25 ///  
26 ///

1 Pharmacist, the terms and conditions and other matters contained in the above Stipulated  
2 Settlement and Disciplinary Order. I approve its form and content.

3  
4 DATED: April 16, 2021

  
5 IVAN PETRZELKA, ESQ.  
6 *Attorney for Respondent*


7  
8 **ENDORSEMENT**

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

11 DATED: April 16, 2021

12 Respectfully submitted,

13 MATTHEW RODRIQUEZ  
14 Acting Attorney General of California  
15 MARICHELLE TAHIMIC  
16 Supervising Deputy Attorney General



17 GILLIAN E. FRIEDMAN  
18 Deputy Attorney General  
19 *Attorneys for Complainant*

20  
21 LA2020600696  
22 64143906.docx

**Exhibit A**

**Accusation and Petition to Revoke Probation No. 6927**



1 XAVIER BECERRA  
Attorney General of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 GILLIAN E. FRIEDMAN  
Deputy Attorney General  
4 State Bar No. 169207  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6294  
6 Facsimile: (916) 731-2126  
E-mail: Gillian.Friedman@doj.ca.gov  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation and Petition to  
13 Revoke Probation Against:

Case No. 6927

14 **ALGUNAS INC DBA WOODLAND HILLS**  
**PHARMACY, STEVEN A. LEVIN**  
15 **20631 Ventura Blvd., Ste. 305**  
**Woodland Hills, CA 91364**

**ACCUSATION AND PETITION TO**  
**REVOKE PROBATION**

16 **Permit No. PHY 50815,**

17 **and**

18 **STEVEN A. LEVIN**  
19 **22349 Alguas Road**  
**Woodland Hills, CA 91364**

20 **Pharmacist License No. RPH 46443**

21 Respondents.  
22

23  
24 **PARTIES**

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

27 2. On or about February 1, 2012, the Board of Pharmacy issued Original Permit Number  
28 PHY 50815 to Alguas Inc., doing business as Woodland Hills Pharmacy, with Steven A. Levin

1 as the President, Director, Pharmacist-in-Charge and 100% shareholder (“Respondent Woodland  
2 Hills Pharmacy”). The Original Permit was in full force and effect at all times relevant to the  
3 charges brought herein and will expire on February 1, 2021, unless renewed.

4 3. On or about August 13, 1993, the Board of Pharmacy issued Original Pharmacist  
5 License Number RPH 46443 to Steven A. Levin (“Respondent Levin”). The Original Pharmacist  
6 License was in full force and effect at all times relevant to the charges brought herein and will  
7 expire on December 31, 2020, unless renewed.

### 8 **PRIOR DISCIPLINE**

#### 9 **Probation of Woodland Hills Pharmacy and Levin**

10 4. In a prior disciplinary action entitled *In the Matter of the Accusation Against Alguas*  
11 *Inc. dba Woodland Hills Pharmacy, Steven A. Levin, President and Steven A. Levin*, before the  
12 Board of Pharmacy, in Case Number 5704, OAH No. 2017050144, the Board of Pharmacy issued  
13 a Decision and Order effective on or about March 12, 2018 wherein the permit and license of  
14 Respondent Woodland Hills Pharmacy and Respondent Levin, were each placed on a four (4)  
15 year probation, with terms and conditions which included a thirty (30) day suspension. A copy of  
16 that decision is attached as Exhibit A and is incorporated by reference.

### 17 **JURISDICTION**

18 5. This Accusation is brought before the Board of Pharmacy, Department of Consumer  
19 Affairs (“Board”), under the authority of the following laws. All section references are to the  
20 Business and Professions Code unless otherwise indicated.

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

23 7. Section 4300.1 states:

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

**STATUTORY PROVISIONS**

8. Section 4022 states:

"Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in humans or animals, and includes the following:

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

"(b) Any device that bears the statement: "Caution: federal law restricts this device to sale by or on the order of a \_\_\_\_\_," "Rx only," or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

9. Section 4036.5 states: "Pharmacist-in-charge" means a pharmacist proposed by a pharmacy and approved by the board as the supervisor or manager responsible for ensuring the pharmacy's compliance with all state and federal laws and regulations pertaining to the practice of pharmacy."

10. Section 4169 states, in pertinent part:

"(a) A person or entity shall not do any of the following:

....

"(3) Purchase, trade, sell, or transfer dangerous drugs that the person knew or reasonably should have known were misbranded, as defined in Section 111335 of the Health and Safety Code.

.....

11. Section 4301 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:

....

"(c) Gross Negligence.

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

4           ....

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

7           .....

8           "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
9 violation of or conspiring to violate any provision or term of this chapter or of the applicable  
10 federal and state laws and regulations governing pharmacy, including regulations established by  
11 the board or by any other state or federal regulatory agency."

12           12. Section 4307 states, in pertinent part:

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

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

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

26           13. Section 111335 of the Health and Safety Code states:

27           “Any drug or device is misbranded if its labeling or packaging does not conform to the  
28 requirements of Chapter 4 (commencing with Section 110290).”

1 14. Section 111425 of the Health and Safety Code states:

2 “A drug or device is misbranded if it was manufactured in this state in an establishment not  
3 duly licensed as provided in this part.”

4 15. Section 111440 of the Health and Safety Code states:

5 “It is unlawful for any person to manufacture, sell, deliver, hold, or offer for sale any drug  
6 or device that is misbranded.”

7 **REGULATORY PROVISIONS**

8 16. California Code of Regulations, title 16, section 1735.2, subdivision (j), states: “The  
9 pharmacist performing or supervising compounding is responsible for the proper preparation,  
10 labeling, storage, and delivery of the compounded drug preparation.”

11 **COST RECOVERY**

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

16 **DRUGS**

17 18. Ammonium Tetrathiomol (ATTM) is not an approved product by U.S. Food and  
18 Drug Administration. Its indication for use is for research and industrial.

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Prohibited Acts: Purchase, Trade, Sell, Transfer of Misbranded Dangerous Drugs)**

21 19. Respondent Woodland Hills Pharmacy and Respondent Levin (collectively,  
22 “Respondents”) are subject to disciplinary action under Code section 4169 subdivision (a)(3) and  
23 Health and Safety Code section 111335 as related to 111440 and 111425 in that from at least  
24 January 01, 2016 until February 2019, Respondents engaged in the acts of purchasing, trading,  
25 selling, or transferring misbranded dangerous drugs. The circumstances are as follows:

26 20. Respondents knew or reasonably should have known that the ammonium  
27 tetrathiomolybdate (ATTM) was misbranded when Respondent Woodland Hills Pharmacy  
28

1 purchased at least thirty five (35) containers of 25 grams each of the product from Alfa Aesar, a  
2 manufacturer and supplier of chemicals, metals and life science products for research  
3 and development. Alfa Aesar is not registered with the Food and Drug Administration (FDA).  
4 Moreover, the ATTM was labeled "for research and development use only."

5 21. Between at least January 01, 2016 and February 2019, Respondents used the  
6 misbranded ATTM product to compound 20mg capsules of the product and dispense over 280  
7 prescriptions to patients within and outside of California. Respondents understood that the  
8 prescribers intended the dispensed product to be used by humans as an adjunctive treatment for  
9 cancer and Wilson's disease.

### 10 **SECOND CAUSE FOR DISCIPLINE**

#### 11 **(Unprofessional Conduct- Gross Negligence)**

12 22. Respondent Woodland Hills Pharmacy and Respondent Levin are subject to  
13 disciplinary action under Business and Professions Code section 4301 subdivision (c) in that  
14 between January 01, 2016 and February 2019, Respondent Woodland Hills Pharmacy through its  
15 Respondent Levin engaged in gross negligence. The circumstances are as follows:

16 23. Respondents purchased the misbranded product ATTM from Alfa Aesar, an entity  
17 that is not registered by the FDA nor licensed by the California State Board of Pharmacy in any  
18 other capacity. Respondents dispensed ATTM prescriptions to consumers in California and  
19 outside of the state for use humans as an adjunctive treatment to cancer and Wilson's disease.

20 24. Moreover, the product distributed to the consumers was not intended to be used for  
21 human or animal consumption as it was labeled "for research and development use only."

### 22 **THIRD CAUSE FOR DISCIPLINE**

#### 23 **(Unprofessional Conduct: Dishonest, Fraudulent and Corrupt Acts)**

24 25. Respondent Woodland Hills Pharmacy and Respondent Levin are subject to  
25 disciplinary action under section 4301 subdivision (f) in that from at least in that between January  
26 01, 2016 and February 2019, Respondents dispensed at least 280 prescriptions containing ATTM,  
27 a product obtained from Alfa Aesar, an entity that is not registered by the FDA nor licensed by  
28 the California State Board of Pharmacy in any other capacity. The act of dispensing the

1 unapproved drugs was dishonest, fraudulent and corrupt in that prescribers and patients had no  
2 means of knowing the products dispensed were not FDA approved and contained product  
3 obtained from an unregistered facility. Moreover, the product distributed to the consumers was  
4 not intended by the supplier to be used for human or animal consumption as it was labeled "for  
5 research and development use only."

6 **JURISDICTION FOR PETITION TO REVOKE PROBATION**  
7 **AGAINST RESPONDENT LEVIN AND**  
8 **RESPONDENT WOODLAND HILLS PHARMACY**

9 26. Code section 4300(d) states:

10 The board may initiate disciplinary proceedings to revoke or suspend any probationary  
11 certificate of licensure for any violation of the terms and conditions of probation.

12 27. 16 California Code of Regulations Section 1773 states in pertinent part:

13 "(a) Unless otherwise directed by the Board in its sole discretion, any pharmacist who is  
14 serving a period of probation shall comply with the following conditions:

15 (1) Obey all laws and regulations substantially related to the practice of Pharmacy;

16 (2) Report to the Board or its designee quarterly either in person or in writing as directed;  
17 the report shall include the name and address of the probationer's employer. If the final probation  
18 report is not made as directed, the period of probation shall be extended until such time as the  
19 final report is made;

20 (3) Submit to peer review if deemed necessary by the Board;

21 (4) Provide evidence of efforts to maintain skill and knowledge as a pharmacist as  
22 directed by the Board;

23 (5) Inform all present and prospective employers of license restrictions and terms of  
24 probation. Probationers employed by placement agencies must inform all permittees in whose  
25 premises they work of license restrictions and terms of probation.  
26  
27  
28

- 1 (6) Not supervise any registered interns nor perform any of the duties of a preceptor;  
2 (7) The period of probation shall not run during such time that the probationer is engaged  
3 in the practice of pharmacy in a jurisdiction other than California.”

4 28. Grounds exist for revoking the probation and reimposing the order of revocation of  
5 granted by the Board of Pharmacy in Case No. 5704 as to Pharmacist License Number RPH  
6 46443, issued to Respondent Levin and Pharmacy Permit Number PHY 50815 issued to  
7 Respondent Woodland Hills Pharmacy. The Board’s disciplinary order effective on March 12,  
8 2018 as to Respondent Woodland Hills Pharmacy and Respondent Levin contained Probation  
9 Conditions 12 and 29, respectively, Violation of Probation, which provided as follows:

10 *If respondent [owner] has not complied with any term or condition of*  
11 *probation, the board shall have continuing jurisdiction over respondent, and*  
12 *probation shall automatically be extended, until all terms and conditions have*  
13 *been satisfied or the board has taken other action as deemed appropriate to treat*  
14 *the failure to comply as a violation of probation, to terminate probation and to*  
15 *impose the penalty that was stayed.*

16 *If Respondent [owner] violates probation in any respect, the board, after*  
17 *giving Respondent notice and an opportunity to be heard, may revoke probation*  
18 *and carry out the disciplinary order that was stayed. Notice and opportunity to be*  
19 *heard are not required for those provisions stating that a violation thereof may*  
20 *lead to automatic termination of the stay and/or revocation of the license. If a*  
21 *petition to revoke probation or an accusation is filed against Respondent during*  
22 *probation, the board shall have continuing jurisdiction and the period of*  
23 *probation shall be automatically extended until the petition to revoke probation or*  
24 *accusation is heard and decided.*

25 29. Respondents have violated the conditions of its/his probation as set forth in the  
26 following paragraphs.

27 **FIRST CAUSE TO REVOKE PROBATION**

28 **(Failure to Obey All Laws)**

30. The Board’s disciplinary order, which became effective on March 12, 2018 as to  
Respondent Woodland Hills Pharmacy and Respondent Levin contained the following  
requirements:

As to Respondent Woodland Hills Pharmacy, Probation Condition 1, Obey All Laws,  
which required the following:

///



1           **1.     Obey All Laws**

2           *Respondent [owner] shall obey all state and federal laws and regulations.*

3           *Respondent [owner] shall report any of the following occurrences to the Board, in writing, within seventy-two (72) hours of such occurrence:*

4                     *an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws*

5                     *a plea of guilty or nolo contendere in any state or federal criminal proceeding to any criminal complaint, information or indictment*

6                     *a conviction of any crime*

7                     *discipline, citation, or other administrative action filed by any state and federal agency which involves Respondent's Pharmacist License or which is related to the practice of pharmacy or the manufacturing, obtaining, handling or distribution, billing, or charging for any drug, device or controlled substance.*

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

9  
10  
11           As to Respondent Levin, Probation Condition 16, Obey All Laws, which required the following:

12  
13           **16.    Obey All Laws**

14           *Respondent shall obey all state and federal laws and regulations.*

15           *Respondent shall report any of the following occurrences to the board, in writing, within seventy-two (72) hours of such occurrence:*

16                     *an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws*

17                     *a plea of guilty or nolo contendere in any state or federal criminal proceeding to any criminal complaint, information or indictment*

18                     *a conviction of any crime*

19                     *discipline, citation, or other administrative action filed by any state or federal agency which involves respondent's Pharmacy license or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.*

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

21  
22  
23  
24           **31.    The probations of Respondent Woodland Hills Pharmacy and Respondent Levin**  
25  
26           **are subject to revocation because Respondents failed to comply with conditions 1 and 16**

1 (respectively) to obey all laws. Respondents violated this condition when they knowingly  
2 purchased at least twenty five (25) containers of 25 grams each ammonium tetrathiomolybdate  
3 (ATTM) from a non-registered supplier in a violation of Pharmacy Law. Respondents also used  
4 the ATTM to compound 20mg capsules and dispensed over 200 prescriptions to multiple patients  
5 within United States in violation of pharmacy law. The circumstances are set forth in paragraph  
6 19-21, 22-24, 25 and incorporated herein by this reference.

7 32. Respondent Levin's probation is subject to revocation because he failed to comply  
8 with condition 16 and obey all laws. The circumstances are that although the compound ATTM  
9 was removed from the FDA 503A Category 1 Bulks List on or about August 23, 2018, Respondent  
10 Levin continued to dispense nearly 100 prescriptions containing ATTM between August 27, 2018  
11 and February 15, 2019.

### 12 **DISCIPLINE CONSIDERATIONS**

13 33. To determine the degree of discipline, if any, to be imposed on Respondent Steven A.  
14 Levin, Complainant alleges that on or about January 4, 2012, the Board of Pharmacy issued  
15 Citation Number CI 2011 50850, with a \$4,000.00 fine. Respondent Levin complied with the  
16 citation and it is final. The citation alleged violations of: 16 CCR 1793.7 (d) failure to have copy  
17 of pharmacy technician job description, policies and procedures in pharmacy; section 4104 (a)(b)  
18 failure to have written theft and impairment policies and procedures; 16 CCR 1793.1(a) allowing  
19 a clerk to transcribe new telephone prescriptions; 16, CCR 1735.2(j) failure to complete a  
20 compounding self-assessment prior to allowing any drug product to be compounded; 16, CCR  
21 1735.3 (a) failure to keep records of compounded drug products and 16, CCR 1735.2(h) assigned  
22 an expiration date to a final compounded product that was beyond the expiration date of  
23 ingredients used to compound the product

### 24 **OTHER MATTERS**

25 34. Pursuant to section 4307, if discipline is imposed on Original Permit Number PHY  
26 50815 issued to Algunas Inc., doing business as Woodland Hills Pharmacy, while Steven A.  
27 Levin has been an officer and owner and had knowledge of, or knowingly participated in, any  
28 conduct for which Algunas Inc., doing business as Woodland Hills Pharmacy, was disciplined,

1 Steven A. Levin shall be prohibited from serving as a manager, administrator, owner, member,  
2 officer, director, associate, or partner of a licensee for five years if Original Permit Number PHY  
3 50815 is placed on probation or until Original Permit Number PHY 50815 is reinstated if the  
4 license is revoked.

5 **PRAYER**

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

- 8 1. Revoking or suspending Permit Number PHY 50815, issued to Alguas Inc.  
9 to do business as Woodland Hills Pharmacy with Steven A. Levin as the President, 100%  
10 shareholder, director and Pharmacist in Charge;
- 11 2. Revoking or suspending Pharmacist License Number RPH 46443, issued to Steven A.  
12 Levin;
- 13 3. Prohibiting Steven A. Levin from serving as a manager, administrator, owner,  
14 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit  
15 Number PHY 50815 is placed on probation or until Pharmacy Permit Number PHY 50815 is  
16 reissued or reinstated if Pharmacy Permit Number PHY 50815 issued to Alguas Inc. dba  
17 Woodland Hills Pharmacy is revoked;
- 18 4. Ordering Woodland Hills Pharmacy and Steven A. Levin to pay the Board of  
19 Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to  
20 Business and Professions Code section 125.3; and,
- 21 5. Taking such other and further action as deemed necessary and proper.
- 22

23  
24 DATED: July 6, 2020 \_\_\_\_\_



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

25  
26  
27  
28 LA2020600696  
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**BEFORE THE  
BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation and Petition to  
Revoke Probation Against:

**ALGUNAS INC DBA WOODLAND HILLS  
PHARMACY, STEVEN A. LEVIN  
20631 Ventura Blvd., Ste. 305  
Woodland Hills, CA 91364**

**Permit No. PHY 50815,**

**and**

**STEVEN A. LEVIN  
22349 Alguas Road  
Woodland Hills, CA 91364**

**Pharmacist License No. RPH 46443**

Respondents.

Case No. 6927

OAH No. 2020100471

**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 on \_\_\_\_\_.

It is so ORDERED \_\_\_\_\_.

\_\_\_\_\_  
FOR THE BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS