

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

In the Matter of the Accusation Against:

**JESUS LOVES YOU PHARMACY, INC., DBA BETTER LIFE PHARMACY,
JOHN A. GENDY**

Pharmacy Permit No. PHY 56846,

and

JOHN A. GENDY

Pharmacist License No. RPH 74410

Respondents.

Agency Case No. 7116

OAH No. 2023010773

DECISION AND ORDER

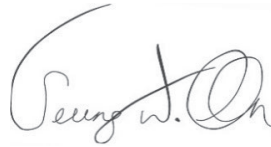
The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on May 8, 2024.

It is so ORDERED on April 8, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is written in a cursive style with a large initial "S" and "O".

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 MATTHEW A. KING
Deputy Attorney General
4 State Bar No. 265691
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7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

12 **JESUS LOVES YOU PHARMACY, INC.,**
13 **DBA BETTER LIFE PHARMACY, JOHN**
14 **A. GENDY**
9420 Slauson Ave.
Pico Rivera, CA 90660

15 **Pharmacy Permit No. PHY 56846,**

16 **and**

17 **JOHN A. GENDY**
18 **838 N. Azusa Ave. #5**
West Covina, CA 91791

19 **Registered Pharmacist License No. RPH**
20 **74410**

21 Respondents.

Case No. 7116
OAH No. 2023010773

STIPULATED SURRENDER OF
LICENSE AND ORDER

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

24 **PARTIES**

25 1. Anne Sodergren (complainant) is the Executive Officer of the Board of Pharmacy
26 (board). She brought this action solely in her official capacity and is represented in this matter by
27 Rob Bonta, Attorney General of the State of California, by Matthew A. King, Deputy Attorney
28 General.

1 **ADVISEMENT AND WAIVERS**

2 9. Respondents have carefully read, fully discussed with counsel, and understand the
3 charges and allegations in Third Amended Accusation Number 7116. Respondents also have
4 carefully read, fully discussed with counsel, and understand the effects of this Stipulated
5 Surrender of License and Order.

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

13 11. Respondents voluntarily, knowingly, and intelligently waive and give up each and
14 every right set forth above.

15 **CULPABILITY**

16 12. Respondents admit the truth of each and every charge and allegation in Third
17 Amended Accusation Number 7116, agree that cause exists for discipline, and hereby surrender
18 Pharmacy Permit Number PHY 56846 and Registered Pharmacist License Number RPH 74410
19 for the board's formal acceptance.

20 13. Respondents understand that by signing this stipulation they enable the board to issue
21 an order accepting the surrender of Pharmacy Permit Number PHY 56846 and Registered
22 Pharmacist License Number RPH 74410 without further process.

23 **CONTINGENCY**

24 14. This stipulation shall be subject to approval by the board. Respondents understand
25 and agree that counsel for complainant and the staff of the board may communicate directly with
26 the board regarding this stipulation and surrender, without notice to or participation by
27 respondents or respondents' counsel. By signing the stipulation, respondents understand and
28 agree that they may not withdraw their agreement or seek to rescind the stipulation prior to the

1 time the board considers and acts upon it. If the board fails to adopt this stipulation as its Decision
2 and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except
3 for this paragraph, it shall be inadmissible in any legal action between the parties, and the board
4 shall not be disqualified from further action by having considered this matter.

5 15. The parties understand and agree that Portable Document Format (PDF) and facsimile
6 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures
7 thereto, shall have the same force and effect as the originals.

8 16. This Stipulated Surrender of License and Order is intended by the parties to be an
9 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
10 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
11 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
12 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
13 executed by an authorized representative of each of the parties.

14 17. In consideration of the foregoing admissions and stipulations, the parties agree that
15 the board may, without further notice or formal proceeding, issue and enter the following Order:

16 **ORDER**

17 IT IS HEREBY ORDERED that Pharmacy Permit Number PHY 56846, issued to
18 respondent Jesus Loves You Pharmacy, Inc., dba Better Life Pharmacy (New Life Pharmacy-
19 Farmacia), John A. Gendy, CEO; and Registered Pharmacist License Number RPH 74410, issued
20 to respondent John A. Gendy, are surrendered and accepted by the board.

21 1. The surrender of respondent Better Life Pharmacy's Pharmacy Permit Number PHY
22 56846 and respondent Gendy's Pharmacist License Number RPH 74410, and the acceptance of
23 the surrendered permit and license by the board shall constitute the imposition of discipline
24 against respondents. Respondents understand and agree that for purposes of Business and
25 Professions Code section 4307, this surrender shall be construed the same as a revocation. This
26 stipulation constitutes a record of the discipline and shall become a part of respondents' license
27 histories with the board.

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1 2. Respondent Better Life Pharmacy shall cease to have any rights and privileges as a
2 pharmacy in California as of the effective date of the board’s Decision and Order.

3 3. Respondent Gendy shall lose all rights and privileges as a pharmacist in California as
4 of the effective date of the board's Decision and Order.

5 4. Respondents shall cause to be delivered to the board any pocket licenses and, if any
6 were issued, any wall certificates on or before the effective date of the Decision and Order.

7 5. If either respondent ever files an application for licensure or a petition for
8 reinstatement in the State of California, the board shall treat it as a new application for licensure.
9 Respondents must comply with all the laws, regulations and procedures for licensure in effect at
10 the time the application or petition is filed, and all of the charges and allegations contained in
11 Third Amended Accusation Number 7116 shall be deemed to be true, correct and admitted by
12 respondents when the board determines whether to grant or deny the application(s) or petition(s).

13 6. Respondents shall pay the agency its costs of investigation and enforcement in the
14 amount of \$72,222.25 prior to applying for a new or reinstated license. No such application shall
15 be considered until full payment is made.

16 7. If respondents should ever apply or reapply for a new license or certification, or
17 petition for reinstatement of a license, by any other health care licensing agency in the State of
18 California, all of the charges and allegations contained in Third Amended Accusation Number
19 7116 shall be deemed to be true, correct, and admitted by respondents for the purpose of any
20 Statement of Issues or any other proceeding seeking to deny or restrict licensure.

21 8. Respondents may not apply, reapply, or petition for any licensure, permit, or
22 registration from the board for three (3) years from the effective date of the Decision and Order.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with the attorney for Jesus Loves You Pharmacy, Inc., dba Better Life Pharmacy. I understand the stipulation and the effect it will have on the corporation's Pharmacy Permit Number PHY 56846. Jesus Loves You Pharmacy, Inc., dba Better Life Pharmacy enters into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agrees to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____
JOHN A. GENDY, CEO
FOR JESUS LOVES YOU PHARMACY,
INC., DBA BETTER LIFE PHARMACY
Respondent

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Registered Pharmacist License Number RPH 74410. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: _____
JOHN A. GENDY
Respondent

I have read and fully discussed with my clients the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: _____
HERBERT L. WEINBERG
FENTON LAW GROUP, LLP
Attorney for Respondents

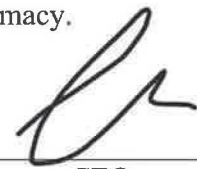
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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with the attorney for Jesus Loves You Pharmacy, Inc., dba Better Life Pharmacy. I understand the stipulation and the effect it will have on the corporation's Pharmacy Permit Number PHY 56846. Jesus Loves You Pharmacy, Inc., dba Better Life Pharmacy enters into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agrees to be bound by the Decision and Order of the Board of Pharmacy.


DATED: 1/10/24



JOHN A. GENDY, CEO
FOR JESUS LOVES YOU PHARMACY,
INC., DBA BETTER LIFE PHARMACY
Respondent

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Registered Pharmacist License Number RPH 74410. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

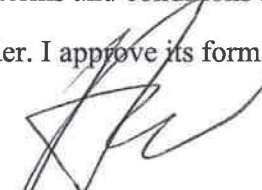
DATED: 1/10/24



JOHN A. GENDY
Respondent

I have read and fully discussed with my clients the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 1/10/2024



HERBERT L. WEINBERG
FENTON LAW GROUP, LLP
Attorney for Respondents

///

///

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General

MATTHEW A. KING
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: January 10, 2024

Respectfully submitted,

ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General


MATTHEW A. KING
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Third Amended Accusation No. 7116

1 ROB BONTA
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2 SHAWN P. COOK
Supervising Deputy Attorney General
3 MATTHEW A. KING
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Attorneys for Complainant
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8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 7116

13 **JESUS LOVES YOU PHARMACY, INC.,**
14 **DBA BETTER LIFE PHARMACY (NEW**
15 **LIFE PHARMACY – FARMACIA), JOHN**
16 **A. GENDY, CEO**
17 **9420 Slauson Ave.**
18 **Pico Rivera, CA 90660**

THIRD AMENDED ACCUSATION

19 **Pharmacy Permit No. PHY 56846,**

20 **and**

21 **JOHN A. GENDY**
22 **838 N. Azusa Ave. #5**
23 **West Covina, CA 91791**

24 **Registered Pharmacist License No. RPH**
25 **74410**

26 Respondents.

27 ///

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1 **PARTIES**

2 1. Anne Sodergren (Complainant) brings this Third Amended Accusation¹ solely in her
3 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer
4 Affairs.

5 2. On or about December 13, 2018, the Board of Pharmacy issued Pharmacy Permit
6 Number PHY 56846 to Jesus Loves You Pharmacy, Inc., dba Better Life Pharmacy (New Life
7 Pharmacy – Farmacia), John A. Gendy, CEO) (Respondent Better Life). The Pharmacy Permit
8 was cancelled on October 14, 2021 due to a discontinuance of business effective September 28,
9 2020.

10 3. On or about January 29, 2016, the Board of Pharmacy issued Registered Pharmacist
11 License Number RPH 74410 to John A. Gendy (Respondent Gendy). The Registered Pharmacist
12 License was in full force and effect at all times relevant to the charges brought herein and will
13 expire on February 28, 2025, unless renewed.

14 **JURISDICTION**

15 4. This Third Amended Accusation is brought before the Board of Pharmacy (Board),
16 Department of Consumer Affairs, under the authority of the following laws. All section
17 references are to the Business and Professions Code (Code) unless otherwise indicated.

18 5. Section 118, subdivision (b), of the Code provides that the suspension, expiration
19 surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
20 disciplinary action during the period within which the license may be renewed, restored, reissued
21 or reinstated.

22 6. Section 4300, subdivision (a), of the Code provides that every license issued by the
23 Board may be suspended or revoked.

24 7. Section 4300.1 of the Code states:

25 The expiration, cancellation, forfeiture, or suspension of a board-issued license by
26 operation of law or by order or decision of the board or a court of law, the
27 placement of a license on a retired status, or the voluntary surrender of a license by a

28 ¹ Any new charges brought in the Second Amended Accusation that are not maintained
herein are withdrawn without prejudice.

1 licensee shall not deprive the board of jurisdiction to commence or proceed with any
2 investigation of, or action or disciplinary proceeding against, the licensee or to render
a decision suspending or revoking the license.

3 **STATUTORY PROVISIONS**

4 8. Section 4040, subdivision (c) states, in pertinent part:

5 Electronic transmission prescription” includes both image and data prescriptions.

6 “Electronic image transmission prescription” means any prescription order for which
a facsimile of the order is received by a pharmacy from a licensed prescriber.

7 “Electronic data transmission prescription” means any prescription order, other than
8 an electronic image transmission prescription, that is electronically transmitted from a
licensed prescriber to a pharmacy.

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

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

13

14 (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
15 licensee or otherwise, and whether the act is a felony or misdemeanor or not.

16 (g) Knowingly making or signing any certificate or other document that falsely
17 represents the existence or nonexistence of a state of facts.

18

19 (o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting
20 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
21 regulations established by the board or by any other state or federal regulatory agency

22 10. Section 4307 of the Code states:

23 a) Any person who has been denied a license or whose license has been revoked or is
24 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,
25 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
26 been denied or revoked, is under suspension or has been placed on probation, and
while acting as the manager, administrator, owner, member, officer, director,
27 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,
28 suspended, or placed on probation, shall be prohibited from serving as a manager,

1 administrator, owner, member, officer, director, associate, partner, or I any other
2 position with management or control of a licensee as follows:

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

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

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

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

20 **REGULATORY PROVISIONS**

21 11. California Code of Regulations, Title 16, section 1761, subdivision (a), states:

22 No pharmacist shall compound or dispense any prescription which contains any
23 significant error, omission, irregularity, uncertainty, ambiguity or alteration. Upon
24 receipt of any such prescription, the pharmacist shall contact the prescriber to obtain
25 the information needed to validate the prescription.

26 **COST RECOVERY**

27 12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
28 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.

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FACTUAL ALLEGATIONS

First Consumer Complaint Investigation

13. On or about May 12, 2020, the Board received an online consumer complaint from T.E. The complaint stated the following:

- Respondent Better Life Pharmacy submitted fraudulent prescriptions for consumer complainant, T.E.'s husband (S.E.), and billed medication not ordered from the provider;
- Dr. S. wrote a prescription for Duexis and Respondent Better Life changed it to Vimovo without contacting the provider for the change or consulting with the patient;
- Respondent Better Life sent claims to Humana for Pennsaid 2% pump and diclofenac 3% gel without the order from the prescriber;
- Respondent Better Life mailed one prescription to the patient without any communication to the patient and after the consumer complainant directed Respondent Better Life not to fill the prescription;
- Respondent Better Life billed the patient \$715.08 for the medication and the medication was sent through USPS whereby the patient could not refuse delivery of the medication;

14. On or about July 1, 2020, a Board Investigator (Investigator) spoke with consumer complainant T.E. who informed the Investigator that her husband, S.E., received Vimovo from Respondent Better Life, which T.E. and S.E. returned because: 1) S.E. and T.E. had not requested the medication, and 2) It was very expensive.

15. The Investigator spoke with Respondent Gendy who stated there were three prescriptions on file for patient S.E.; however, Respondent Gendy claimed not to have billed them because they were rejected by insurance. The Investigator also collected the following documents during the inspection for patient S.E. from Respondent Gendy:

- Patient Drug Profile for patient S.E., dated August 20, 2020;
- The original faxed prescription for patient S.E., dated May 7, 2020;
- The original prescription that did not have any back-tags or labels attached to the document and had a header of 'Star Ortho' and a fax number.

1 16. During the inspection, Respondent Gendy told the Investigator that none of the
2 prescriptions on patient S.E.'s profile were delivered to the patient because insurance did not pay.

3 17. The Investigator also asked Respondent Gendy why there were so many transactions
4 for billing and reversing the claims on patient S.E.'s profile, and requested to see hard copies for
5 the prescriptions for diclofenac, naproxen-esomeprazole and Pennsaid billed in June 2020.
6 Respondent Gendy admitted that he did not have hard copies of deleted prescriptions and gave the
7 excuse that he was teaching his technicians to type, that he never personally billed prescriptions
8 for patient S.E., and that his technicians billed the prescriptions. Respondent Gendy claimed no
9 prescriptions were billed nor paid by insurance to him.

10 18. On or about September 25, 2020, consumer complainant T.E. emailed the
11 Investigator the following attachments:

- 12 • Rx delivery receipt for RX#605509 dated May 8, 2020;
- 13 • USPS proof of delivery, dated May 18, 2020;
- 14 • Photo of prescription bottle RX#605509;
- 15 • Photo of envelope from Respondent Better Life;
- 16 • Humana claims screenshot page dated June 8, 2020.

17 19. On or about October 19, 2020, Respondent Gendy emailed the Investigator the
18 dispensing data covering the time period December 13, 2018, through September 28, 2020.

19 20. On or about October 26, 2020, the Investigator attempted to speak with the office
20 contact at Dr. S.'s office about S.E.'s May 7, 2020 prescription order form. The Investigator
21 previously noticed the May 7, 2020, faxed prescription had a blue ink hand written notes
22 documenting changes to the original typed prescription, which appeared to read "per Jessy
23 5/8/20" and wished to inquire about those characteristics.

24 21. On or about October 28, 2020, the Investigator spoke with a medical assistant at Dr.
25 S.'s office. The individual informed the Investigator that Dr. S.'s office did not use Respondent
26 Better Life anymore because of an accumulation of consumer complaints. The medical assistant
27 further informed the Investigator T.E. complained about Respondent Better Life. Finally, the
28

1 Investigator inquired as to whether anyone by the name of 'Jessy' worked at the office, and the
2 medical assistant confirmed no person with that name had ever worked there.

3 22. On or about November 4, 2020, Dr. S.'s medical assistant emailed the Investigator
4 the following information/statements:

- 5 • Dr. S.'s office did not authorize any change from Duexis to Vimovo generic and changes
6 from Pennsaid 2% to diclofenac gel 3%;
- 7 • Dr. S.'s office did not have any employees by the name 'Jessy' working on or around
8 May 8, 2020;
- 9 • There were no marketing promotions with Respondent Better Life;
- 10 • Dr. S.'s office used pharmacy called Horizon Care and Respondent Better Life was chosen
11 by them to prescribe medications to their Medicare patients;
- 12 • Dr. S.'s office stopped using Respondent Better Life because consumer complainants had
13 said that Respondent Better Life failed to deliver medications prescribed by Dr. S. until
14 months later and billed insurance for medications not prescribed by Dr. S to get
15 DuexisNimovo/Pennsaid approved;
- 16 • Patients also complained that Respondent Better Life billed their insurance for refills
17 without the patients' consent;

18 23. Respondent Better Life sent prescription RX#605509 dated May 8, 2020, for
19 naproxen-esomeprazole DR 500 mg/20 mg to patient S.E. as confirmed by the delivery receipt
20 and a photograph submitted by T.E to the investigator. The USPS delivery confirmation showed
21 that S.E. returned the bottle of naproxen-esomeprazole DR 500 mg/20 mg to Respondent Better
22 Life on or about May 16, 2020. However, Respondent Gendy falsely denied sending any
23 medications to S.E.

24 24. Prescription RX#605510 dated May 8, 2020, for diclofenac sodium 3% gel was billed
25 to Humana according to the Humana records submitted by S.E. During the inspection, the
26 Investigator reviewed the DigitalRX computer system which revealed the billing for Rx#605510
27 was reversed by Respondent Better Life.

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1 **Second Consumer Complaint Investigation**

2 25. On or about June 22, 2020, the Board received an online complaint from Pharmacist
3 J.G. who owned Medella Pharmacy and filed a complaint against Respondent Gendy for fraud.

4 The complaint claimed the following:

- 5 • Respondent Gendy called J.G.'s software company on or about June 19, 2020, and
6 fraudulently claimed his name was 'Joe' (Pharmacist J.G.'s nickname) and that he was from
7 Medella Pharmacy;
- 8 • Respondent Gendy asked a software representative to reverse a high dollar amount claim
9 from Pharmacist J.G.'s system.
- 10 • According to J.G., Respondent Gendy's motivation was to bill the claim in his system;
- 11 • Pharmacist J.G. obtained the recording from the software company and filed the police
12 report with Downey Police Department. The investigation is pending with the Downey
13 Police Department

14 26. On or about July 27, 2020, J.G. told the Investigator the prescription in question
15 #801933 was for patient J.N. for metformin ER 1000 mg, one hundred and eighty tablets for a
16 ninety-day supply. J.G. also gave the audio file with the recording made by the software
17 company to the Investigator.

18 27. On or about August 20, 2020, the Investigator conducted an inspection at Respondent
19 Better Life. The Investigator asked Respondent Gendy about patient J.N. and Respondent Gendy
20 claimed he did not remember the patient. Respondent Gendy, however, provided the investigator
21 access to J.N.'s profile in the pharmacy software DigitalRX, of which she took several photos of
22 J.N. medication profile.

23 28. The Investigator also collected the following documents during her investigation:

- 24 • RX#602722 metformin ER 1000 mg prescription label dated January 24, 2020;
- 25 • A copy of the original electronic prescription metformin ER 1000 mg for patient J.N,
26 dated January 24, 2020; and
- 27 • Patient drug profile document for J.N., dated August 20, 2020.

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1 29. Additionally, on or about August 20, 2020, a written notice was issued to Respondent
2 Gendy regarding controlled substance inventory requirements. Specifically, Respondent Gendy
3 admitted he did not count controlled substances schedule II, III, IV, V at the opening of the
4 pharmacy nor since the start of his business.

5 30. Pharmacist J.G. told the Investigator that prescriber, Dr. C., started sending patients to
6 Medella Pharmacy. J.G requested to transfer prescriptions from Respondent Better Life and
7 Respondent Gendy to his pharmacy for the new patients on several occasions. Respondent
8 Gendy, however, failed to provide transfer prescriptions, necessitating J.G. to request new
9 prescription orders for his new patients from the different prescribers directly. J.G. also
10 processed several prescriptions for his new patients where insurance payment rejection messages
11 on his software showed Respondent Better Life had already billed for medications.

12 31. J.G. obtained a new prescription for metformin ER 1000 mg from Dr. C for his new
13 patient J.N. and billed insurance on or about June 17, 2020. The following day, he checked J.N.'s
14 profile and saw it was reversed in DigitalRX pharmacy system; however, neither J.G. nor his staff
15 had initiated the reversal. J.G. called DigitalRX to investigate, obtained a voice recording, and
16 recognized Respondent Gendy's voice. J.G. subsequently filed a police report with Downey
17 Police Department and a complaint with the Board. The police report remains pending with the
18 Downey Police Department. Additionally, DigitalRX software staff said they identified
19 Respondent Gendy's voice.

20 32. J.G. also explained that he noticed a claim for patient J.N. RX#801933 for metformin
21 ER 1000 mg had been reversed by "RXUSER." J.G. explained that DigitalRX software used
22 "RXUSER" signature if DigitalRX reversed prescriptions upon request by a pharmacy over the
23 phone. J.G. became suspicious and called DigitalRX software to investigate, upon which he
24 obtained a voice recording from an individual pretending to be him and requesting the reversal.
25 J.G. recognized voice as Respondent Gendy. It was Respondent Gendy who phoned DigitalRX
26 under false pretenses claiming to be J.G. in order to reverse a claim for patient J.N.

27 33. On or about October 15, 2020 the Investigator spoke with J.N's niece who stated the
28 following:

- 1 • Her uncle was a patient of Medella pharmacy in Downey;
- 2 • Respondent Better Life in Pico Rivera was billing her uncle's insurance company for
- 3 medication he did not receive;
- 4 • Because her uncle's hospital said they did not have a contract with Respondent Better
- 5 Life, she accompanied her uncle to Medella Pharmacy;
- 6 • Medella Pharmacy informed her uncle they tried to bill the insurance for metformin, but
- 7 Respondent Better Life had already billed it;
- 8 • J.N.'s niece went with her uncle to Respondent Better Life to complain.

9 34. J.N.'s niece further stated that Respondent Better Life should not be billing insurance
10 currently for any medications because it was not providing any medications to J.N.

11 35. On or about October 19, 2020, Respondent Gendy provided the Investigator with
12 Better Life dispensing data for December 13, 2018 through September 28, 2020.

13 36. The Investigator spent considerable time speaking with Respondent Gendy during the
14 subject investigation. The Investigator observed Respondent Gendy had an accent speaking
15 English, and noticed his voice quality and the manner of speaking. The Investigator also spoke
16 several times with J.G. of Medella Pharmacy and observed he was a native English speaker with
17 no accent. Respondent Gendy's and J.G.'s manner of speaking and tonal voice quality were also
18 very different. The audio file from DigitalRX software revealed Respondent Gendy called
19 DigitalRX pretending to be 'Joe.'

20 37. DigitalRX software photos of J.N.'s patient profile showed prescription number
21 RX#605151 for metformin ER 1000 mg dated August 14, 2020, was processed on but not paid by
22 the insurance, RX#605152 for metformin ER 1000 mg dated April 23, 2020, was on file and not
23 paid by the insurance.

24 38. Patient J.N.'s drug profile collected at the inspection on August 20, 2020, revealed
25 metformin ER 1000 mg RX#602722 was dispensed on January 24, 2020, and delivered on
26 February 7, 2020, according to the delivery receipt submitted by Respondent Gendy on August
27 31, 2020, and was signed for by 'Jasmin'. The Investigator analyzed the dispensing data
28

1 submitted by Respondent Gendy, which revealed metformin ER 1000 mg for patient J.N. was
2 dispensed once and billed on January 24, 2020.

3 **Third Consumer Complaint Investigation**

4 39. On or about September 16, 2020, the Board received an online complaint from K.C.
5 of Blue Shield of California regarding apparent fraudulent activity by Respondent Better Life and
6 Respondent Gendy.

7 40. Specifically, the complaint alleged Respondent Better Life and Respondent Gendy:

- 8 • Submitted claims in or around October 2019, primarily for expensive medications that
9 required prior authorization. Since approximately October 2019, the billed amount to
10 Blue Shield was \$4,146,777.09, allowed \$2,489,996.20, and paid \$2,295,604.57;
- 11 • These expensive medications claims were also provided to Respondent Gendy and Blue
12 Shield paid Respondent Better Life over \$95,000.00 dollars since in or around February
13 2020 for Respondent Gendy's prescriptions alone;
- 14 • The prescription prior authorization (PA) forms appeared to have been completed by the
15 same person, regardless of the identified prescribing provider. Incorrect provider fax
16 numbers were also listed on the PA forms, and several were overlapping for unrelated
17 providers, which caused Blue Shield to suspect that Respondent Better Life was
18 submitting forged PA forms; and
- 19 • Blue Shield received an anonymous complaint that the provider was not collecting co-
20 pays.

21 41. The Investigator undertook an investigation in response to the complaint. As part of
22 the investigation, the Investigator analyzed the data submitted by Respondent Gendy on or about
23 October 19, 2020, and selected random highly reimbursed prescriptions with the payer Blue
24 Shield of California (Payer BSC). The following Table 1 represented the randomly selected high
25 reimbursement prescriptions by Payer BSC:

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1 **Table 1**

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Prescription number	Medication	Patient	Prescriber	Total dollar amount paid by payer (including all refills)
RX 601335	Restasis 0.05% eye emulsion	MG	Dr. C.	2,041.22
RX 601594	Xifaxan 550mg	GC	Dr. C.	2,300.82
RX601908	Xifaxan 550mg	GC	Dr. C.	2,320.43
RX 601946	Myrbetriq ER 25mg	ss	Dr. C.	2,949.46
RX601924	Januvia 100mg	JC	Dr. C.	1,110.96
RX603037	Januvia 100mg	JC	Dr. C.	1,815.24
RX605039	Januvia 100mg	JC	Dr. C.	1,769.28
RX600929	Vascepa lg	GC	Dr. C.	865.25
RX 600521	Januvia 100mg	RC	Dr. C.	5,304.8
RX603102	Ozempic 0.25mg-0.5mg	RC	Dr. C.	3,956.35
RX 600532	Toujeo Solostar 300u/ml	RC	Dr. C.	7,592.07
RX 600843	Vascepa lg	RC	Dr. C.	1,804.41
RX601439	Jardiance 20mg	VH	Dr. C.	4,271.41
			TOTAL:	38,101.70

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17 42. The Investigator further analyzed dispensing data submitted by Respondent Gendy on

18 or about October 19, 2020 for the time period from December 13, 2018, through September 28,

19 2020. The Investigator searched Respondent Gendy's name in this dispensing data and did not

20 find any prescriptions dispensed under that name for that period.

21 43. The Investigator further analyzed the claims data submitted by Payer BSC on or

22 about October 19, 2020. The Investigator searched Respondent Gendy's name in Payer BSC's

23 claims data as well. The search data revealed sixty-eight claims submitted and paid by Payer

24 BSC for the total of \$98,624.99 for Respondent Gendy. The following Table 2 represented the

25 randomly selected claims paid by the Payer BSC for Respondent Gendy's prescriptions:

26 **Table 2**

27

28

JG prescription number	Medication	Prescriber	Total dollar amount paid by payer (including all refills)
RX 602968	Truvada 100mg-	Dr. C.	1,736.38

	150mg		
1	RX 602973	Xifaxan 550mg	Dr. C.
2	RX 605368	Naproxen- Esomeprazole DR500mg- 20mg	Dr. C.
3			
4	RX 605399	Xifaxan 550mg	Dr. C.
5	RX 605523	Chlorzoxazone 500mg	Dr. C.
6	RX 605755	Fluocinonide 0.1%cream	Dr. C.
7	RX 605579	Creon DR 36,000U	Dr. C.
8			TOTAL:
			40,957.16

9 44. On or about December 18, 2020, the Investigator contacted Dr. C.'s office to verify
10 the documents received from Blue Shield of California. The same day, the Investigator also
11 contacted Dr. M's office to verify the documents received from Blue Shield of California.

12 45. On or about December 22, 2020, the Investigator received the following response
13 from Dr. M.:

- 14 • Respondent Gendy was seen in Dr. M's office on or about November 15, 2019, for a
- 15 qualified medical evaluation; and
- 16 • Dr. M did not prescribe any medications or make treatment recommendations.

17 46. On or about December 23, 2020, the Investigator received the following statement
18 from Dr. C. in connection with the document verification:

- 19 • Dr. C. had not signed any of the PA's;
- 20 • Dr. C. saw Respondent Gendy as a patient once for a sore throat and a physical
- 21 examination on or about February 20, 2020;
- 22 • At that time his medication list was only timolol ophthalmic solution.
- 23 • A throat culture and sensitivity test was done, which was normal, and no other
- 24 medications were ordered;
- 25 • Respondent Gendy's medication list showed Creon, Ajovy, Zegen, Xifaxan, Biktarvy,
- 26 Truvada and Otezla which were not prescribed by Dr. C.;

27 ///

- 1 • Dr. C. had no knowledge of any condition that would warrant the use of any of these
- 2 medications for Respondent Gendy;
- 3 • Most recently, Respondent Gendy had a PA for the drug Otezla which Dr. C did not order.
- 4 • Dr. C believed Respondent Gendy was working with one of her prior employees but, in
- 5 any case, Dr. C. had not prescribed any of subject the medications;
- 6 • Dr. C. spoke to Respondent Gendy in February 2020 and requested he cease prescribing
- 7 medication in her name that patients were not taking. Dr. C. informed Respondent Gendy
- 8 the practice was illegal, that it must stop, and she would cease doing business with him if he
- 9 continued. Despite this request, Respondent Gendy continued the practice, causing Dr. C.
- 10 to stop sending Respondent Gendy any prescriptions or patients;
- 11 • Dr. C stated she did not prescribe any of these medications and did not know how they
- 12 appeared in the computer;

13 47. Prescription documents and the delivery confirmations submitted to the Board by
14 Respondent Gendy on December 15, 2020, listed in the above Table 1 for patients MG, GC, SS,
15 JC, RC, VH were prescribed by Dr. C. and represented verbally verified chart orders and
16 electronic prescriptions signed by Dr. C. The aforementioned prescription orders did not appear
17 uncertain² nor did they represent uncommon pharmacy practice.

18 48. Prescription documents submitted to the Board by Respondent Gendy on or about
19 December 18, 2020, were prescriptions for his own medications with their delivery confirmations
20 and represented electronic prescriptions and verbally authorized refill orders. Dr. C., however,
21 did not prescribe Respondent Gendy any of these medications because there was no medical
22 indication for them. The prescriptions submitted to the Board by Respondent Gendy on
23 December 18, 2020, were uncertain because they were not authorized by Dr. C. Respondent
24 Gendy acted unprofessionally by fraudulently obtaining the following prescriptions under Dr. C.'s
25 name for himself and billing Payer BSC for the total sum of at least \$40, 957.16:

26 _____
27 ² Pursuant to C.C.R., Title 16, Section 1761, no pharmacist shall compound or dispense
28 any prescription which contains any significant error, omission, irregularity, uncertainty,
ambiguity or alteration. Upon receipt of any such prescription, the pharmacist shall contact the
prescriber to obtain the information needed to validate the prescription.

RX 602968	Truvada 100mg-150mg
RX 602973	Xifaxan 550mg
RX 605368	Naproxen- Esomeprazole DR500mg-20mg
RX 605399	Xifaxan 550mg
RX 605523	Chlorzoxazone 500mg
RX 605755	Fluocinonide 0.1%cream
RX 605579	Creon DR 36,000U

49. Prior authorization documents submitted to Payer BCS for authorization of Respondent Gendy's personal medications were not submitted by Dr. M.'s office either. Respondent Gendy submitted PA documents on behalf of Dr. M's and Dr. C's offices for the medications which were not prescribed. The analysis of the prior authorization documents submitted by Payer BSC to the Board on or about October 19, 2020, to support the complaint further revealed the following:

- The handwriting and the signatures of Dr. C. and Dr. M. did not match their handwriting and signatures in their statements dated December 22, 2020.
- According to Dr. M.'s statement dated December 22, 2020, he did not prescribe any medications to Respondent Gendy. Therefore, there should not have been a PA document signed on February 6, 2020, and submitted to Payer BSC for Respondent Gendy's Restasis and Inveltys. PA forms submitted to Payer BSC to obtain BSC payments for Restasis and Inveltys were falsely signed and submitted by Respondent Gendy to Payer BSC and represented the non-existent prescriptions.
- According to Dr. C.'s statement dated December 22, 2020, she did not prescribe Otezla to Respondent Gendy, thus there should not have been a prior authorization document submission to Payer BSC to obtain a payment authorization.
- Prior authorization forms received by Payer BSC to obtain insurance payments were falsely signed and submitted by Respondent Gendy and represented a non-existent prescription Restasis and Inveltys by Dr. M. and Otezla by Dr. Carnegie.

///

1 • The handwriting on all prior authorization forms submitted to Payer BSC looked very
2 similar to Respondent Gendy's handwriting on the Discontinuance of Business form
3 submitted and signed by Respondent Gendy on or about September 25, 2020. Respondent
4 Better Life and Respondent Gendy received at least \$40,957.16 from Payer BSC for the
5 medications not warranted for his medical conditions according to the statement by Dr. C.
6 dated December 22, 2020.

7 **Fourth Consumer Complaint Investigation**

8 50. On or about June 27, 2021, the Board received an online complaint from consumer
9 complainant J.H. regarding possible fraudulent activity by Respondent Better Life and
10 Respondent Gendy.

11 51. Specifically, the complaint alleged:

- 12 • Pharmacy was closed;
- 13 • The man was a scammer and delivered Pennsaid to J.H.'s house and told her the copay
14 was only \$20;
- 15 • Then he billed Humana for the delivery and another delivery later in July 2020, which
16 J.H. never received; and
- 17 • Prescription was RX 606596 by Dr. W.

18 52. The Investigator undertook an investigation in response to the complaint. As part of
19 the investigation and on July 19, 2021, the Investigator spoke with consumer complainant J.H.
20 who informed the Investigator that Respondents charged her Humana insurance for Pennsaid
21 medication and never delivered the refills. J.H. received a statement form from Humana that
22 showed Respondents billed Humana two shipments of this medication of which J.H. only
23 received one.

24 53. As part of the investigation, the Investigator analyzed prescription document RX
25 606596 submitted by Respondent Gendy on July 28, 2021. The investigator's analysis revealed
26 that said prescription was for Pennsaid 2% by Dr. W and with no authorization for refills. On
27

1 July 2, 2020 and again on July 29, 200, Respondent dispensed Pennsaid 2% to J.H. As noted
2 above by J.H., she did not receive a refill on Pennsaid 2% but her insurance was billed for it.

3 54. The Investigator analyzed Humana's dispensing data and searched for J.H.
4 prescriptions, which revealed the following three (3) prescriptions for Creon DR, RX 606606, RX
5 606605, and RX 607155. On July 22, 2021, the Investigator spoke with J.H. who stated her
6 doctor never discussed nor prescribed her Creon DR. The Investigator analyzed Respondent
7 Better Life dispensing data for the time period December 13, 2018 to September 28, 2020
8 submitted by Respondent Gendy on October 19, 2020. Said dispensing data did not reveal J.H.
9 prescriptions for Creon DR. The Investigator's analysis also revealed prescription RX 606596,
10 with total paid by plan \$20,614.20 for the time period July 2, 2020 to July 29, 2020.

11 55. As part of the investigation, the Investigator analyzed Respondent Better Life
12 dispensing data for the time period December 13, 2018 to September 28, 2020 submitted by
13 Respondent Gendy on October 19, 2020. Said dispensing data did not reveal J.H. prescriptions
14 for Creon DR. Respondent Gendy submitted false prescriptions for Creon DR to Humana and
15 was paid \$20,614.20 for said prescriptions that were never provided to J.H.

16 56. On September 25, 2020, Respondents signed a Discontinuation of Business form.
17 Respondents kept pharmacy records in the manager's office of Serve Rite Liquor & Market,
18 located in Pico Rivera, CA, after Respondent Better Life was closed. Serve Rite Liquor &
19 Market is not a Board-licensed facility and it was Respondent Gendy's responsibility to ensure
20 security of the pharmacy records. On March 16, 2021, the pharmacy records were seized by the
21 Department of Insurance pursuant to the execution of a warrant at Serve Rite Liquor & Market.

22 **FIRST CAUSE FOR DISCIPLINE**

23 (Erroneous or Uncertain Prescriptions)

24 57. Respondent Better Life is subject to disciplinary action under, C.C.R. Title 16,
25 Section 1761 subdivision (a), in that Respondent Better Life:

26 a) On or about May 8, 2020, altered the facsimile prescription for patient S.E. from Duexis
27 to naproxen-esomeprazole DR 500 mg/20 mg without Dr. S's authorization and dispensed
28 naproxen-esomeprazole DR 500 mg/20 mg to patient S.E. without patient's request, as is more

1 fully set forth in paragraphs 13 - 24, above, which are incorporated by reference.

2 b) Dispensed to Respondent Gendy uncertain prescriptions not authorized by Dr. C. and
3 received payments from Payer BSC totaling at least \$40,957.16, as is more fully set forth in
4 paragraphs 39 - 49, above, which are incorporated by reference.

5 c) Dispensed to Respondent Gendy uncertain prescriptions not authorized by Dr. M. and
6 received payments from Payer BSC, as is more fully set forth in paragraphs 45 and 49, which are
7 incorporated by reference.

8 **SECOND CAUSE FOR DISCIPLINE**

9 (Unprofessional Conduct)

10 58. Respondent Better Life is subject to disciplinary action under, Section 4301
11 subdivision (o), of the Code in that Respondent Better Life:

12 a) Did not have initial inventory completed since the beginning of business
13 operations on or about December 13, 2018, in violation of Pharmacy Law Code of Federal
14 Regulations 1304.11 section (b), as is more fully set forth in paragraphs 25 - 38, above, which are
15 incorporated by reference.

16 **THIRD CAUSE FOR DISCIPLINE**

17 (Unprofessional Conduct)

18 59. Respondent Gendy is subject to disciplinary action under, Section 4301 subdivision
19 (f), of the Code in that:

20 a) While being Pharmacist-in-Charge of Respondent Better Life, Respondent Gendy called
21 DigitalRX software company pretending to be 'Joe' from Medella Pharmacy to reverse claim for
22 medication metformin ER RX#801933 for patient J.N. as is more fully set forth in paragraphs 25
23 - 38, above, which are incorporated by reference;

24 b) Respondent Gendy while being pharmacist in charge of Respondent Better Life,
25 fraudulently obtained uncertain prescriptions from Dr. C. and dispensed the prescriptions to
26 himself and received payments from Payer BSC totaling at least \$40, 957.16 as is more fully set
27 forth in paragraphs 39 - 49, above, which are incorporated by reference.

28 ///

1 c) Respondent Gendy, while being pharmacist in charge of Respondent Better Life,
2 fraudulently obtained uncertain prescriptions from Dr. M. and dispensed the prescriptions to
3 himself and received payments from Payer BSC, as is more fully set forth in paragraphs 45 and
4 49, which are incorporated by reference.

5 **FOURTH CAUSE FOR DISCIPLINE**

6 (Unprofessional Conduct)

7 60. Respondent Gendy is subject to disciplinary action under, Section 4301
8 subdivision (o), of the Code in that Respondent Gendy:

9 a) While being Pharmacist-in-Charge of Respondent Better Life, Respondent Gendy did
10 not complete initial inventory for controlled substances schedule II - IV since the beginning of
11 business operations on or about December 13, 2018, in violation of Pharmacy Law Code of
12 Federal Regulations 1304.11 section (b) as is more fully set forth in paragraphs 24 - 38, above,
13 which are incorporated by reference.

14 **FIFTH CAUSE FOR DISCIPLINE**

15 (Erroneous or Uncertain Prescriptions)

16 61. Respondent Gendy is subject to disciplinary action under C.C.R. Title 16, Section
17 1761 subdivision (a), in that:

18 a) While being Pharmacist-in-Charge of Better Life Pharmacy, Respondent Gendy was
19 dishonest during the inspection on or about August 20, 2020, regarding dispensing of the
20 prescription for patient S.E. RX 605509 for naproxen-esomeprazole 500 mg/20 mg as is more
21 fully set forth in paragraphs 13 - 24, above, which are incorporated by reference;

22 b) Respondent Gendy while being pharmacist in charge of Respondent Better Life,
23 fraudulently obtained uncertain prescriptions from Dr. C. and dispensed the prescriptions to
24 himself and received payments from Payer BSC totaling at least \$40, 957.16 as is more fully set
25 forth in paragraphs 39 - 49, above, which are incorporated by reference.

26 c) Respondent Gendy, while being pharmacist in charge of Respondent Better Life,
27 fraudulently obtained uncertain prescriptions from Dr. M. and dispensed the prescriptions to
28 himself and received payments from Payer BSC, as is more fully set forth in paragraphs 45 and

1 49, which are incorporated by reference.

2 **SIXTH CAUSE FOR DISCIPLINE**

3 (Erroneous or Uncertain Prescriptions)

4 62. Respondent Better Life is subject to disciplinary action under C.C.R. Title 16, Section
5 1761 subdivision (a), in that:

6 a) On July 29, 2021, Respondent Better Life dispensed prescription RX 606596 for
7 Pennsaid 2% for J.H. without a prescriber's authorization as is more fully set forth in paragraphs
8 50 - 56, above, which are incorporated by reference.

9 **SEVENTH CAUSE FOR DISCIPLINE**

10 (Maintenance of Prescriptions and Other Records)

11 63. Respondents are subject to disciplinary action under, Section 4301 subdivision (f), of
12 the Code in that:

13 a) Respondent Better Life maintained pharmacy records from December 2020 until March
14 2021 at Serve Rite Liquor & Market, which was not a Board-licensed premises as is more fully
15 set forth in paragraphs 50 - 56, above, which are incorporated by reference.

16 b) While being Pharmacist-in-Charge of Respondent Better Life, Respondent Gendy
17 maintained pharmacy records from December 1, 2020 until March 16, 2021 at Serve Rite Liquor
18 & Market, which was not a Board-licensed premises as is more fully set forth in paragraphs 50 -
19 56, above, which are incorporated by reference.

20 **EIGHTH CAUSE FOR DISCIPLINE**

21 (Unprofessional Conduct)

22 64. Respondent Gendy is subject to disciplinary action under, Section 4301
23 subdivision (f), of the Code, in conjunction with under C.C.R. Title 16, Section 1761 subdivision
24 (a) in that Respondent Gendy:

25 a) While being Pharmacist-in-Charge of Respondent Better Life, Respondent Gendy on
26 July 29, 2021 billed RX 606596 Pennsaid 2% for J.H. without a refill authorization from Dr. W
27 and did not deliver said prescription as is more fully set forth in paragraphs 50 - 56, above, which
28 are incorporated by reference.

1 1. Revoking or suspending Pharmacy Permit Number PHY 56846, issued to Respondent
2 Better Life;

3 2. Revoking or suspending Registered Pharmacist License Number RPH 74410, issued
4 to Respondent Gendy;

5 3. Ordering Respondent Better Life and Respondent Gendy to pay the Board of
6 Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to
7 Business and Professions Code section 125.3;

8 4. Prohibiting Respondent Gendy from serving as a manager, administrator, owner,
9 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit
10 Number PHY 56846 or Registered Pharmacist License Number RPH 74410 is placed on
11 probation or until Pharmacy Permit Number PHY 56846 or Registered Pharmacist License
12 Number RPH 74410 is reinstated if Pharmacy Permit Number PHY 56846 or Registered
13 Pharmacist License Number RPH 74410 is/are revoked; and,

14 5. Taking such other and further action as deemed necessary and proper.

15
16 DATED: 1/10/2024

Digitally signed by
Sodergren, Anne@DCA
Date: 2024.01.10 08:52:28
-08'00'

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

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