

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

**In the Matter of the Accusation Against:**

**B3 HOLDINGS INC., DBA PORTER RANCH PHARMACY,  
PHILIP WILLIAM BANKS  
Pharmacy Permit No. PHY 48684,**

**MOJDEH ROUHANI  
Pharmacist License No. RPH 46639,**

**PHILIP WILLIAM BANKS  
Pharmacist License No. RPH 47038,**

**and**

**WHOLERX INC., DBA PORTER RANCH PHARMACY,  
MOJDEH ROUHANI  
Pharmacy Permit No. PHY 58025**

**Respondents.**

**Agency Case No. 7163**

**OAH No. 2022050603**

## 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 May 24, 2023.

It is so ORDERED on April 24, 2023.

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, sweeping initial "S".

Seung W. Oh, Pharm.D.  
Board President

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 MARISSA N. HAMILTON  
Deputy Attorney General  
4 State Bar No. 322489  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6701  
6 Facsimile: (916) 731-2126  
E-mail: Marissa.Hamilton@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 Against:

Case No. 7163

13 **B3 HOLDINGS INC., DBA PORTER**  
**RANCH PHARMACY, PHILIP WILLIAM**  
14 **BANKS**  
15 **19950 Rinaldi Street, Suite 102**  
**Porter Ranch, CA 91326**

OAH No. 2022050603

16 **Pharmacy Permit No. PHY 48684,**

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER AS TO**  
**RESPONDENT MOJDEH ROUHANI,**  
**PHARMACIST LICENSE NO. RPH 46639**  
**ONLY**

17 **MOJDEH ROUHANI**  
18 **19300 Rinaldi Street #7512**  
**Northridge, CA 91327**

19 **Pharmacist License No. RPH 46639,**

20 **PHILIP WILLIAM BANKS**  
21 **19300 Rinaldi St., #7512**  
**Northridge, CA 91327**

22 **Pharmacist License No. RPH 47038,**

23 **and**

24 **WHOLERX INC., DBA PORTER RANCH**  
**PHARMACY, MOJDEH ROUHANI**  
25 **19950 Rinaldi St., Ste. 102**  
**Porter Ranch, CA 91326**

26 **Pharmacy Permit No. PHY 58025**

27 Respondents.  
28

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

3 **PARTIES**

4 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
5 (Board). She brought this action solely in her official capacity and is represented in this matter by  
6 Rob Bonta, Attorney General of the State of California, by Marissa N. Hamilton, Deputy  
7 Attorney General.

8 2. Respondent Mojdeh Rouhani is represented in this proceeding by attorney Armond  
9 Marcarian, whose address is 21650 Oxnard Street, Suite 1980, Woodland Hills, CA 91367.

10 3. On or about August 23, 1993, the Board issued Pharmacy Permit No. PHY 46639 to  
11 Mojdeh Rouhani (Respondent Rouhani). The Pharmacist License was in full force and effect at  
12 all times relevant to the charges brought in First Amended Accusation No. 7163, and will expire  
13 on November 30, 2024, unless renewed.

14 **JURISDICTION**

15 4. First Amended Accusation No. 7163 was filed before the Board, and is currently  
16 pending against Respondent Rouhani. The First Amended Accusation and all other statutorily  
17 required documents were properly served on Respondent Rouhani on October 4, 2022.  
18 Respondent Rouhani timely filed her Notice of Defense contesting the Accusation. A copy of  
19 First Accusation No. 7163 is attached as Exhibit A and incorporated herein by reference.

20 **ADVISEMENT AND WAIVERS**

21 5. Respondent Rouhani has carefully read, fully discussed with counsel, and understands  
22 the charges and allegations in First Amended Accusation No. 7163. Respondent Rouhani has  
23 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
24 Settlement and Disciplinary Order.

25 6. Respondent Rouhani is fully aware of her legal rights in this matter, including the  
26 right to a hearing on the charges and allegations in the First Amended Accusation; the right to  
27 confront and cross-examine the witnesses against her; the right to present evidence and to testify  
28 on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses

1 and the production of documents; the right to reconsideration and court review of an adverse  
2 decision; and all other rights accorded by the California Administrative Procedure Act and other  
3 applicable laws.

4 7. Respondent Rouhani voluntarily, knowingly, and intelligently waives and gives up  
5 each and every right set forth above.

#### 6 **CULPABILITY**

7 8. Respondent Rouhani understands and agrees that the charges and allegations in First  
8 Amended Accusation No. 7163, if proven at a hearing, constitute cause for imposing discipline  
9 upon her Pharmacist License.

10 9. For the purpose of resolving the Accusation without the expense and uncertainty of  
11 further proceedings, Respondent Rouhani agrees that, at a hearing, Complainant could establish a  
12 factual basis for the charges in the First Amended Accusation, and that Respondent Rouhani  
13 hereby gives up her right to contest those charges.

14 10. Respondent Rouhani agrees that her Pharmacist License is subject to discipline and  
15 he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order  
16 below.

#### 17 **CONTINGENCY**

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

28 ///



1 Respondent Rouhani's license or which is related to the practice of pharmacy or the  
2 manufacturing, obtaining, handling, distributing, billing, or charging for any drug,  
3 device or controlled substance.

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

5 **2. Report to the Board**

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

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

15 **3. Interview with the Board**

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

21 **4. Cooperate with Board Staff**

22 Respondent Rouhani shall timely cooperate with the Board's inspection program and with  
23 the Board's monitoring and investigation of Respondent Rouhani's compliance with the terms  
24 and conditions of her probation, including but not limited to: timely responses to requests for  
25 information by Board staff; timely compliance with directives from Board staff regarding  
26 requirements of any term or condition of probation; and timely completion of documentation  
27 pertaining to a term or condition of probation. Failure to timely cooperate shall be considered a  
28 violation of probation.

1           **5. Continuing Education**

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

4           **6. Reporting of Employment and Notice to Employers**

5           During the period of probation, Respondent Rouhani shall notify all present and prospective  
6 employers of the decision in case number 7163 and the terms, conditions and restrictions imposed  
7 on Respondent Rouhani by the decision, as follows:

8           Within thirty (30) days of the effective date of this decision, and within ten (10) days of  
9 undertaking any new employment, Respondent Rouhani shall report to the Board in writing the  
10 name, physical address, and mailing address of each of her employer(s), and the name(s) and  
11 telephone number(s) of all of her direct supervisor(s), as well as any pharmacist(s)-in-charge,  
12 designated representative(s)-in-charge, responsible manager, or other compliance supervisor(s)  
13 and the work schedule, if known. Respondent Rouhani shall also include the reason(s) for  
14 leaving the prior employment. Respondent Rouhani shall sign and return to the Board a written  
15 consent authorizing the Board or its designee to communicate with all of Respondent Rouhani's  
16 employer(s) and supervisor(s), and authorizing those employer(s) or supervisor(s) to  
17 communicate with the Board or its designee, concerning respondent's work status, performance,  
18 and monitoring. Failure to comply with the requirements or deadlines of this condition shall be  
19 considered a violation of probation.

20           Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
21 respondent undertaking any new employment, Respondent Rouhani shall cause (a) her direct  
22 supervisor, (b) her pharmacist-in-charge, designated representative-in-charge, responsible  
23 manager, or other compliance supervisor, and (c) the owner or owner representative of her  
24 employer, to report to the Board in writing acknowledging that the listed individual(s) has/have  
25 read the decision in case number 7163, and terms and conditions imposed thereby. If one person  
26 serves in more than one role described in (a), (b), or (c), the acknowledgment shall so state. It  
27 shall be Respondent Rouhani's responsibility to ensure that these acknowledgment(s) are timely  
28 submitted to the Board. In the event of a change in the person(s) serving the role(s) described in



1 (a), (b), or (c) during the term of probation, Respondent Rouhani shall cause the person(s) taking  
2 over the role(s) to report to the Board in writing within fifteen (15) days of the change  
3 acknowledging that he or she has read the decision in case number 7163, and the terms and  
4 conditions imposed thereby.

5 If Respondent Rouhani works for or is employed by or through an employment service,  
6 Respondent Rouhani must notify the person(s) described in (a), (b), and (c) above at every entity  
7 licensed by the Board of the decision in case number 7163, and the terms and conditions imposed  
8 thereby in advance of respondent commencing work at such licensed entity. A record of this  
9 notification must be provided to the Board upon request.

10 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
11 (15) days of respondent undertaking any new employment by or through an employment service,  
12 Respondent Rouhani shall cause the person(s) described in (a), (b), and (c) above at the  
13 employment service to report to the Board in writing acknowledging that he or she has read the  
14 decision in case number, and the terms and conditions imposed thereby. It shall be Respondent  
15 Rouhani's responsibility to ensure that these acknowledgment(s) are timely submitted to the  
16 Board.

17 Failure to timely notify present or prospective employer(s) or failure to cause the identified  
18 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board  
19 shall be considered a violation of probation.

20 "Employment" within the meaning of this provision includes any full-time, part-time,  
21 temporary, relief, or employment/management service position as a Pharmacist, or any position  
22 for which a Pharmacist is a requirement or criterion for employment, whether the respondent is an  
23 employee, independent contractor or volunteer.

24 **7. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

25 Respondent Rouhani shall further notify the Board in writing within ten (10) days of any  
26 change in name, residence address, mailing address, e-mail address or phone number.

27 Failure to timely notify the Board of any change in employer, name, address, or phone  
28 number shall be considered a violation of probation.

1           **8. Restrictions on Supervision and Oversight of Licensed Facilities**

2           During the period of probation, Respondent Rouhani shall not supervise any intern  
3 pharmacist or serve as a consultant to any entity licensed by the Board. Respondent Rouhani may  
4 be a pharmacist-in-charge, designated representative-in-charge, responsible manager or other  
5 compliance supervisor of any single entity licensed by the Board, but only if Respondent Rouhani  
6 or that entity retains, at their own expense, an independent consultant who shall be responsible for  
7 reviewing the operations of the entity for compliance, on a frequency determined by the Board’s  
8 designee (monthly or quarterly), by Respondent Rouhani and the entity with state and federal  
9 laws and regulations governing the practice of the entity, and compliance by Respondent Rouhani  
10 with the obligations of her supervisory position. Respondent Rouhani may serve in such a  
11 position at only one entity licensed by the Board, only upon approval by the Board or its  
12 designee. Any such approval shall be site specific. The consultant shall be a pharmacist licensed  
13 by and not on probation with the Board, who has been approved by the Board or its designee to  
14 serve in this position. Respondent shall submit the name of the proposed consultant to the Board  
15 or its designee for approval within thirty (30) days of the effective date of the decision or prior to  
16 assumption of duties allowed in this term. Assumption of any unauthorized supervision  
17 responsibilities shall be considered a violation of probation. In addition, failure to timely seek  
18 approval for, timely retain, or ensure timely reporting by the consultant shall be considered a  
19 violation of probation.

20           **9. Reimbursement of Board Costs**

21           As a condition precedent to successful completion of probation, Respondent Rouhani shall  
22 pay to the Board its costs of investigation and prosecution in the amount of \$30,000.00.  
23 Respondent Rouhani shall be jointly and severally responsible with Respondent WholeRx Inc.,  
24 dba Porter Ranch Pharmacy for payment of these costs.

25           Respondent Rouhani shall be permitted to pay these costs in a payment plan approved by  
26 the Board or its designee, so long as full payment is completed prior to the end date of  
27 probation.

28       ///

1           There shall be no deviation from this schedule absent prior written approval by the Board or  
2 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of  
3 probation.

4           **10. Probation Monitoring Costs**

5           Respondent Rouhani shall pay any costs associated with probation monitoring as  
6 determined by the Board each and every year of probation. Such costs shall be payable to the  
7 Board on a schedule as directed by the Board or its designee. Failure to pay such costs by the  
8 deadline(s) as directed shall be considered a violation of probation.

9           **11. Status of License**

10          Respondent Rouhani shall, at all times while on probation, maintain an active, current  
11 Pharmacist License with the Board, including any period during which suspension or probation is  
12 tolled. Failure to maintain an active, current Pharmacist License shall be considered a violation  
13 of probation.

14          If Respondent Rouhani's Pharmacist License expires or is cancelled by operation of law or  
15 otherwise at any time during the period of probation, including any extensions thereof due to  
16 tolling or otherwise, upon renewal or reapplication Respondent Rouhani's license shall be subject  
17 to all terms and conditions of this probation not previously satisfied.

18          **12. License Surrender While on Probation/Suspension**

19          Following the effective date of this decision, should Respondent Rouhani cease practice  
20 due to retirement or health, or be otherwise unable to satisfy the terms and conditions of  
21 probation, Respondent Rouhani may relinquish her license, including any indicia of licensure  
22 issued by the Board, along with a request to surrender the license. The Board or its designee shall  
23 have the discretion whether to accept the surrender or take any other action it deems appropriate  
24 and reasonable. Upon formal acceptance of the surrender of the license, Respondent Rouhani  
25 will no longer be subject to the terms and conditions of probation. This surrender constitutes a  
26 record of discipline and shall become a part of the Respondent Rouhani's license history with the  
27 Board.

28       ///

1           Upon acceptance of the surrender, Respondent Rouhani shall relinquish her pocket and/or  
2 wall license, including any indicia of licensure not previously provided to the Board within ten  
3 (10) days of notification by the Board that the surrender is accepted if not already provided.  
4 Respondent Rouhani may not reapply for any license from the Board for three (3) years from the  
5 effective date of the surrender. Respondent Rouhani shall meet all requirements applicable to the  
6 license sought as of the date the application for that license is submitted to the Board, including  
7 any outstanding costs.

8           **13. Practice Requirement – Extension of Probation**

9           Except during periods of suspension, Respondent Rouhani shall, at all times while on  
10 probation, be employed as a Pharmacist in California for a minimum of 100 hours per calendar  
11 month. Any month during which this minimum is not met shall extend the period of probation by  
12 one month. During any such period of insufficient employment, Respondent Rouhani must  
13 nonetheless comply with all terms and conditions of probation, unless Respondent Rouhani  
14 receives a waiver in writing from the Board or its designee.

15           If Respondent Rouhani does not practice as a Pharmacist in California for the minimum  
16 number of hours in any calendar month, for any reason (including vacation), Respondent Rouhani  
17 shall notify the Board in writing within ten (10) days of the conclusion of that calendar month.  
18 This notification shall include at least: the date(s), location(s), and hours of last practice; the  
19 reason(s) for the interruption or reduction in practice; and the anticipated date(s) on which  
20 respondent will resume practice at the required level. Respondent Rouhani shall further notify the  
21 Board in writing within ten (10) days following the next calendar month during which  
22 Respondent Rouhani practices as a Pharmacist in California for the minimum of hours. Any  
23 failure to timely provide such notification(s) shall be considered a violation of probation.

24           It is a violation of probation for Respondent Rouhani’s probation to be extended pursuant to  
25 the provisions of this condition for a total period, counting consecutive and non-consecutive  
26 months, exceeding thirty-six (36) months. The Board or its designee may post a notice of the  
27 extended probation period on its website.

28       ///

1           **14. Violation of Probation**

2           If Respondent Rouhani has not complied with any term or condition of probation, the Board  
3 shall have continuing jurisdiction over Respondent Rouhani, and the Board shall provide notice to  
4 Respondent Rouhani that probation shall automatically be extended, until all terms and conditions  
5 have been satisfied or the Board has taken other action as deemed appropriate to treat the failure  
6 to comply as a violation of probation, to terminate probation, and to impose the penalty that was  
7 stayed. The Board or its designee may post a notice of the extended probation period on its  
8 website.

9           If Respondent Rouhani violates probation in any respect, the Board, after giving  
10 Respondent Rouhani notice and an opportunity to be heard, may revoke probation and carry out  
11 the disciplinary order that was stayed. If a petition to revoke probation or an accusation is filed  
12 against Respondent Rouhani during probation, or the preparation of an accusation or petition to  
13 revoke probation is requested from the Office of the Attorney General, the Board shall have  
14 continuing jurisdiction and the period of probation shall be automatically extended until the  
15 petition to revoke probation or accusation is heard and decided, and the charges and allegations in  
16 First Amended Accusation No. 7163 shall be deemed true and correct.

17           **15. Completion of Probation**

18           Upon written notice by the Board or its designee indicating successful completion of  
19 probation, Respondent Rouhani's license will be fully restored.

20           **16. Remedial Education**

21           Within sixty (60) calendar days of the effective date of this decision, Respondent Rouhani  
22 shall submit to the Board or its designee, for prior approval, an appropriate program of remedial  
23 education. The program of remedial education shall consist of completion of the Board's training  
24 on prescription drug abuse which shall be completed at Respondent Rouhani's own expense  
25 during the first year of probation. All remedial education shall be in addition to, and shall not be  
26 credited toward, continuing education (CE) courses used for license renewal purposes for  
27 pharmacists.

28       ///

1 Failure to timely submit for approval or complete the approved remedial education shall be  
2 considered a violation of probation. The period of probation will be automatically extended until  
3 such remedial education is successfully completed and written proof, in a form acceptable to the  
4 Board, is provided to the Board or its designee.

5 Following the completion of each course, the Board or its designee may require Respondent  
6 Rouhani, at her own expense, to take an approved examination to test the Respondent Rouhani's  
7 knowledge of the course. If the Respondent Rouhani does not achieve a passing score on the  
8 examination that course shall not count towards satisfaction of this term. Respondent Rouhani  
9 shall take another course approved by the Board in the same subject area.

10 **17. No New Ownership or Management of Licensed Premises**

11 Respondent Rouhani shall acquire any new ownership, legal or beneficial interest nor serve  
12 as a manager, administrator, member, officer, director, trustee, associate, or partner of any  
13 additional business, firm, partnership, or corporation licensed by the Board. If Respondent  
14 Rouhani currently owns or has any legal or beneficial interest in, or serves as a manager,  
15 administrator, member, officer, director, trustee, associate, or partner of any business, firm,  
16 partnership, or corporation currently or hereinafter licensed by the Board, Respondent may  
17 continue to serve in such capacity or hold that interest, but only to the extent of that position or  
18 interest as of the effective date of the decision. Violation of this restriction shall be considered a  
19 violation of probation.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///



ACCEPTANCE

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

DATED: 3/20/23

  
\_\_\_\_\_  
MOJDEH ROUHANI  
*Respondent*

I have read and fully discussed with Respondent Mojdeh Rouhani the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: March 20, 2023

  
\_\_\_\_\_  
ARMOND MARCARIAN  
*Attorney for Respondent*

///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ENDORSEMENT**

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

DATED: \_\_\_\_\_

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General

MARISSA N. HAMILTON  
Deputy Attorney General  
*Attorneys for Complainant*

LA2021602727  
65532734.docx

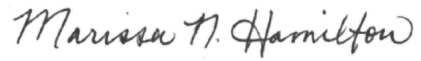
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ENDORSEMENT**

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

DATED: 3/20/2023

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General



MARISSA N. HAMILTON  
Deputy Attorney General  
*Attorneys for Complainant*

LA2021602727  
65532734.docx

**Exhibit A**

**First Amended Accusation No. 7163**

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 MARISSA N. HAMILTON  
Deputy Attorney General  
4 State Bar No. 322489  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6701  
6 Facsimile: (916) 731-2126  
E-mail: Marissa.Hamilton@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 Against:

Case No. 7163

13 **B3 HOLDINGS INC., DBA PORTER**  
**RANCH PHARMACY, PHILIP WILLIAM**  
14 **BANKS**  
15 **19950 Rinaldi Street, Suite 102**  
**Porter Ranch, CA 91326**

**FIRST AMENDED ACCUSATION**

16 **Pharmacy Permit No. PHY 48684,**

17 **MOJDEH ROUHANI**  
18 **19300 Rinaldi Street #7512**  
**Northridge, CA 91327**

19 **Pharmacist License No. RPH 46639,**

20 **PHILIP WILLIAM BANKS**  
21 **19300 Rinaldi St., #7512**  
**Northridge, CA 91327**

22 **Pharmacist License No. RPH 47038,**

23 **and**

24 **WHOLERX INC., DBA PORTER RANCH**  
**PHARMACY, MOJDEH ROUHANI**  
25 **19950 Rinaldi St., Ste. 102**  
**Porter Ranch, CA 91326**

26 **Pharmacy Permit No. PHY 58025**

27 Respondents.  
28

**PARTIES**

1  
2           1.     Anne Sodergren (Complainant) brings this First Amended Accusation 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 August 1, 2007, the Board of Pharmacy issued Pharmacy Permit Number  
6 PHY 48684 to B3 Holdings Inc., dba Porter Ranch Pharmacy (Respondent Porter Ranch  
7 Pharmacy 1). Philip William Banks was the 100% shareholder, President, Secretary, and  
8 Treasurer/Chief Financial Officer from February 23, 2017 to February 22, 2021. In addition,  
9 Philip William Banks was the Pharmacist-in-Charge from August 1, 2007 to February 22, 2021.  
10 The Pharmacy Permit was cancelled and expired on February 22, 2021 pursuant to a change in  
11 ownership, and has not been renewed.

12           3.     On or about August 23, 1993, the Board of Pharmacy issued Pharmacist License  
13 Number RPH 46639 to Mojdeh Rouhani (Respondent Rouhani). The Pharmacist License was in  
14 full force and effect at all times relevant to the charges brought herein and will expire on  
15 November 30, 2024, unless renewed.

16           4.     On or about March 21, 1994, the Board of Pharmacy issued Pharmacist License  
17 Number RPH 47038 to Philip William Banks (Respondent Banks). The Pharmacist License was  
18 in full force and effect at all times relevant to the charges brought herein and will expire on  
19 November 30, 2023, unless renewed.

20           5.     On or about February 22, 2021, the Board of Pharmacy issued Pharmacy Permit  
21 Number PHY 58025 to WholeRx Inc., dba Porter Ranch Pharmacy (Respondent Porter Ranch  
22 Pharmacy 2). Mojdeh Rouhani is and has been the Chief Executive Officer, Chairman, President,  
23 Director, Secretary, Treasurer/Chief Financial Officer, and Pharmacist-in-Charge since February  
24 22, 2021. The Pharmacy Permit was in full force and effect at all times relevant to the charges  
25 brought herein and will expire on February 1, 2023, unless renewed.

26 ///

27 ///

28 ///

**JURISDICTION**

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

7. Section 4011 of the Code provides that the Board shall administer and enforce both the Pharmacy Law [Code sections 4000 et seq.] and the Uniform Controlled Substances Act [Health & Safety Code sections 11000 et seq].

8. Section 4300 of the Code states, in pertinent part, that “[e]very license issued may be suspended or revoked.”

9. Section 4300.1 of the Code states:

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

10. Section 4302 of the Code states:

The board may deny, suspend, or revoke any license of a corporation where conditions exist in relation to any person holding 10 percent or more of the corporate stock of the corporation, or where conditions exist in relation to any officer or director of the corporation that would constitute grounds for disciplinary action against a licensee.

**STATUTORY PROVISIONS**

11. Section 4036.5 of the Code 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.

12. Section 4059, subdivision (a), of the Code states:

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

///

///

1 13. Section 4081, subdivision (a) of the Code states:

2 (a) All records of manufacture and of sale, acquisition, receipt, shipment, or  
3 disposition of dangerous drugs or dangerous devices shall be at all times during  
4 business hours open to inspection by authorized officers of the law, and shall be  
5 preserved for at least three years from the date of making. A current inventory shall  
6 be kept by every manufacturer, wholesaler, third-party logistics provider, pharmacy,  
7 veterinary food-animal drug retailer, outsourcing facility, physician, dentist,  
8 podiatrist, veterinarian, laboratory, licensed correctional clinic, as defined in Section  
4187, clinic, hospital, institution, or establishment holding a currently valid and  
unrevoked certificate, license, permit, registration, or exemption under Division 2  
(commencing with Section 1200) of the Health and Safety Code or under Part 4  
(commencing with Section 16000) of Division 9 of the Welfare and Institutions Code  
who maintains a stock of dangerous drugs or dangerous devices.

9 14. Section 4110, subdivision (a) of the Code states:

10 (a) No person shall conduct a pharmacy in the State of California unless they  
11 have obtained a license from the board. A license shall be required for each pharmacy  
12 owned or operated by a specific person. A separate license shall be required for each  
13 of the premises of any person operating a pharmacy in more than one location. The  
14 license shall be renewed annually. The license shall not be renewed unless the  
15 applicant includes necessary matters identified by the board in the renewal  
application, including, but not limited to, notification to the board regarding  
compounding practices, including compounded human drug preparations distributed  
outside of the state. The board may, by regulation, determine the circumstances under  
which a license may be transferred.

16 15. Section 4113, subdivision (c), of the Code states, in pertinent part, [t]he pharmacist-  
17 in-charge shall be responsible for a pharmacy’s compliance with all state and federal laws and  
18 regulations pertaining to the practice of pharmacy.”

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

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

22 ...

23 (d) The clearly excessive furnishing of controlled substances in violation of  
24 subdivision (a) of Section 11153 of the Health and Safety Code.

25 ...

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

28 ...

1 (o) Violating or attempting to violate, directly or indirectly, or assisting in or  
2 abetting the violation of or conspiring to violate any provision or term of this chapter  
3 or of the applicable federal and state laws and regulations governing pharmacy,  
4 including regulations established by the board or by any other state or federal  
5 regulatory agency.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16 17. Section 4306.5 of the Code states:

18 Unprofessional conduct for a pharmacist may include any of the following:

19 (a) Acts or omissions that involve, in whole or in part, the inappropriate  
20 exercise of his or her education, training, or experience as a pharmacist, whether or  
21 not the act or omission arises in the course of the practice of pharmacy or the  
22 ownership, management, administration, or operation of a pharmacy or other entity  
23 licensed by the board.

24 (b) Acts or omissions that involve, in whole or in part, the failure to exercise or  
25 implement his or her best professional judgment or corresponding responsibility with  
26 regard to the dispensing or furnishing of controlled substances, dangerous drugs, or  
27 dangerous devices, or with regard to the provision of services.

28 (c) Acts or omissions that involve, in whole or in part, the failure to consult  
appropriate patient, prescription, and other records pertaining to the performance of  
any pharmacy function.

(d) Acts or omissions that involve, in whole or in part, the failure to fully  
maintain and retain appropriate patient-specific information pertaining to the  
performance of any pharmacy function.

18. Section 4307 of the Code states:

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

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

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

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



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

10 19. Health and Safety Code Section 11153 states, in pertinent part:

11 (a) A prescription for a controlled substance shall only be issued for a legitimate  
12 medical purpose by an individual practitioner acting in the usual course of his or her  
13 professional practice. The responsibility for the proper prescribing and dispensing of  
14 controlled substances is upon the prescribing practitioner, but a corresponding  
15 responsibility rests with the pharmacist who fills the prescription. Except as authorized by  
16 this division, the following are not legal prescriptions:

17 (1) an order purporting to be a prescription which is issued not in the usual  
18 course of professional treatment or in legitimate and authorized research; or

19 (2) an order for an addict or habitual user of controlled substances, which is  
20 issued not in the course of professional treatment or as part of an authorized  
21 narcotic treatment program, for the purpose of providing the user with  
22 controlled substances, sufficient to keep him or her comfortable by maintaining  
23 customary use.

24 ...

25 20. Health and Safety Code section 11162.1 states, in pertinent part:

26 (a) The prescription forms for controlled substances shall be printed with the  
27 following features:

28 (1) A latent, repetitive "void" pattern shall be printed across the entire front  
of the prescription blank; if a prescription is scanned or photocopied, the word "void"  
shall appear in a pattern across the entire front of the prescription.

(2) A watermark shall be printed on the backside of the prescription blank; the  
watermark shall consist of the words "California Security Prescription."

(3) A chemical void protection that prevents alteration by chemical washing.

(4) A feature printed in thermochromic ink.

(5) An area of opaque writing so that the writing disappears if the prescription  
is lightened.

(6) A description of the security features included on each prescription form.

...

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

21. Health and Safety Code section 11164 states, in pertinent part:

Except as provided in Section 11167, no person shall prescribe a controlled substance, nor shall any person fill, compound, or dispense a prescription for a controlled substance, unless it complies with the requirements of this section.

(a) Each prescription for a controlled substance classified in Schedule II, III, IV, or V, except as authorized by subdivision (b), shall be made on a controlled substance prescription form as specified in Section 11162.1 . . .

22. Health and Safety Code section 11165 states, in pertinent part:

(a) To assist health care practitioners in their efforts to ensure appropriate prescribing, ordering, administering, furnishing, and dispensing of controlled substances, law enforcement and regulatory agencies in their efforts to control the diversion and resultant abuse of Schedule II, Schedule III, Schedule IV, and Schedule V controlled substances, and for statistical analysis, education, and research, the Department of Justice shall, contingent upon the availability of adequate funds in the CURES Fund, maintain the Controlled Substance Utilization Review and Evaluation System (CURES) for the electronic monitoring of, and internet access to information regarding, the prescribing and dispensing of Schedule II, Schedule III, Schedule IV, and Schedule V controlled substances by all practitioners authorized to prescribe, order, administer, furnish, or dispense these controlled substances.

. . .

(d) For each prescription for a Schedule II, Schedule III, Schedule IV, or Schedule V controlled substance, as defined in the controlled substances schedules in federal law and regulations, specifically Sections 1308.12, 1308.13, 1308.14, and 1308.15, respectively, of Title 21 of the Code of Federal Regulations, the dispensing pharmacy, clinic, or other dispenser shall report the following information to the department or contracted prescription data processing vendor as soon as reasonably possible, but not more than one working day after the date a controlled substance is released to the patient or patient's representative, in a format specified by the department:

(1) Full name, address, and, if available, telephone number of the ultimate user or research subject, or contact information as determined by the Secretary of the United States Department of Health and Human Services, and the gender and date of birth of the ultimate user.

(2) The prescriber's category of licensure, license number, national provider identifier (NPI) number, if applicable, the federal controlled substance registration number, and the state medical license number of a prescriber using the federal controlled substance registration number of a government-exempt facility.

(3) Pharmacy prescription number, license number, NPI number, and federal controlled substance registration number.

(4) National Drug Code (NDC) number of the controlled substance dispensed.

(5) Quantity of the controlled substance dispensed.

///

1 (6) The International Statistical Classification of Diseases (ICD) Code  
2 contained in the most current ICD revision, or any revision deemed sufficient by the  
3 State Board of Pharmacy, if available.

4 (7) Number of refills ordered.

5 (8) Whether the drug was dispensed as a refill of a prescription or as a first-time  
6 request.

7 (9) Prescribing date of the prescription.

8 (10) Date of dispensing of the prescription.

9 (11) The serial number for the corresponding prescription form, if applicable.

### 10 **REGULATORY PROVISIONS**

11 23. California Code of Regulations, title 16, section 1761 states:

12 (a) No pharmacist shall compound or dispense any prescription which contains any  
13 significant error, omission, irregularity, uncertainty, ambiguity or alteration. Upon  
14 receipt of any such prescription, the pharmacist shall contact the prescriber to obtain  
15 the information needed to validate the prescription.

16 (b) Even after conferring with the prescriber, a pharmacist shall not compound or  
17 dispense a controlled substance prescription where the pharmacist knows or has  
18 objective reason to know that said prescription was not issued for a legitimate  
19 medical purpose.

20 24. California Code of Regulations, title 16, section 1735.2, subdivision (k), states:

21 (k) Prior to allowing any drug product preparation to be compounded in a  
22 pharmacy, the pharmacist-in-charge shall complete a self-assessment for  
23 compounding pharmacies developed by the board (Incorporated by reference is  
24 "Community Pharmacy & Hospital Outpatient Pharmacy Compounding Self-  
25 Assessment" Form 17M-39 Rev. 02/12.) as required by Section 1715 of Title 16,  
26 Division 17, of the California Code of Regulations. That form contains a first section  
27 applicable to all compounding, and a second section applicable to sterile injectable  
28 compounding. The first section must be completed by the pharmacist-in-charge  
before any compounding is performed in the pharmacy. The second section must be  
completed by the pharmacist-in-charge before any sterile compounding is performed  
in the pharmacy. The applicable sections of the self-assessment shall subsequently be  
completed before July 1 of each odd-numbered year, within 30 days of the start date  
of a new pharmacist-in-charge or change of location, and within 30 days of the  
issuance of a new pharmacy license. The primary purpose of the self-assessment is to  
promote compliance through self-examination and education.

29 25. Federal Code of Regulations, title 21, section 1306.04 states, in pertinent part:

30 (a) A prescription for a controlled substance to be effective must be issued for  
31 a legitimate medical purpose by an individual practitioner acting in the usual course  
32 of his professional practice. The responsibility for the proper prescribing and  
33 dispensing of controlled substances is upon the prescribing practitioner, but a  
34 corresponding responsibility rests with the pharmacist who fills the prescription. An  
35 order purporting to be a prescription issued not in the usual course of professional  
36 treatment or in legitimate and authorized research is not a prescription within the

1 meaning and intent of section 309 of the Act (21 U.S.C. 829) and the person  
2 knowingly filling such a purported prescription, as well as the person issuing it, shall  
be subject to the penalties provided for violations of the provisions of law relating to  
controlled substances.

3 ...

4 **DANGEROUS DRUGS / CONTROLLED SUBSTANCES**

5 26. Section 4021 of the Code states, in pertinent part:

6 Controlled substances: means any substance listed in Chapter 2 (commencing  
7 with Section 11053) of Division 10 of the Health and Safety Code.

8 27. Section 4022 states:

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

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

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

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

16 28. Drug classifications are as follows:

17 Generic Name	18 Brand Name	19 Dangerous Drug Per Code Section 4022	20 Controlled Substance Per Health & Safety Code (HSC)	21 Indications for Use
22 Alprazolam	Xanax	Yes	Yes – Schedule IV per HSC 11057(d)(1)	Anxiety
23 Apremilast	Otezla	Yes	No	Psoriasis/ Psoriatic Arthritis
24 Clonazepam	Klonopin	Yes	Yes – Schedule IV per HSC 11057(d)(7)	Anxiety
25 Dextroamphetamine/ Amphetamine	Adderall	Yes	Yes – Schedule II per HSC 11055(d)(1)	ADHD
26 Eszopiclone	Lunesta	Yes	Yes – Schedule IV per 21 CFR 1308.14(c)(58)	Insomnia

1	Fentanyl	Duragesic	Yes	Yes – Schedule II per HSC 11055(c)(8)	Pain
2	Gabapentin Encarbil	Horizant	Yes	No	Nerve Pain
3	Hydrocodone/ Acetaminophen	Norco	Yes	Yes – Schedule II per HSC 11055(b)(1)(I)(ii)	Pain
4	Hydrocodone/Ibuprofen	Vicoprofen	Yes	Yes – Schedule II per HSC 11055(b)(1)(I)(ii)	Pain
5	Hydromorphone	Dilaudid	Yes	Yes – Schedule II per HSC 11055(b)(1)(J)	Pain
6	Ketamine	N/A	Yes	Yes – Schedule III per HSC 11056(g)	Sedative/Pain
7	Lorazepam	Ativan	Yes	Yes – Schedule IV per HSC 11057(d)(16)	Anxiety
8	Oxycodone	Roxicodone	Yes	Yes – Schedule III per HSC 11055(b)(1)(M)	Pain
9	Suvorexant	Belsomra	Yes	Yes – Schedule IV per 21 CFR 1308.14(c)(52)	Insomnia
10	Temazepam	Restoril	Yes	Yes – Schedule IV per HSC 11057(d)(29)	Insomnia
11	Testosterone Gel	Androgel Gel	Yes	Yes – Schedule III per HSC 11056(f)(30)	Testosterone deficiency
12	Tramadol	Ultram	Yes	Yes – Schedule IV per 21 CFR 1308.14(b)(3)	Pain
13	Zolpidem	Ambien	Yes	Yes – Schedule IV per HSC 11057(d)(32)	Insomnia

**COST RECOVERY**

29. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee 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 licensee to comply subjecting the license to not being

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
2 included in a stipulated settlement.

### 3 **FACTUAL ALLEGATIONS**

#### 4 **Change of Ownership**

5 30. Porter Ranch Pharmacy had a change of ownership on or about February 22, 2021.  
6 Accordingly, all prescriptions dispensed prior to February 22, 2021 are associated with  
7 Respondent Porter Ranch Pharmacy 1, and all prescriptions dispensed after February 22, 2021 are  
8 associated with Respondent Porter Ranch Pharmacy 2. Respondent Banks served as the  
9 Pharmacist-in-Charge at Respondent Porter Ranch Pharmacy 1 from August 1, 2007 until the  
10 change of ownership on February 22, 2021. Respondent Rouhani is and has been the Pharmacist-  
11 in-Charge at Respondent Porter Ranch Pharmacy 2 since the change of ownership on February  
12 22, 2021.

### 13 **BOARD INVESTIGATION NO. 1**

14 31. On or about March 16, 2021, a Board Inspector requested the following documents  
15 from Porter Ranch Pharmacy: electronic dispensing records from March 1, 2018 through March  
16 16, 2021; original prescription documents; and all notes pertaining to the requested prescriptions  
17 and/or associated patients. On or about April 7, 2021, the Pharmacy provided the Board Inspector  
18 with the requested documentation.

#### 19 **General dispensing trends**

20 32. Based on a review of the Pharmacy's dispensing records, the Board Inspector noted  
21 the following general dispensing trends for the time period of March 1, 2018 through March 16,  
22 2021:

23 a. The Pharmacy dispensed a total of 172,830 prescriptions, of which 26,041  
24 (approximately 15%) were controlled substance medications.

25 b. Approximately 16% of the controlled substance medications dispensed by the  
26 Pharmacy were paid for with cash.

27 c. One of the Pharmacy's most commonly dispensed controlled substances was  
28 Oxycodone 30mg. The Pharmacy dispensed at least 1053 prescriptions of Oxycodone 30mg

1 during the query period. Oxycodone is a commonly abused controlled substance. The 30mg  
2 tablet is the highest dosage available. The 30mg tablets were dispensed by the Pharmacy  
3 approximately 5 times more often than lower dosages (i.e., 5mg, 10mg, 15mg, 20mg).

4 d. The Pharmacy dispensed at least 544 early fills of controlled substances to 19 patients.

5 **Irregularities in prescriptions and prescribing patterns**

6 33. Based on review of the Pharmacy dispensing records and original prescription  
7 documents, the Board Inspector determined that during the time period of March 1, 2018 through  
8 March 16, 2021, Respondents Porter Ranch Pharmacy 1 and Porter Ranch Pharmacy 2 had  
9 dispensed multiple prescriptions for controlled substances that exhibited objective factors of  
10 irregularity—or red flags—for potential abuse without adequately ensuring the prescriptions were  
11 issued for a legitimate medical purpose in the usual course of professional practice. Factors of  
12 irregularity were evident in the prescription documents and prescribing patterns including but not  
13 limited to the following:

14 34. **Prescriptions Dispensed Related to Dr. John Korzelius:**

15 a. Respondent Porter Ranch Pharmacy 1 filled approximately 329 prescriptions under  
16 the prescribing authority of Dr. John Korzelius between March 19, 2018 and July 29, 2020.

17 b. Approximately 187, or 57%, of the prescriptions written by Dr. Korzelius and  
18 dispensed by Respondent Porter Ranch Pharmacy 1 were for a controlled substance, which is not  
19 consistent with the pattern of dispensing for the Pharmacy overall, which is approximately 15%  
20 controlled substances.

21 c. Approximately 40% of the prescriptions written by Dr. Korzelius and dispensed by  
22 Respondent Porter Ranch Pharmacy 1 were paid for with cash. Patients paid up to \$483.21 for 90  
23 tablets of Oxycodone 30mg. This is not consistent with the amount of cash payments made for  
24 controlled substances for the Pharmacy overall, which is approximately 16% cash payments for  
25 controlled substances.

26 d. Oxycodone 30mg was Dr. Korzelius' most commonly prescribed medication,  
27 accounting for approximately 43% of his total prescribing. Dr. Korzelius' frequent prescribing of  
28 oxycodone 30 mg is incongruent with what would be expected for a physician practicing within

1 the scope of Dr. Korzelius' self-reported practice (i.e., general practice).

2 e. Pain was treated by Dr. Korzelius almost exclusively with 3 medications: Oxycodone  
3 30mg, Ibuprofen 600mg, and Hydrocodone/Acetaminophen 10/325mg. It is irregular for a  
4 prescriber to treat their patients' pain with only 3 medications, as medications with differing  
5 mechanisms of action are typically prescribed due the variety of types of pain and presentation of  
6 symptoms.

7 f. Dr. Korzelius prescribed the highest strength Oxycodone 30mg to 88% of the patients  
8 he treated. Almost all of these patients were directed to take the medication three times daily for a  
9 total of 90mg a day, a high dosage which increased the risk for serious harm, overdose, and death.  
10 Given the great variability between patients' ages, weight, allergies, medical histories, and  
11 tolerance to narcotic medications, it would not be typical for all patients to receive identical  
12 prescription dosages.

13 g. Dr. Korzelius had addresses listed on the prescription documents in six different  
14 cities, some of which were located a far distance from the Pharmacy, including Encino, CA  
15 (approximately 16 miles away), Granada Hills, CA (approximately 5 miles away), Inglewood,  
16 CA (approximately 32 miles away), and Tarzana, CA (approximately 18 miles away), resulting in  
17 patients traveling unusual distances from Dr. Korzelius' offices to Porter Ranch Pharmacy to  
18 obtain prescriptions.

19 h. Despite the irregularities discussed above, the prescription documents collected did  
20 not contain documentation indicating that the Pharmacy contacted Dr. Korzelius to specifically  
21 address these irregularities prior to filling the prescriptions. The below table shows the pharmacist  
22 detail related to the controlled substance prescriptions written by Dr. Korzelius and dispensed by  
23 the Pharmacy during the query period:

<b>Pharmacist</b>	<b>No. of Controlled Substance Prescriptions Dispensed</b>	<b>No. of Tablets Dispensed</b>
Respondent Banks	120	11,155
Respondent Rouhani	66	6,165
Other Pharmacist	1	90
<b>TOTAL</b>	<b>187</b>	<b>17,410</b>



1           **35. Early Fills of Controlled Substances**

2           Early dispensing of controlled substances may contribute to prescription drug abuse as it  
3 provides patients with excessive drugs. A controlled substance is considered “early” if it is filled  
4 before a previously dispensed supply is exhausted; however, it is customary for pharmacies to  
5 allow a 2-3 day grace period for a patients’ convenience and business hour limitations. Based on  
6 a review of the prescription documents provided for the time period of March 1, 2018 through  
7 March 16, 2021, the Board Inspector determined that Respondents Porter Ranch Pharmacy 1 and  
8 Porter Ranch Pharmacy 2 dispensed early fills of controlled substances to patients (beyond the 2-  
9 3 day grace period) with no inquiry or verification made with the various prescribers as to the  
10 necessity for an early fill, including but not limited to the following:

11           a.     **Patient A.R.**

- 12           •     Patient A.R. received a total of 41 early fills of Hydrocodone/Ibuprofen  
13           7.5mg/200mg tablets from to March 22, 2018 to March 3, 2021. Patient A.R.  
14           received 21 consecutive early fills of Hydrocodone/Ibuprofen 7.5mg/200mg from  
15           March 22, 2018 to April 4, 2019, and 18 consecutive early fills of  
16           Hydrocodone/Ibuprofen 7.5mg/200mg from July 10, 2019 to June 9, 2020. This  
17           means that nearly a 42-month (1,250 days) supply of Hydrocodone/Ibuprofen  
18           7.5mg/200mg was dispensed to Patient A.R. over an 837 day period from March 22,  
19           2018 to July 6, 2020, resulting in nearly a 14-month (413 days) supply surplus of  
20           Hydrocodone/Ibuprofen 7.5mg/200mg dispensed to Patient A.R. In addition, 31 out  
21           of the 52 total prescriptions of Hydrocodone/Ibuprofen 7.5mg/200mg dispensed to  
22           Patient A.R. were paid for with cash.
- 23           •     Patient A.R. also received 22 early fills of Lorazepam 1mg tablets from May 9, 2018  
24           to September 3, 2020. Patient A.R. received 13 nearly consecutive early fills of  
25           Lorazepam 1mg from May 9, 2018 to January 24, 2019. This means that a 14-month  
26           (420 days) supply of Loraepam 1mg was dispensed to Patient A.R. over a 302 day  
27           period from May 9, 2018 to March 7, 2019, resulting in nearly a 4-month (118 days)  
28           supply surplus of Lorazepam 1mg dispensed to Patient A.R. In addition, 15 out of the

1 47 total prescriptions of Hydrocodone/Ibuprofen 7.5mg/200mg dispensed to Patient  
2 A.R. were paid for with cash.

3 b. **Patient B.W.**

- 4 • Patient B.W. received a total of 11 early fills of Alprazolam 0.5mg tablets from  
5 December 14, 2019 to February 14, 2021. Patient B.W. received nearly 9 consecutive  
6 early fills of Alprazolam 0.5mg from December 14, 2019 to October 7, 2020. This  
7 means that a 13-month (390 days) supply of Alprazolam 0.5mg was dispensed to  
8 Patient A.R. over a 323 day period from December 14, 2019 to November 1, 2020,  
9 resulting in nearly a 2-month (67 days) supply surplus of Alprazolam 0.5mg  
10 dispensed to Patient B.W.
- 11 • Patient B.W. also received 29 early fills of Zolpidem 10mg tablets from April 6, 2018  
12 to February 24, 2021. Patient B.W. received 19 nearly consecutive early fills of  
13 Zolpidem 10mg from April 6, 2018 to October 28, 2019. This means that a 26-month  
14 (780 days) supply of Zolpidem 10mg was dispensed to Patient B.W. over a 595 day  
15 period from April 6, 2018 to November 22, 2019, resulting in nearly a 6-month (185  
16 days) supply surplus of Zolpidem 10mg dispensed to Patient B.W. In addition, 19  
17 out of the 47 total prescriptions of Zolpidem 10mg dispensed to Patient B.W. were  
18 paid for with cash.

19 c. **Patient D.C.**

- 20 • Patient D.C. received a total of 15 nearly consecutive early fills of  
21 Dextroamphetamine/Amphetamine 20mg tablets from May 30, 2019 to May 11,  
22 2020. This means that a 17-month (510 days) supply of  
23 Dextroamphetamine/Amphetamine 20mg was dispensed to Patient D.C. over a 377  
24 day period from May 30, 2019 to June 10, 2020, resulting in a 4-month (133 days)  
25 supply surplus of Dextroamphetamine/Amphetamine 20mg dispensed to Patient D.C.
- 26 • Patient D.C. also received a total of 24 early fills of Lorazepam 2mg tablets from  
27 June 30, 2018 to June 23, 2020. Patient D.C. received 19 nearly consecutive early  
28 fills of Lorazepam 2mg from June 19, 2019 to June 23, 2020. This means that a 19-

1 month (570 days) supply of Lorazepam 2mg was dispensed to Patient D.C. over a  
2 400 day period from June 19, 2019 to July 26, 2020, resulting in a 5-month (170  
3 days) supply surplus of Lorazepam 2mg dispensed to Patient D.C. In addition, 11 out  
4 of the 33 total prescriptions of Lorazepam 2mg dispensed to Patient D.C. were paid  
5 for with cash.

- 6 • Patient D.C. also received a total of 16 early fills of Zolpidem 5mg tablets from  
7 August 24, 2018 to June 13, 2020. Patient D.C. received 14 nearly consecutive early  
8 fills of Zolpidem 5mg from August 14, 2019 to June 13, 2020. This means that an  
9 18-month (540 days) supply of Zolpidem 5mg was dispensed to Patient D.C. over a  
10 330 day period from August 14, 2019 to July 9, 2020, resulting in a 7-month (210  
11 days) supply surplus of Zolpidem 5mg dispensed to Patient D.C. In addition, 33 out  
12 of the 37 total prescriptions of Zolpidem 5mg dispensed to Patient D.C. were paid for  
13 with cash.

14 d. **Patient K.B.**

- 15 • Patient K.B. received a total of 17 nearly consecutive early fills of Fentanyl 100  
16 mcg/hr patches from March 30, 2019 to March 28, 2020. This means that a 20-  
17 month (605 days) supply of Fentanyl 100 mcg/hr was dispensed to Patient K.B. over  
18 a 395 day period from March 30, 2019 to April 28, 2020, resulting in a 7-month (210  
19 days) supply surplus of Fentanyl 100 mcg/hr dispensed to Patient K.B.
- 20 • Patient K.B. also received a total of 14 nearly consecutive early fills of Fentanyl 25  
21 mcg/hr patches from March 30, 2019 to March 26, 2020. This means that an 18-  
22 month (540 days) supply of Fentanyl 25 mcg/hr was dispensed to Patient K.B. over a  
23 395 day period from March 30, 2019 to April 28, 2020, resulting in a nearly 5-month  
24 (145 days) supply surplus of Fentanyl 25 mcg/hr dispensed to Patient K.B.
- 25 • Patient K.B. also received a total of 14 nearly consecutive early fills of  
26 Hydromorphone 2mg from March 30, 2019 to May 26, 2020. This means that an 18-  
27 month (540 days) supply of Hydromorphone 2mg was dispensed to Patient K.B. over  
28 a 452 day period from March 30, 2019 to June 24, 2020, resulting in a nearly 3-

1 month (88 days) supply surplus of Hydromorphone 2mg dispensed to Patient K.B.

- 2 • Patient K.B. also received a total of 12 early fills of Hydromorphone 4mg from  
3 March 30, 2019 to February 27, 2021, several of which were consecutive.

4 e. **Patient R.H.**

- 5 • Patient R.H. received a total of 17 nearly consecutive early fills of Alprazolam 1mg  
6 tablets from December 18, 2019 to March 7, 2021. This means that a 19-month (570  
7 days) supply of Alprazolam 1mg was dispensed to Patient R.H. over a 475 day period  
8 from December 18, 2019 to April 6, 2021, resulting in a 3-month (95 days) supply  
9 surplus of Alprazolam 1mg dispensed to Patient R.H.

10 f. **Patient M.B.**

- 11 • Patient M.B. received a total of 23 early fills of Androgel 1.62% from November 16,  
12 2018 to November 13, 2020. This means that a 30-month (900 days) supply of  
13 Androgel 1.62% was dispensed to Patient M.B. over a 758 day period from  
14 November 16, 2018 to December 13, 2020, resulting in a nearly 5-month (142 days)  
15 supply surplus of Androgel 1.62% dispensed to Patient M.B.

16 g. **Patient B.W.**

- 17 • Patient B.W. received a total of 20 early fills of Dextroamphetamine/Amphetamine  
18 30mg tablets from March 21, 2018 to April 5, 2020. Patient B.W. received 12 nearly  
19 consecutive early fills of Dextroamphetamine/Amphetamine 30mg from March 21,  
20 2018 to December 4, 2018. This means that a nearly 14-month (412 days) supply of  
21 Dextroamphetamine/Amphetamine 30mg was dispensed to Patient B.W. over a 309  
22 day period from March 21, 2018 to January 24, 2019, resulting in a nearly 4-month  
23 (103 days) supply surplus of Dextroamphetamine/Amphetamine 30mg dispensed to  
24 Patient B.W. Moreover, Patient B.W. received 8 nearly consecutive early fills of  
25 Dextroamphetamine/Amphetamine 30mg from November 7, 2019 to April 5, 2020.  
26 This means that a nearly 9-month (270 days) supply of Dextroamphetamine/  
27 Amphetamine 30mg was dispensed to Patient B.W. over a 175 day period from  
28 November 7, 2019 to April 30, 2020, resulting in a nearly 3-month (95 days) supply

1 surplus of Dextroamphetamine/Amphetamine 30mg dispensed to Patient B.W. In  
2 addition, 37 out of the 38 total prescriptions of Dextroamphetamine/Amphetamine  
3 30mg dispensed to Patient B.W. were paid for with cash.

4 h. **Patient R.F.**

- 5 • Patient R.F. received a total of 15 early fills of Clonazepam 1mg tablets from  
6 September 16, 2018 to January 27, 2021. Patient R.F. received 12 nearly consecutive  
7 early fills of Clonazepam 1mg from September 16, 2018 to August 26, 2019. This  
8 means that a nearly 16-month (480 days) supply of Clonazepam 1mg was dispensed  
9 to Patient R.F. over a 369 day period from September 16, 2018 to September 20,  
10 2019, resulting in a nearly 4-month (111 days) supply surplus of Clonazepam 1mg  
11 dispensed to Patient R.F.

12 i. **Patient K.H.**

- 13 • Patient K.H. received a total of 30 early fills of Alprazolam 0.5mg tablets from  
14 September 19, 2018 to March 12, 2021. Patient K.F. received 12 nearly consecutive  
15 early fills of Alprazolam 0.5mg from March 8, 2019 to October 16, 2019. This  
16 means that a 13-month (390 days) supply of Alprazolam 0.5mg was dispensed to  
17 Patient K.H. over a 250 day period from March 8, 2019 to November 13, 2019,  
18 resulting in a nearly 5-month (140 days) supply surplus of Alprazolam 0.5mg  
19 dispensed to Patient K.H. Moreover, Patient K.H. received 17 nearly consecutive  
20 early fills of Alprazolam 0.5mg from January 25, 2020 to March 12, 2021. This  
21 means that a 20-month (600 days) supply of Alprazolam 0.5mg was dispensed to  
22 Patient K.H. over a 442 day period from January 25, 2020 to April 11, 2021, resulting  
23 in a 5-month (158 days) supply surplus of Alprazolam 0.5mg dispensed to Patient  
24 K.H.

25 j. **Patient R.R.**

- 26 • Patient R.R. received a total of 34 nearly consecutive early fills of Tramadol 50mg  
27 tablets from April 12, 2018 to January 29, 2021. This means that a 41-month (1,241  
28 days) supply of Tramadol 50mg was dispensed to Patient R.R. over a 1,048 day

1 period from April 12, 2018 to February 23, 2021, resulting in a 6-month (193 days)  
2 supply surplus of Tramadol 50mg dispensed to Patient R.R.

3 k. **Patient B.L.**

- 4 • Patient B.L. received a total of 15 early fills of Belsomra 20mg tablets from October  
5 3, 2018 to April 21, 2020. Patient B.L. received 13 nearly consecutive early fills of  
6 Belsomra 20mg from October 3, 2018 to September 27, 2019. This means that a 16-  
7 month (480 days) supply of Belsomra 20mg was dispensed to Patient B.L. over a 386  
8 day period from October 3, 2018 to October 24, 2019, resulting in a nearly 3-month  
9 (94 days) supply surplus of Belsomra 20mg dispensed to Patient B.L.
- 10 • Patient B.L. also received a total of 18 early fills of Librax 5mg/2.5mg capsules from  
11 August 31, 2018 to May 1, 2020. Patient B.L. received 14 nearly consecutive early  
12 fills of Librax 5mg/2.5mg from August 31, 2018 to August 23, 2019. This means that  
13 a 17-month (510 days) supply of Librax 5mg/2.5mg was dispensed to Patient B.L. over  
14 a 391 day period from August 31, 2018 to September 26, 2019, resulting in a nearly 4-  
15 month (119 days) supply surplus of Librax 5mg/2.5mg dispensed to Patient B.L.

16 l. **Patient R.H.**

- 17 • Patient R.H. received a total of 19 early fills of Oxycodone 20mg tablets from July  
18 19, 2018 to February 5, 2021. Patient R.H. received 11 nearly consecutive early fills  
19 of Oxycodone 20mg from July 19, 2018 to May 8, 2019. This means that a 13-month  
20 (395 days) supply of Oxycodone 20mg was dispensed to Patient R.H. over a 314 day  
21 period from July 19, 2018 to May 29, 2019, resulting in a nearly 3-month (81 days)  
22 supply surplus of Oxycodone 20mg dispensed to Patient R.H.

23 m. **Patient A.B.**

- 24 • Patient A.B. received a total of 30 nearly consecutive early fills of Temazepam 15mg  
25 capsules from June 27, 2018 to January 4, 2021. This means that a 40-month (1,206  
26 days) supply of Temazepam 15mg was dispensed to Patient A.B. over a 939 day  
27 period from June 27, 2018 to January 21, 2021, resulting in a nearly 9-month (267  
28 days) supply surplus of Temazepam 15mg dispensed to Patient A.B.

1 n. **Patient W.M.**

- 2 • Patient W.M. received a total of 24 nearly consecutive early fills of Lunesta 2mg  
3 tablets from September 27, 2018 to December 7, 2020. This means that a 33-month  
4 (990 days) supply of Lunesta 2mg was dispensed to Patient W.M. over a 846 day  
5 period from September 27, 2018 to January 20, 2021, resulting in a nearly 5-month  
6 (144 days) supply surplus of Lunesta 2mg dispensed to Patient W.M.

7 o. **Patient G.T.**

- 8 • Patient G.T. received a total of 14 early fills of Tramadol 50mg tablets from  
9 September 6, 2018 to October 12, 2020. Patient G.T. received 8 nearly consecutive  
10 early fills of Tramadol 50mg from September 6, 2018 to March 12, 2019. This  
11 means that a 9-month (270 days) supply of Tramadol 50mg was dispensed to Patient  
12 G.T. over a 217 day period from September 16, 2018 to April 11, 2019, resulting in a  
13 nearly 2-month (53 days) supply surplus of Tramadol 50mg dispensed to Patient G.T.

14 p. **Patient A.M.**

- 15 • Patient A.M. received a total of 17 early fills of Zolpidem 10mg tablets from June 10,  
16 2018 to February 10, 2021, many of which were consecutive.

17 q. **Patient D.Z.**

- 18 • Patient D.Z. received a total of 18 early fills of Zolpidem 10mg tablets from August  
19 1, 2018 to January 7, 2021, many of which were consecutive. Patient D.Z. received  
20 10 early fills of Zolpidem 10mg from August 15, 2019 to August 26, 2020. This  
21 means that a 17-month (510 days) supply of Zolpidem 10mg was dispensed to Patient  
22 D.Z. over a 415 day period from August 15, 2020 to September 23, 2020, resulting in  
23 a nearly 3-month (95 days) supply surplus of Zolpidem 10mg dispensed to Patient  
24 D.Z.

25 r. **Patient C.R.**

- 26 • Patient C.R. received a total of 18 early fills of Tramadol 50mg tablets from July 12,  
27 2019 to March 11, 2021. Patient C.R. received 12 early fills of Tramadol 50mg from  
28 May 13, 2020 to March 11, 2021. This means that a 14-month (420 days) supply of

Tramadol 50mg was dispensed to Patient C.R. over a 332 day period from May 13, 2020 to April 10, 2021, resulting in a nearly 3-month (88 days) supply surplus of Tramadol 50mg dispensed to Patient C.R.

s. **Patient R.L.**

- Patient R.L. received a total of 17 early fills of Clonazepam 2mg tablets from August 17, 2018 to January 27, 2021. Patient R.L. received 13 nearly consecutive early fills of Clonazepam 2mg from August 17, 2018 to June 14, 2019. This means that a 14-month (420 days) supply of Clonazepam 2mg was dispensed to Patient R.L. over a 333 day period from August 17, 2018 to July 16, 2019, resulting in a nearly 3-month (87 days) supply surplus of Clonazepam 2mg dispensed to Patient R.L.

t. A total of 544 early fills were dispensed by the Pharmacy during the query period of March 1, 2018 to March 16, 2021, of which 538 of the early fills were dispensed by Respondent Porter Ranch Pharmacy 1, and 6 of the early fills were dispensed by Respondent Porter Ranch Pharmacy 2. The below table shows the pharmacist detail related to the early fills dispensed by the Pharmacy during the query period:

Patient	Prescription	No. of Early Fills Dispensed by Respondent Banks	No. of Early Fills Dispensed by Respondent Rouhani
A.R.	Hydrocodone/Ibuprofen 7.5mg/200mg TAB	35	6
A.R.	Lorazepam 1mg TAB	12	10
B.W.	Alprazolam 0.5mg TAB	6	5
B.W.	Zolpidem 10mg TAB	18	11
D.C.	Dextroamphetamine/Amphetamine 20mg TAB	4	11
D.C.	Lorazepam 2mg TAB	14	10
D.C.	Zolpidem 5mg TAB	8	8
K.B.	Fentanyl 100 Mcg/Hr PAT	12	5
K.B.	Fentanyl 25 Mcg/Hr PAT	8	6
K.B.	Hydromorphone 2mg TAB	11	3
K.B.	Hydromorphone 4mg TAB	8	4
R.H.	Alprazolam 1mg TAB	7	10
M.B.	Androgel 1.62% GEL	23	0
B.W.	Dextroamphetamine/Amphetamine 30mg TAB	13	7
R.F.	Clonazepam 1mg tab	8	7



K.H.	Alprazolam 0.5mg TAB	17	13
R.R.	Tramadol 50mg TAB	27	7
B.L.	Belsomra 20mg TAB	9	6
B.L.	Librax 5mg/2.5mg CAP	15	3
R.H.	Oxycodone 20mg TAB	13	6
A.B.	Temazepam 15mg CAP	23	7
W.M.	Lunesta 2mg TAB	18	6
G.T.	Tramadol 50mg TAB	7	7
A.M.	Zolpidem 10mg TAB	14	3
D.Z.	Zolpidem 10mg TAB	12	6
C.R.	Tramadol 50mg TAB	15	3
R.L.	Clonazepam 2mg TAB	13	4
<b>TOTAL</b>		<b>370</b>	<b>174</b>

36. **Non-Compliant Prescription Documents**

a. Based on review of the Pharmacy original prescription documents, the Board Inspector determined that 3 controlled substance prescriptions written by Dr. Joseph Dinglasan and dispensed by Respondent Porter Ranch Pharmacy 1 did not conform to the requirements of Health and Safety Code section 11162.1 in that they lacked the “California Security Prescription” watermark. This omitted security feature alone invalidated the prescriptions and visibly indicated that the prescriptions were not written legitimately. Respondent Rouhani was noted in the Pharmacy dispensing records as the dispensing pharmacist for all 3 of these non-compliant prescription documents from Dr. Dinglasan. The prescription documents collected did not contain documentation indicating that the Pharmacy contacted Dr. Dinglasan to specifically address the deficiencies prior to filling the prescriptions. The below table shows the dispensing detail related to non-compliant prescription documents from Dr. Dinglasan dispensed by the Pharmacy during the query period:

Patient	Prescription	Written Date	Dispensed Date	Payment Method	Pharmacist
L.R.	Oxycodone 30mg	1/27/2020	1/29/2020	Cash	Respondent Rouhani
L.R.	Oxycodone 30mg	2/21/2020	2/24/2020	Cash	Respondent Rouhani
L.R.	Oxycodone 30mg	3/25/2020	3/30/2020	Cash	Respondent Rouhani

///

///

1 *As to Respondent B3 Holdings Inc., dba Porter Ranch Pharmacy (Porter Ranch Pharmacy 1)*

2 **FIRST CAUSE FOR DISCIPLINE**

3 **(Failure to Exercise or Implement Corresponding Responsibility)**

4 37. Respondent Porter Ranch Pharmacy 1 is subject to disciplinary action under Code  
5 sections 4301, subdivisions (d), (j) and (o), and 4306.5, subdivisions (a) and (b), in conjunction  
6 with Health and Safety Code section 11153, subdivision (a), California Code of Regulations, title  
7 16, section 1761, and Federal Code of Regulations, title 21, section 1306.04, subdivision (a), in  
8 that Respondent Porter Ranch Pharmacy 1 failed to exercise or implement their best professional  
9 judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled  
10 substances or dangerous drugs, or with regard to the provision of services, as follows:

11 a. Respondent Porter Ranch Pharmacy 1 dispensed at least 187 controlled substance  
12 prescriptions (17,410 tablets) written by Dr. Korzelius in the presence of multiple factors of  
13 irregularity or red flags suggesting that they were not written for legitimate medical purposes.

14 b. Respondent Porter Ranch Pharmacy 1 dispensed at least 538 early fills of controlled  
15 substances to 19 patients.

16 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
17 paragraphs 30-36, as though set forth in full herein.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Filling or Dispensing Improper or Erroneous or Uncertain Prescriptions  
20 for Controlled Substances)**

21 38. Respondent Porter Ranch Pharmacy 1 is subject to disciplinary action under Code  
22 sections 4301, subdivisions (j), and (o), and 4306.5, subdivisions (a) and (b), in conjunction with  
23 Health and Safety Code sections 11162.1, subdivision (a)(2), and 11164, California Code of  
24 Regulations, title 16, section 1761, and Federal Code of Regulations, title 21, section 1306.04,  
25 subdivision (a), in that Respondent Porter Ranch Pharmacy 1 filled or dispensed controlled  
26 substance prescriptions that did not comply with the form requirements of Health and Safety  
27 Code section 11162.1, in that the prescriptions lacked the “California Security Prescription”  
28 watermark printed on the backside of the document, and/or contained any significant error,

1 omission, irregularity, uncertainty, ambiguity or alteration. Complainant refers to, and by this  
2 reference incorporates, the allegations set forth in above paragraphs 30-36, as though set forth in  
3 full herein.

4 *As to Respondent Mojdeh Rouhani*

5 **THIRD CAUSE FOR DISCIPLINE**

6 **(Failure to Exercise or Implement Corresponding Responsibility)**

7 39. Respondent Rouhani is subject to disciplinary action under Code sections 4301,  
8 subdivisions (d), (j) and (o), 4306.5, subdivisions (a) and (b), and 4113, subdivision (c), in  
9 conjunction with Health and Safety Code section 11153, subdivision (a), California Code of  
10 Regulations, title 16, section 1761, and Federal Code of Regulations, title 21, section 1306.04,  
11 subdivision (a), in that Respondent Rouhani failed to exercise or implement their best  
12 professional judgment or corresponding responsibility with regard to the dispensing or furnishing  
13 of controlled substances or dangerous drugs, or with regard to the provision of services, as  
14 follows:

15 a. Respondent Rouhani was the dispensing pharmacist on at least 66 controlled  
16 substance prescriptions (6,165 tablets) written by Dr. Korzelius that had multiple factors of  
17 irregularity or red flags suggesting that they were not written for legitimate medical purposes.

18 b. Respondent Rouhani was the dispensing pharmacist on at least 174 early fills of  
19 controlled substances to 18 patients.

20 c. After the change of ownership on February 22, 2021, where Respondent Rouhani  
21 served as the Pharmacist-in-Charge during the relevant period, the Porter Ranch Pharmacy  
22 dispensed 6 early fills of controlled substances to patients.

23 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
24 paragraphs 30-36, as though set forth in full herein.

25 ///

26 ///

27 ///

28 ///

1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Filling or Dispensing Improper or Erroneous or Uncertain Prescriptions**  
3 **for Controlled Substances)**

4 40. Respondent Rouhani is subject to disciplinary action under Code sections 4301,  
5 subdivisions (j), and (o), and 4306.5, subdivisions (a) and (b), in conjunction with Health and  
6 Safety Code sections 11162.1, subdivision (a)(2), and 11164, California Code of Regulations, title  
7 16, section 1761, and Federal Code of Regulations, title 21, section 1306.04, subdivision (a), in  
8 that Respondent Rouhani filled or dispensed controlled substance prescriptions that did not  
9 comply with the form requirements of Health and Safety Code section 11162.1, in that the  
10 prescriptions lacked the “California Security Prescription” watermark printed on the backside of  
11 the document, and/or contained any significant error, omission, irregularity, uncertainty,  
12 ambiguity or alteration. Complainant refers to, and by this reference incorporates, the allegations  
13 set forth in above paragraphs 30-36, as though set forth in full herein.

14 *As to Respondent Philip William Banks*

15 **FIFTH CAUSE FOR DISCIPLINE**

16 **(Failure to Exercise or Implement Corresponding Responsibility)**

17 41. Respondent Banks is subject to disciplinary action under Code sections 4301,  
18 subdivisions (d), (j) and (o), 4306.5, subdivisions (a) and (b), and 4113, subdivision (c), in  
19 conjunction with Health and Safety Code section 11153, subdivision (a), California Code of  
20 Regulations, title 16, section 1761, and Federal Code of Regulations, title 21, section 1306.04,  
21 subdivision (a), in that Respondent Banks failed to exercise or implement their best professional  
22 judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled  
23 substances or dangerous drugs, or with regard to the provision of services, as follows:

24 a. Prior to the change of ownership on February 22, 2021, where Respondent Banks  
25 served as the Pharmacist-in-Charge during the relevant period, the Porter Ranch Pharmacy  
26 dispensed at least 187 controlled substance prescriptions (17,410 tablets) written by Dr. Korzelius  
27 in the presence of multiple factors of irregularity or red flags suggesting that they were not  
28 written for legitimate medical purposes. Of which, Respondent Banks was the dispensing

1 pharmacist on at least 120 of the controlled substance prescriptions (11,155 tablets) written by Dr.  
2 Korzelius.

3 b. Prior to the change of ownership on February 22, 2021, where Respondent Banks  
4 served as the Pharmacist-in-Charge during the relevant period, the Pharmacy dispensed at least  
5 538 early fills of controlled substances to 19 patients. Of which, Respondent Banks was the  
6 dispensing pharmacist on at least 370 early fills of controlled substances to 19 patients.

7 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
8 paragraphs 30-36, as though set forth in full herein.

9 **SIXTH CAUSE FOR DISCIPLINE**

10 **(Filling or Dispensing Improper or Erroneous or Uncertain Prescriptions**  
11 **for Controlled Substances)**

12 42. Respondent Banks is subject to disciplinary action under Code sections 4301,  
13 subdivisions (j), and (o), 4306.5, subdivisions (a) and (b), and 4113, subdivision (c), in  
14 conjunction with Health and Safety Code sections 11162.1, subdivision (a)(2), and 11164,  
15 California Code of Regulations, title 16, section 1761, and Federal Code of Regulations, title 21,  
16 section 1306.04, subdivision (a), in that, while Respondent Banks served as the Pharmacist-in-  
17 Charge during the relevant period, the Pharmacy filled or dispensed controlled substance  
18 prescriptions that did not comply with the form requirements of Health and Safety Code section  
19 11162.1, in that the prescriptions lacked the “California Security Prescription” watermark printed  
20 on the backside of the document, and/or contained any significant error, omission, irregularity,  
21 uncertainty, ambiguity or alteration. Complainant refers to, and by this reference incorporates,  
22 the allegations set forth in above paragraphs 30-36, as though set forth in full herein.

23 *As to Respondent WholerRx Inc., dba Porter Ranch Pharmacy (Porter Ranch Pharmacy 2)*

24 **SEVENTH CAUSE FOR DISCIPLINE**

25 **(Failure to Exercise or Implement Corresponding Responsibility / Filling or Dispensing**  
26 **Improper or Erroneous or Uncertain Prescriptions for Controlled Substances)**

27 43. Respondent Porter Ranch Pharmacy 2 is subject to disciplinary action under Code  
28 sections 4301, subdivisions (d), (j) and (o), and 4306.5, subdivisions (a) and (b), in conjunction

1 with Health and Safety Code section 11153, subdivision (a), California Code of Regulations, title  
2 16, section 1761, and Federal Code of Regulations, title 21, section 1306.04, subdivision (a), in  
3 that Respondent Porter Ranch Pharmacy 2 failed to exercise or implement their best professional  
4 judgment or corresponding responsibility with regard to the dispensing or furnishing of controlled  
5 substances or dangerous drugs, or with regard to the provision of services, and/or filled or  
6 dispensed controlled substance prescriptions that contained any significant error, omission,  
7 irregularity, uncertainty, ambiguity or alteration when they filled or dispensed at least 6 early fills  
8 of controlled substances to patients. Complainant refers to, and by this reference incorporates, the  
9 allegations set forth above in paragraphs 30-36, as though set forth in full herein.

## **BOARD INVESTIGATION NO. 2**

### **Drug Audit Review**

12 44. In or around November 2021, a Board Inspector requested the following documents  
13 from Porter Ranch Pharmacy: a list of wholesalers used from June 1, 2019 through June 30, 2020,  
14 and the acquisition and disposition records for specific drugs including but not limited to Horizant  
15 ER and Otezla. Porter Ranch Pharmacy confirmed that their only wholesalers during the relevant  
16 period were Cardinal Health and Anda. The Board Inspector obtained the records of Porter  
17 Ranch Pharmacy's drug purchase records from Cardinal Health and Anda.

18 45. Based on a review of the documentation, the Board Inspector's audit determined that,  
19 during the period of June 1, 2019 and June 30, 2020, Respondent Porter Ranch Pharmacy 1 had  
20 an inventory shortage, as summarized in the table below:

<b>Drug</b>	<b>Initial Inventory</b>	<b>Purchases</b>	<b>Total Inventory</b>	<b>Amount Dispensed</b>	<b>Amount Returned</b>	<b>Discrepancy Amount</b>
Horizant ER 300mg	0	0	0	240 tabs	0	-240 tabs (8 bottles)
Otezla 30mg	0	0	0	1080 tabs	0	-1080 tabs (18 bottles)

26 46. The audit revealed a shortage of 240 tablets (8 bottles) of Horizant ER 300mg and a  
27 shortage of 1,080 tablets (18 bottles) of Otezla 30mg. Of note, there is no generic substitution  
28 available for Horizant ER (gabapentin encarbil) tablets. The acquisition cost of Horizant ER is

1 approximately \$370 per bottle of 30 tablets, which amounts to approximately \$12.33 per tablet. It  
 2 is possible that a higher insurance reimbursement for a pharmacy may result in dispensing  
 3 Horizant ER, or a coupon program could result in a higher reimbursement for a pharmacy, as  
 4 opposed to dispensing and billing a generic product.

5 **Compounding Review**

6 47. On or about April, 20, 2022, a Board Inspector conducted an on-site inspection at  
 7 Porter Ranch Pharmacy. Respondent Banks and Respondent Rouhani were present and assisted  
 8 the Board Inspector during the inspection. Respondent Banks stated that the only compounding  
 9 that had been performed at the Pharmacy was Stanford Mouthwash,<sup>1</sup> and stated there had been no  
 10 compounding performed since the change of ownership on February 22, 2021.

11 48. However, the Board Inspector’s review of CURES data and Pharmacy records  
 12 determined that Respondent Porter Ranch Pharmacy 2 had compounded products using ketamine  
 13 HCL after the change of ownership, during the period of February 22, 2021 until at least  
 14 November 24, 2021, including but not limited to the following:

Patient	RX No.	Drug	Quantity	Date Dispensed
JW	629705	Ketamine 20mg Capsule	240	2/24/2021
	644848	Ketamine 20mg Capsule	240	4/2/2021
	646082	Ketamine 20mg Capsule	240	5/10/2021
	646082 (Refill 1)	Ketamine 20mg Capsule	240	6/28/2021
	652417	Ketamine 20mg Capsule	240	7/27/2021
	652417 (Refill 1)	Ketamine 20mg Capsule	240	10/18/2021
	651188	Ketamine 20mg Capsule	240	8/17/2021
	651188 (Refill 1)	Ketamine 20mg Capsule	240	9/20/2021
	661467	Ketamine 20mg Capsule	240	11/24/2021
	NH	624105	Ketamine 2% Cream	30
647080		Ketamine 2% Cream	30	5/5/2021
647080 (Refill 1)		Ketamine 2% Cream		6/2/2021
DA	640919	Ketamine/Pent/Clon/DMSO Cream	60	2/9/2021
	641181	Ketamine/Pent/Clon/DMSO Cream	60	3/10/2021

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
<sup>1</sup> A common version of the compounded Stanford Mouthwash includes tetracycline, nystatin, hydrocortisone, and chlorpheniramine (antibiotic, antifungal, steroid, and antihistamine).

1	641181 (Refill 1)	Ketamine/Pent/Clon/DMSO Cream		4/20/2021
2	641181 (Refill 2)	Ketamine/Pent/Clon/DMSO Cream		6/3/2021

3 49. The pharmacist-in-charge of a pharmacy that compounds drug preparations is  
4 required to complete the Board’s Compounding Self-Assessment. The Board Inspector requested  
5 a copy of Respondent Porter Ranch Pharmacy 2’s Compounding Self-Assessment; however, one  
6 was not provided.

7 **Review of Pharmacy Purchases of Dangerous Drugs from Wholesalers**

8 50. As indicated above, the Porter Ranch Pharmacy’s wholesalers include Cardinal  
9 Health and Anda. The Pharmacy orders medications, both non-controlled and controlled  
10 substances, from its wholesalers through an account number associated with their license number.

11 51. Respondent Porter Ranch Pharmacy 1 had account number 76675 with Cardinal  
12 Health, associated with its pharmacy permit number 48684. Based on a review of documentation,  
13 the Board Inspector determined that, after the change of ownership, Respondent Porter Ranch  
14 Pharmacy 2 was given a new Cardinal Health account number 79897, associated with its new  
15 pharmacy permit number 58025, on or about March 11, 2021, with the first purchase using the  
16 new account on or about March 13, 2021. However, the next purchase using the new account  
17 was not made until April 28, 2021. Accordingly, the Board Inspector determined that, from the  
18 change of ownership on February 22, 2021 through April 27, 2021, Respondent Porter Ranch  
19 Pharmacy 2 purchased dangerous drugs and devices from Cardinal Health using Respondent  
20 Porter Ranch Pharmacy 1’s cancelled pharmacy permit.<sup>2</sup> Purchases using the cancelled permit  
21 were made on 53 days.

22 52. Respondent Porter Ranch Pharmacy 1 had account number 363873 with Anda,  
23 associated with its pharmacy permit number 48684. Based on a review of documentation, the  
24 Board Inspector determined that from the change in ownership on February 22, 2021 through  
25

26 <sup>2</sup> On or around the change of ownership on February 22, 2021, Respondents executed a  
27 power of attorney and submitted it to their wholesalers, such that Respondent Porter Ranch  
28 Pharmacy 2 was able to continue ordering Schedule II controlled substances under the cancelled  
pharmacy permit for a limited period of time. However, Respondent Porter Ranch Pharmacy  
purchased Schedule III-V controlled substances and non-controlled dangerous drugs and devices  
during the relevant time period using the cancelled pharmacy permit.



1 June 11, 2021, Respondent Porter Ranch Pharmacy 2 purchased dangerous drugs and devices  
2 from Anda using Respondent Porter Ranch Pharmacy 1's cancelled pharmacy permit. Anda  
3 closed account number 363873 associated with the cancelled permit on or about June 24, 2021.  
4 Respondent Porter Ranch Pharmacy 2 was given a new Anda account number 519569, associated  
5 with its pharmacy permit number 58025, on or about July 9, 2021, with the first purchase on the  
6 new account on July 12, 2021.

7 **Review of CURES Reporting**

8 53. The Controlled Substance Utilization Review and Evaluation System (CURES)<sup>3</sup> is  
9 California's Prescription Drug Monitoring Program (PDMP). Pharmacies in California are  
10 required to report all filled prescriptions for Schedule II, III, IV, and V controlled substances to  
11 the database every week (and within one working day, effective January 1, 2021). When reporting  
12 controlled substance prescriptions filled by a pharmacy to CURES, the pharmacy is required to  
13 include, inter alia, the pharmacy's license number and federal controlled substance registration  
14 number (i.e., DEA permit number).

15 54. Respondent Porter Ranch Pharmacy 1 was issued DEA permit number FP450697.  
16 Upon the change of ownership, Respondent Porter Ranch Pharmacy 2 was required to obtain a  
17 new DEA permit, and was issued DEA permit number FW0028604 on or about March 4, 2021.<sup>4</sup>  
18 Based on a review of the CURES data, the Board Inspector determined that after the new DEA  
19 permit was issued to Respondent Porter Ranch Pharmacy 2 on March 4, 2021, Respondent Porter  
20 Ranch Pharmacy 2 submitted controlled substance prescription data to CURES using Respondent  
21 Porter Ranch Pharmacy 1's DEA permit number and cancelled pharmacy license.

22 ///

23 \_\_\_\_\_  
24 <sup>3</sup> The CURES data is collected statewide and can be used by licensed prescribers and  
25 pharmacists to evaluate and determine whether their patients are utilizing controlled substances  
26 correctly and whether a patient has used multiple prescribers and multiple pharmacies to fill  
27 controlled substance prescriptions. Law enforcement and regulatory agencies such as the Board  
28 have access to the CURES database for official oversight or investigatory purposes.

<sup>4</sup> When there is a sale or transfer of ownership in a pharmacy, the new pharmacy is  
generally allowed a "grace period," wherein the new pharmacy is allowed to purchase controlled  
substance medications with the old pharmacy's DEA permit until the new pharmacy is issued a  
new permit. However, once the new DEA permit number is issued, use of the prior DEA permit  
is not permitted.

55. Notably, the Board Inspector’s review determined that during the period of March 4, 2021 and May 27, 2021, Respondent Porter Ranch Pharmacy 2 submitted controlled substance prescription data to CURES simultaneously using both Porter Ranch Pharmacy 1’s DEA permit number/cancelled pharmacy license as well as Porter Ranch Pharmacy 2’s DEA permit number/pharmacy license. A summary of Respondent Porter Ranch Pharmacy 2’s CURES reporting is provided in the table below:

DEA Permit No. / Pharmacy Permit No.	Total CURES Submissions 3/4/2021 to 5/27/2021
DEA No. FP450697 / PHY No. 48684 (Cancelled License)	1,821
DEA No. FW0028604 / PHY No. 58025 (New License)	607

*As to Respondent B3 Holdings Inc., dba Porter Ranch Pharmacy (Porter Ranch Pharmacy 1)*

**EIGHTH CAUSE FOR DISCIPLINE**

**(Failure to Maintain Records of Dangerous Drugs; Current Inventory)**

56. Respondent Porter Ranch Pharmacy 1 is subject to disciplinary action under Code section 4301, subdivision (o), in conjunction with Code section 4081, subdivision (a), in that Respondent Porter Ranch Pharmacy 1 failed to maintain all records of sale, acquisition, receipt, shipment, and/or disposition of dangerous drugs or devices. An audit revealed that from on or about June 1, 2019 to June 30, 2020, Respondent Porter Ranch Pharmacy 1 had a negative discrepancy of 240 tablets of Horizant ER 300mg and 1080 tablets of Otezla 30mg. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 30 and 44-55, as though set forth in full herein.

*As to Respondent Mojdeh Rouhani*

**NINTH CAUSE FOR DISCIPLINE**

**(Purchase Dangerous Drugs with Cancelled Permit)**

57. Respondent Rouhani is subject to disciplinary action under Code sections 4301, subdivision (o), and 4113, subdivision (c), in conjunction with Code section 4110, subdivision (a), in that while Respondent Rouhani served as the as the Pharmacist-in-Charge, during the

1 period of February 22, 2021 to June 11, 2021, Respondent Porter Ranch Pharmacy 2 used the  
2 cancelled Pharmacy Permit No. PHY 48684 issued to Porter Ranch Pharmacy 1 to purchase  
3 dangerous drugs or devices from its wholesalers. Complainant refers to, and by this reference  
4 incorporates, the allegations set forth above in paragraphs 30 and 44-55, as though set forth in full  
5 herein.

6 **TENTH CAUSE FOR DISCIPLINE**

7 **(Violation Regarding Reporting of CURES Data)**

8 58. Respondent Rouhani is subject to disciplinary action under Code sections 4301,  
9 subdivision (o), and 4113, subdivision (c), in conjunction with Health and Safety Code section  
10 11165, subdivision (d)(3), in that while Respondent Rouhani served as the as the Pharmacist-in-  
11 Charge, during the period of March 4, 2021 to May 27, 2021, Respondent Porter Ranch Pharmacy  
12 2 transmitted CURES data using the cancelled Pharmacy Permit No. PHY 48684 issued to Porter  
13 Ranch Pharmacy 1. Complainant refers to, and by this reference incorporates, the allegations set  
14 forth above in paragraphs 30 and 44-55, as though set forth in full herein.

15 **ELEVENTH CAUSE FOR DISCIPLINE**

16 **(Failure to Complete Compounding Self-Assessment)**

17 59. Respondent Rouhani is subject to disciplinary action under Code sections 4301,  
18 subdivision (o), and 4113, subdivision (c), in conjunction with California Code of Regulations,  
19 title 16, section 1735.2 subdivision (k), in that while Respondent Rouhani served as the as the  
20 Pharmacist-in-Charge, during the period of February 22, 2021 to November 24, 2021,  
21 Respondent Porter Ranch Pharmacy 2 compounded dangerous drugs or devices without  
22 completing the required Compounding Self-Assessment. Complainant refers to, and by this  
23 reference incorporates, the allegations set forth above in paragraphs 30 and 44-55, as though set  
24 forth in full herein.

25 ///

26 ///

27 ///

28 ///

1 *As to Respondent Philip William Banks*

2 **TWELFTH CAUSE FOR DISCIPLINE**

3 **(Failure to Maintain Records of Dangerous Drugs; Current Inventory)**

4 60. Respondent Banks is subject to disciplinary action under Code sections 4301,  
5 subdivision (o), and 4113, subdivision (c), in conjunction with Code section 4081, subdivision  
6 (a), in that, while serving as the as the Pharmacist-in-Charge, Respondent Banks failed to  
7 maintain all records of sale, acquisition, receipt, shipment, and/or disposition of dangerous drugs  
8 or devices. An audit revealed that from on or about June 1, 2019 to June 30, 2020, Respondent  
9 Porter Ranch Pharmacy 1 had a negative discrepancy of 240 tablets of Horizant ER 300mg and  
10 1080 tablets of Otezla 30mg. Complainant refers to, and by this reference incorporates, the  
11 allegations set forth above in paragraphs 30 and 44-55, as though set forth in full herein.

12 *As to Respondent WholerRx Inc., dba Porter Ranch Pharmacy (Porter Ranch Pharmacy 2)*

13 **THIRTEENTH CAUSE FOR DISCIPLINE**

14 **(Purchase Dangerous Drugs with Cancelled Permit)**

15 61. Respondent Porter Ranch Pharmacy 2 is subject to disciplinary action under Code  
16 section 4301, subdivision (o), in conjunction with Code section 4110, subdivision (a), in that after  
17 the change of ownership, during the period of February 22, 2021 to June 11, 2021, Respondent  
18 Porter Ranch Pharmacy 2 used the cancelled Pharmacy Permit No. PHY 48684 issued to Porter  
19 Ranch Pharmacy 1 to purchase dangerous drugs or devices from its wholesalers. Complainant  
20 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 30 and  
21 44-55, as though set forth in full herein.

22 **FOURTEENTH CAUSE FOR DISCIPLINE**

23 **(Violation Regarding Reporting of CURES Data)**

24 62. Respondent Porter Ranch Pharmacy 2 is subject to disciplinary action under Code  
25 section 4301, subdivision (o), in conjunction with Health and Safety Code section 11165,  
26 subdivision (d)(3), in that after the change of ownership, during the period of March 4, 2021 to  
27 May 27, 2021, Respondent Porter Ranch Pharmacy 2 transmitted CURES data using the  
28 cancelled Pharmacy Permit No. PHY 48684 issued to Porter Ranch Pharmacy 1. Complainant

1 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 30 and  
2 44-55, as though set forth in full herein.

3 **FIFTEENTH CAUSE FOR DISCIPLINE**

4 **(Failure to Complete Compounding Self-Assessment)**

5 63. Respondent Porter Ranch Pharmacy 2 is subject to disciplinary action under Code  
6 section 4301, subdivision (o), in conjunction with California Code of Regulations, title 16,  
7 section 1735.2 subdivision (k), in that after the change of ownership, during the period of  
8 February 22, 2021 to November 24, 2021, Respondent Porter Ranch Pharmacy 2 compounded  
9 dangerous drugs or devices without completing the required Compounding Self-Assessment.  
10 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
11 paragraphs 30 and 44-55, as though set forth in full herein.

12 **DISCIPLINE CONSIDERATIONS**

13 64. To determine the degree of discipline, if any, to be imposed on Respondent Porter  
14 Ranch Pharmacy 1, Complainant alleges that on or about October 8, 2020, in a prior action, the  
15 Board of Pharmacy issued Citation Number CI 2018 84373 to Respondent Porter Ranch 1. That  
16 Citation is now final.

17 65. To determine the degree of discipline, if any, to be imposed on Respondent Porter  
18 Ranch Pharmacy 1, Complainant alleges that on or about January 12, 2018, in a prior action, the  
19 Board of Pharmacy issued Citation Number CI 2016 73874 to Respondent Porter Ranch  
20 Pharmacy 1 and ordered Respondent Porter Ranch Pharmacy 1 to pay a fine in the amount of  
21 \$3,000. That Citation is now final.

22 66. To determine the degree of discipline, if any, to be imposed on Respondent Porter  
23 Ranch Pharmacy 1, Complainant alleges that on or about January 10, 2018, in a prior action, the  
24 Board of Pharmacy issued Citation Number CI 2016 74118 to Respondent Porter Ranch  
25 Pharmacy 1. That Citation is now final.

26 67. To determine the degree of discipline, if any, to be imposed on Respondent Porter  
27 Ranch Pharmacy 1, Complainant alleges that on or about March 9, 2017, in a prior action, the  
28

1 Board of Pharmacy issued Citation Number CI 2015 68875 to Respondent Porter Ranch  
2 Pharmacy 1. That Citation is now final.

3 68. To determine the degree of discipline, if any, to be imposed on Respondent Banks,  
4 Complainant alleges that on or about October 8, 2020, in a prior action, the Board of Pharmacy  
5 issued Citation Number CI 2020 89289 to Respondent Banks and ordered Respondent Banks to  
6 pay a fine in the amount of \$2,000. That Citation is now final.

7 69. To determine the degree of discipline, if any, to be imposed on Respondent Banks  
8 Complainant alleges that on or about January 12, 2018, in a prior action, the Board of Pharmacy  
9 issued Citation Number CI 2017 78081 to Respondent Banks and ordered Respondent Banks to  
10 pay a fine in the amount of \$1,500. That Citation is now final.

11 70. To determine the degree of discipline, if any, to be imposed on Respondent Banks  
12 Complainant alleges that on or about January 10, 2018, in a prior action, the Board of Pharmacy  
13 issued Citation Number CI 2017 78074 to Respondent Banks and ordered Respondent Banks to  
14 pay a fine in the amount of \$250. That Citation is now final.

15 **OTHER MATTERS**

16 71. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number  
17 PHY 48684, issued to B3 Holdings Inc., dba Porter Ranch Pharmacy, Respondent Porter Ranch  
18 Pharmacy 1 shall be prohibited from serving as a manager, administrator, owner, member,  
19 officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number  
20 PHY 48684 is placed on probation or until Pharmacy Permit Number PHY 48684 is reinstated if  
21 it is revoked.

22 72. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number  
23 PHY 48684, issued to B3 Holdings Inc., dba Porter Ranch Pharmacy, while Respondent Philip  
24 William Banks has been an officer, director, and/or owner and had knowledge of or knowingly  
25 participated in any conduct for which the licensee was disciplined, Respondent Banks shall be  
26 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,  
27 or partner of a licensee for five years if Pharmacy Permit Number PHY 48684 is placed on  
28 probation or until Pharmacy Permit Number PHY 48684 is reinstated if it is revoked.



1           2.     Prohibiting B3 Holdings Inc., dba Porter Ranch Pharmacy and Philip William Banks  
2 from serving as a manager, administrator, owner, member, officer, director, associate, or partner  
3 of a licensee for five years if Pharmacy Permit Number PHY 48684 is placed on probation or  
4 until Pharmacy Permit Number PHY 48684 is reinstated if Pharmacy Permit Number PHY 48684  
5 is revoked;

6           3.     Revoking or suspending Pharmacist License Number RPH 46639, issued to Mojdeh  
7 Rouhani;

8           4.     Prohibiting Mojdeh Rouhani from serving as a manager, administrator, owner,  
9 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License  
10 Number RPH 46639 is placed on probation or until Pharmacist License Number RPH 46639 is  
11 reinstated if Pharmacist License Number RPH 46639 is revoked;

12          5.     Revoking or suspending Pharmacist License Number RPH 47038, issued to Philip  
13 William Banks;

14          6.     Prohibiting Philip William Banks from serving as a manager, administrator, owner,  
15 member, officer, director, associate, or partner of a licensee for five years if Pharmacist License  
16 Number RPH 47038 is placed on probation or until Pharmacist License Number RPH 47038 is  
17 reinstated if Pharmacist License Number RPH 47038 is revoked;

18          7.     Revoking or suspending Pharmacy Permit Number PHY 58025, issued to WholeRx  
19 Inc., dba Porter Ranch Pharmacy, Mojdeh Rouhani;

20          8.     Prohibiting WholeRx Inc., dba Porter Ranch Pharmacy and Mojdeh Rouhani from  
21 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a  
22 licensee for five years if Pharmacy Permit Number PHY 58025 is placed on probation or until  
23 Pharmacy Permit Number PHY 58025 is reinstated if Pharmacy Permit Number PHY 58025 is  
24 revoked;

25          9.     Ordering B3 Holdings Inc., dba Porter Ranch Pharmacy, Mojdeh Rouhani, Philip  
26 William Banks, and WholeRx Inc., dba Porter Ranch Pharmacy to pay the Board of Pharmacy the  
27 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
28 Professions Code section 125.3; and,



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

10. Taking such other and further action as deemed necessary and proper.

DATED: 10/3/2022

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

LA2021602727  
64500532\_4.docx