

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

In the Matter of the Accusation Against:

**LA CARE PHARMACY, INC., DBA LA CARE PHARMACY,
LILIT HAKOBYAN**

Pharmacy Permit No. PHY 57545,

and

CHRISTINE AMANDA GEDJEYAN

Pharmacist License No. RPH 79233

Respondents.

Agency Case No. 7245

OAH No. 2023030579

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 February 21, 2024.

It is so ORDERED on January 22, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is fluid and cursive, with the first name "Seung" and last name "Oh" clearly distinguishable.

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
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8
9 **BEFORE THE**
BOARD OF PHARMACY
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:

Case No. 7245

14 **LA CARE PHARMACY, INC., DOING**
BUSINESS AS LA CARE PHARMACY,
15 **LILIT HAKOBYAN**
16 **721 E. Broadway, Ste. 101**
Glendale, CA 91205

OAH No. 2023030579

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER AS TO
CHRISTINE AMANDA GEDJEYAN
ONLY

17 **Permit No. PHY 57545**

18 **and**

19 **CHRISTINE AMANDA GEDJEYAN**
20 **7712 Via Napoli**
21 **Burbank, CA 91504**

22 **Pharmacist License No. RPH 79233**

23 Respondents.
24
25

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

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1 **PARTIES**

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

6 2. Respondent Christine Amanda Gedjeyan (Respondent) is represented in this
7 proceeding by attorney Tony J. Park, whose address is: 9090 Irvine Center Drive, Irvine, CA
8 92618-4658.

9 3. On or about September 25, 2018, the Board issued Pharmacist License Number RPH
10 79233 to respondent. The Pharmacist License was in full force and effect at all times
11 relevant to the charges brought herein and will expire on January 31, 2024, unless renewed.

12 **JURISDICTION**

13 4. Accusation No. 7245 was filed before the Board, and is currently pending against
14 respondent. The Accusation and all other statutorily required documents were properly served on
15 respondent on June 30, 2023. Respondent timely filed its Notice of Defense contesting the
16 Accusation.

17 5. A copy of Accusation No. 7245 is attached as exhibit A and incorporated herein by
18 reference.

19 **ADVISEMENT AND WAIVERS**

20 6. Respondent has carefully read, fully discussed with counsel, and understands the
21 charges and allegations in Accusation No. 7245. Respondent has also carefully read, fully
22 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary
23 Order.

24 7. Respondent is fully aware of its legal rights in this matter, including the right to a
25 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
26 the witnesses against them; the right to present evidence and to testify on its own behalf; the right
27 to the issuance of subpoenas to compel the attendance of witnesses and the production of
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documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 7245, if proven at a hearing, constitute cause for imposing discipline upon her Pharmacist License.

10. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that respondent hereby gives up its right to contest those charges.

11. Respondent agrees that her Pharmacist License is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

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

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

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

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Pharmacist License Number RPH 79233 issued to Respondent Christine Amanda Gedjeyan is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions:

1. Obey All Laws

Respondent shall obey all state and federal laws and regulations.

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

- an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws
- a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal criminal proceeding to any criminal complaint, information or indictment
- a conviction of any crime
- the filing of a disciplinary pleading, issuance of a citation, or initiation of another administrative action filed by any state or federal agency which involves respondent's license or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

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

2 **2. Report to the Board**

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

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

12 **3. Interview with the Board**

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

18 **4. Cooperate with Board Staff**

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

25 **5. Continuing Education**

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

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

2 During the period of probation, respondent shall notify all present and prospective
3 employers of the decision in case number 7245 and the terms, conditions and restrictions imposed
4 on respondent by the decision, as follows:

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

17 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
18 respondent undertaking any new employment, respondent shall cause (a) respondent's direct
19 supervisor, (b) respondent's pharmacist-in-charge, designated representative-in-charge,
20 responsible manager, or other compliance supervisor, and (c) the owner or owner representative
21 of respondent's employer, to report to the board in writing acknowledging that the listed
22 individual(s) has/have read the decision in case number 7245, and terms and conditions imposed
23 thereby. If one person serves in more than one role described in (a), (b), or (c), the
24 acknowledgment shall so state. It shall be the respondent's responsibility to ensure that these
25 acknowledgment(s) are timely submitted to the board. In the event of a change in the person(s)
26 serving the role(s) described in (a), (b), or (c) during the term of probation, respondent shall cause
27 the person(s) taking over the role(s) to report to the board in writing within fifteen (15) days of
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1 the change acknowledging that he or she has read the decision in case number 7245, and the
2 terms and conditions imposed thereby.

3 If respondent works for or is employed by or through an employment service, respondent
4 must notify the person(s) described in (a), (b), and (c) above at every respondent licensed by the
5 board of the decision in case number 7245, and the terms and conditions imposed thereby in
6 advance of respondent commencing work at such licensed entity. A record of this notification
7 must be provided to the board upon request.

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

14 Failure to timely notify present or prospective employer(s) or failure to cause the identified
15 person(s) with that/those employer(s) to submit timely written acknowledgments to the board
16 shall be considered a violation of probation.

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

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

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

24 Failure to timely notify the board of any change in employer, name, address, or phone
25 number shall be considered a violation of probation.

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

2 During the period of probation, respondent shall not supervise any intern pharmacist, be the
3 pharmacist-in-charge, designated representative-in-charge, responsible manager or other
4 compliance supervisor of any entity licensed by the board, nor serve as a consultant. Assumption
5 of any such unauthorized supervision responsibilities shall be considered a violation of probation.

6 **9. Reimbursement of Board Costs**

7 As a condition precedent to successful completion of probation, respondent shall pay to the
8 board its costs of investigation and prosecution in the amount of \$2,500. Respondent shall make
9 said payments as follows:

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

13 Respondent shall be permitted to pay these costs in a payment plan approved by the board
14 or its designee, so long as full payment is completed no later than one (1) year prior to the end
15 date of probation.

16 **10. Probation Monitoring Costs**

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

21 **11. Status of License**

22 Respondent shall, at all times while on probation, maintain an active, current Pharmacist
23 License with the board, including any period during which suspension or probation is tolled.
24 Failure to maintain an active, current Pharmacist License shall be considered a violation of
25 probation.

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

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

6 Following the effective date of this decision, should respondent cease practice due to
7 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,
8 respondent may relinquish respondent's license, including any indicia of licensure issued by the
9 board, along with a request to surrender the license. The board or its designee shall have the
10 discretion whether to accept the surrender or take any other action it deems appropriate and
11 reasonable. Upon formal acceptance of the surrender of the license, respondent will no longer be
12 subject to the terms and conditions of probation. This surrender constitutes a record of discipline
13 and shall become a part of the respondent's license history with the board.

14 Upon acceptance of the surrender, respondent shall relinquish respondent's pocket and/or
15 wall license, including any indicia of licensure not previously provided to the board within ten
16 (10) days of notification by the board that the surrender is accepted if not already provided.
17 Respondent may not reapply for any license from the board for three (3) years from the effective
18 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
19 of the date the application for that license is submitted to the board, including any outstanding
20 costs.

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

22 Except during periods of suspension, respondent shall, at all times while on probation, be
23 employed as a pharmacist in California for a minimum of 80 hours per calendar month. Any
24 month during which this minimum is not met shall extend the period of probation by one month.
25 During any such period of insufficient employment, respondent must nonetheless comply with all
26 terms and conditions of probation, unless respondent receives a waiver in writing from the board
27 or its designee.

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1 If respondent does not practice as a pharmacist in California for the minimum number of
2 hours in any calendar month, for any reason (including vacation), respondent shall notify the
3 board in writing within ten (10) days of the conclusion of that calendar month. This notification
4 shall include at least: the date(s), location(s), and hours of last practice; the reason(s) for the
5 interruption or reduction in practice; and the anticipated date(s) on which respondent will resume
6 practice at the required level. Respondent shall further notify the board in writing within ten (10)
7 days following the next calendar month during which respondent practices as a pharmacist in
8 California for the minimum of hours. Any failure to timely provide such notification(s) shall be
9 considered a violation of probation.

10 It is a violation of probation for respondent's probation to be extended pursuant to the
11 provisions of this condition for a total period, counting consecutive and non-consecutive months,
12 exceeding thirty-six (36) months. The board or its designee may post a notice of the extended
13 probation period on its website.

14 **14. Violation of Probation**

15 If respondent has not complied with any term or condition of probation, the board shall
16 have continuing jurisdiction over respondent, and the board shall provide notice to respondent
17 that probation shall automatically be extended, until all terms and conditions have been satisfied
18 or the board has taken other action as deemed appropriate to treat the failure to comply as a
19 violation of probation, to terminate probation, and to impose the penalty that was stayed. The
20 board or its designee may post a notice of the extended probation period on its website.

21 If respondent violates probation in any respect, the board, after giving respondent notice
22 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
23 was stayed. If a petition to revoke probation or an accusation is filed against respondent during
24 probation, or the preparation of an accusation or petition to revoke probation is requested from
25 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of
26 probation shall be automatically extended until the petition to revoke probation or accusation is
27 heard and decided, and the charges and allegations in Accusation No. 7245 shall be deemed true
28 and correct.

1 **15. Completion of Probation**

2 Upon written notice by the board or its designee indicating successful completion of
3 probation, respondent's license will be fully restored.

4 **16. Remedial Education**

5 Within sixty (60) days of the effective date of this decision, respondent shall submit to the
6 board or its designee, for prior approval, an appropriate program of remedial education related to
7 the causes for discipline, including pharmacy laws and regulatory compliance. The program of
8 remedial education shall consist of at least 6 hours per year for the first two years of probation,
9 which shall be completed 50% in person or a live webinar at respondent's own expense. All
10 remedial education shall be in addition to, and shall not be credited toward, continuing education
11 (CE) courses used for license renewal purposes for pharmacists.

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

16 Following the completion of each course, the board or its designee may require the
17 respondent, at respondent's own expense, to take an approved examination to test the
18 respondent's knowledge of the course. If the respondent does not achieve a passing score on the
19 examination that course shall not count towards satisfaction of this term. Respondent shall take
20 another course approved by the board in the same subject area.

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ACCEPTANCE


I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Tony J. Park, Esq. 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: 11/20/2023


CHRISTINE AMANDA GEDJEYAN
Respondent

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

DATED: 11/21/2023


TONY J. PARK, ESQ.
Attorney for Respondent

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
NANCY A. KAISER
Supervising Deputy Attorney General

CRISTINA FELIX
Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Tony J. Park, Esq. 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: _____

CHRISTINE AMANDA GEDJEYAN
Respondent

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

DATED: _____

TONY J. PARK, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: _____ 11/21/2023 _____

Respectfully submitted,

ROB BONTA
Attorney General of California
NANCY A. KAISER
Supervising Deputy Attorney General

Cristina Felix

CRISTINA FELIX
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 7245

1 ROB BONTA
Attorney General of California
2 NANCY A. KAISER
Supervising Deputy Attorney General
3 STEPHEN D. SVETICH
Deputy Attorney General
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6 Facsimile: (916) 731-2126
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7 *Attorneys for Complainant*

8
9 **BEFORE THE**
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12 In the Matter of the Accusation Against:

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13 **LA CARE PHARMACY, INC., DOING**
14 **BUSINESS AS LA CARE PHARMACY,**
LILIT HAKOBYAN
15 **721 E. Broadway, Ste. 101**
Glendale, CA 91205

ACCUSATION

16 **Permit No. PHY 57545,**

17 **and**

18 **CHRISTINE AMANDA GEDJEYAN**
19 **7712 Via Napoli**
Burbank, CA 91504

20 **Pharmacist License No. RPH 79233**

21 Respondents.
22

23 **PARTIES**

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

27 2. On or about February 3, 2020, the Board issued Permit Number PHY 57545 to LA
28 Care Pharmacy, Inc., doing business as LA Care Pharmacy, Lilit Hakobyan, 100% Shareholder,

Chief Executive Officer, President, Secretary, Treasurer/Chief Financial Officer, and Director (“Respondent LA Care Pharmacy”). The Permit was in full force and effect at all times relevant to the charges brought herein and will expire on February 1, 2023, unless renewed. Christine Amanda Gedjeyan (“Respondent Gedjeyan”) was the pharmacist-in-charge of Respondent LA Care Pharmacy from February 3, 2020, until December 27, 2021.

3. On or about September 25, 2018, the Board issued Pharmacist License Number RPH 79233 to Respondent Gedjeyan. The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2024, unless renewed.

JURISDICTION

4. This Accusation is brought before the 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.

5. Section 4300 of the Code states:

(a) Every license issued may be suspended or revoked.

(b) The board shall discipline the holder of any license issued by the board, whose default has been entered or whose case has been heard by the board and found guilty, by any of the following methods:

(1) Suspending judgment.

(2) Placing him or her upon probation.

(3) Suspending his or her right to practice for a period not exceeding one year.

(4) Revoking his or her license.

(5) Taking any other action in relation to disciplining him or her as the board in its discretion may deem proper.

...

(e) The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board shall have all the powers granted therein. The action shall be final, except that the propriety of the action is subject to review by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

6. 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

1 placement of a license on a retired status, or the voluntary surrender of a license by a
2 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.

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

8 8. Section 4307 of the Code states:

9 (a) Any person who has been denied a license or whose license has been revoked or
10 is under suspension, or who has failed to renew his or her license while it was under
11 suspension, or who has been a manager, administrator, owner, member, officer, director,
12 associate, partner, or any other person with management or control of any partnership,
13 corporation, trust, firm, or association whose application for a license has been denied or
14 revoked, is under suspension or has been placed on probation, and while acting as the
15 manager, administrator, owner, member, officer, director, associate, partner, or any other
16 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:

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

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

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

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

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STATUTORY PROVISIONS

9. Section 4022 of the Code states:

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

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

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

(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.

10. Section 4040 of the Code states, in pertinent part:

(a) "Prescription" means an oral, written, or electronic transmission order that is both of the following:

(1) Given individually for the person or persons for whom ordered that includes all of the following:

....

(D) Either rubber stamped, typed, or printed by hand or typeset, the name, address, and telephone number of the prescriber, the prescriber's license classification, and the prescriber's federal registry number, if a controlled substance is prescribed.

....

11. Section 4059 of the Code states, in pertinent part:

(a) A person may not furnish any dangerous drug, except upon the prescription 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.

....

12. Section 4113 of the Code states:

(a) Every pharmacy shall designate a pharmacist-in-charge and, within 30 days thereof, shall notify the board in writing of the identity and license number of that pharmacist and the date he or she was designated.

1 (b) The proposed pharmacist-in-charge shall be subject to approval by the
2 board. The board shall not issue or renew a pharmacy license without identification of
3 an approved pharmacist-in-charge for the pharmacy.

4 (c) The pharmacist-in-charge shall be responsible for a pharmacy's compliance
5 with all state and federal laws and regulations pertaining to the practice of
6 pharmacy...

7 13. Section 4156 of the Code states, "A pharmacy corporation shall not do, or fail to do,
8 any act where doing or failing to do the act would constitute unprofessional conduct under any
9 statute or regulation. In the conduct of its practice, a pharmacy corporation shall observe and be
10 bound by the laws and regulations that apply to a person licensed under this chapter."

11 14. Section 4301 of the Code states:

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

15 ...

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

18 ...

19 (o) Violating or attempting to violate, directly or indirectly, or assisting in or
20 abetting the violation of or conspiring to violate any provision or term of this
21 chapter or of the applicable federal and state laws and regulations governing
22 pharmacy, including regulations established by the board or by any other state or
23 federal regulatory agency...

24 **STATE REGULATORY AUTHORITY**

25 15. California Code of Regulations, title 16, section 1761, states:

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

...

COST RECOVERY

16. Section 125.3 of the Code states, 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.

DEFINITIONS

17. The following drugs and controlled substances are relevant to the charges alleged herein:

TABLE NUMBER 1 Drug and Controlled Substance Definitions				
BRAND NAME	GENERIC NAME	DANGEROUS DRUG PER B&P CODE § 4022	CONTROLLED SUBSTANCE PER HEALTH AND SAFETY CODE	INDICATIONS FOR USE
Bensal HP 3% Ointment	Benzoic acid/Salicylic Acid	Yes	No	Skin Irritation
Not Applicable	Betamethasone	Yes	No	Steroid Cream for Itch/Eczema
Migranal	Dihydroergotamine	Yes	No	Migraine/ Headache
Voltaren	Diclofenac	Yes	No	Anti-Inflammatory/ Pain
Nalfon	Fenopren 200 mg Capsule	Yes	No	Anti-Inflammatory/ Pain
DermacinRx	Folic Acid/Vitamin D	Yes	No	Supplement
Halucort Gel	Emollient Combination /Hyaluronic Acid	Yes	No	Dermatitis
Nizoral	Ketoconazole Cream	Yes	No	Fungal Infection

NutriaRx CreamPak	Triamcinolone/ Dimethicone/ Silicone Tape	Yes	No	Skin Irritation
Pliaglis	Lidocaine/ Tetracaine Cream	Yes	No	Topical Pain Relief
Ortho DF	Folic Acid/Vitamin D	Yes	No	Supplement
Vfend	Voriconazole	Yes	No	Fungal Infection
Zelac Probiotic	Bifidobacterium/ Lactobacillus	No	No	Supplement

FACTUAL ALLEGATIONS

18. The Board received a complaint from Humana, an insurance company, stating that some of Humana's members denied requesting and/or receiving services from United Family Pharmacy. The Board initiated an investigation into United Family Pharmacy. During that investigation, the Board learned that Patient M. R. had received three creams labeled with Patient M.R.'s name and prescriber Dr. J. F. Each of the three creams was dispensed by Respondent LA Care Pharmacy. The patient did not expect or request the creams from LA Care Pharmacy. The Board investigated Respondent LA Care Pharmacy's dispensing activity as part of the United Family Pharmacy investigation.

19. A Board inspector inspected Respondent LA Care Pharmacy on July 15, 2021. The pharmacy was closed, but the inspector contacted Respondent Gedjeyan by phone, and Respondent Gedjeyan met the inspector at the pharmacy. The inspector completed a general inspection and reviewed the prescription books. She pulled the original faxed prescription and prescription delivery receipt for Patient M. R. Respondent LA Care Pharmacy's records indicated that in addition to the three creams Patient M. R. received, diclofenac 50 mg tab #60 was also purportedly dispensed and delivered to Patient M. R. on April 14, 2021. Patient M. R. denied receiving this medication.

20. The faxed prescription document for Patient M. R. contained a pre-printed, multiple checkoff prescription form, with 26 different medications listed. Xanax, a controlled substance, was one of the preprinted medications on the prescription form. The inspector also reviewed Respondent LA Care Pharmacy's dispensing records for Dr. J. F., a prescriber at Clinicas Del Valle ("CDV"),¹ who purportedly wrote the prescriptions for Patient M. R.

21. Respondent LA Care Pharmacy dispensed 971 prescriptions purportedly written by Dr. J. F. between March 2021 and April 2021. Most of these prescriptions mirrored the prescription for Patient M. R. Each fax looked identical, except for patient name, birthdate, and date of the prescription. The origin of the faxes was not identified. The patients all resided in or around Calexico, California, or El Centro, California, more than 200 miles from Respondent LA Care Pharmacy. All 971 prescriptions identified Dr. J. F.'s address as 120 W. Cole Road, Calexico, California. However, that was not the correct address that Respondent LA Care Pharmacy had on file for CDV or Dr. J. F.²

22. On August 4, 2021, the Board's inspector spoke to Dr. J. F. regarding the prescriptions attributed to her that were filled by Respondent LA Care Pharmacy. Dr. J. F. stated that she never authorized any prescriptions for ketoconazole cream (podiatry related) or diclofenac oral tablets. If a prescription form prescribed either of these medications, Dr. J. F. did not authorize it. Dr. J. F. stated that after evaluating a patient, she started them on a topical diclofenac (Volaren) gel, and sometimes betamethasone. Dr. J. F. stated she never checked more than two medications on a prescription form. She stated if there was a prescription form with more than two medications checked, it was done without her consent. Of the 971 prescriptions purportedly written by Dr. J. F. that Respondent LA Care Pharmacy dispensed between March 2021 and April 2021, Dr. J. F. did not authorize 247 prescriptions for Ketoconazole 2% cream and 252 prescriptions for diclofenac 50 mg tablets.

23. The Board's inspector also observed several prescriptions purportedly written by prescriber Dr. K. A. from CDV that did not contain the address and telephone number of the

¹ CDV is in Calexico, California.

² The address Respondents had on file for CDV and Dr. J. F. was 802 E. Birch Street, Suite 5, Calexico, CA.

prescriber. Between March 2021 and April 2021, Respondent LA Care Pharmacy dispensed 60 faxed prescriptions pursuant to prescriptions that did not contain the address and telephone number of prescriber Dr. K. A.

24. While inspecting Respondent LA Care Pharmacy's prescription books, the Board's inspector observed prescriptions written by Physicians Assistant R. A. from Uptimum Medical Group ("UMG"). The prescriptions were signed by PA R. A., but dispensed and billed under Dr. S. W. Some of the prescriptions had handwriting stating "verified # per MD," or change "to Folixapure and verified # per MD," or words to that effect. Respondent Gedjeyan stated it was her handwriting, and she would make the notations after verifying the prescriptions (or changes to the prescriptions) with PA R. A. The prescriptions also appeared to be sent from "Restore Health" not UMG. Ultimately, Dr. S. W. confirmed that he did not authorize 83 prescriptions attributed to him and dispensed by Respondent LA Care Pharmacy. Dr. S. W. also confirmed that no one at Respondent LA Care Pharmacy ever contacted him to discuss or verify the prescriptions.

FIRST CAUSE FOR DISCIPLINE

(Violation of Statutes: Furnishing Dangerous Drugs Without a Prescription

– Respondent LA Care Pharmacy)

25. Respondent LA Care Pharmacy's pharmacy permit is subject to disciplinary action under Code sections 4301, subdivision (j), and 4059, subdivision (a), in that Respondents furnished dangerous drugs without authorized prescriptions. Specifically, Respondents dispensed 83 prescriptions under Dr. S. W.'s name, 247 prescriptions for ketoconazole under Dr. J. F.'s name, and 252 prescriptions for diclofenac 50 mg tablets under Dr. J. F.'s name. However, Dr. S. W. and Dr. J. F. confirmed that they did not authorize these prescriptions. Complainant refers to and by this reference incorporates the allegations set forth above in paragraphs 17 through 24, inclusive, as though set forth fully herein.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Violation of Statutes: Filling Non-Compliant Prescriptions**

3 **– Respondent LA Care Pharmacy)**

4 26. Respondent LA Care Pharmacy's pharmacy permit is subject to disciplinary action
5 under Code sections 4301, subdivision (j), and 4040, subdivisions (a)(1)(D), in that Respondents
6 dispensed dangerous drugs pursuant to prescriptions that did not meet the form requirements
7 outlined in Code section 4040. Specifically, Respondents dispensed 60 prescriptions pursuant to
8 faxed prescriptions from prescriber Dr. K. A. that did not contain either rubber stamped, typed, or
9 printed name, address and telephone number of the prescriber and 971 prescriptions from
10 prescriber Dr. J. F. that identified an incorrect address for CDV and Dr. J. F. Complainant refers
11 to and by this reference incorporates the allegations set forth above in paragraphs 17 through 24,
12 inclusive, as though set forth fully herein.

13 **THIRD CAUSE FOR DISCIPLINE**

14 **(Violation of Statutes: Furnishing Dangerous Drugs Without a Prescription**

15 **– Respondent Gedjeyan)**

16 27. Respondent Gedjeyan's pharmacist license is subject to disciplinary action under
17 Code sections 4301, subdivision (j), 4059, subdivision (a), and 4113, subdivision (c), in that
18 Respondents furnished dangerous drugs without authorized prescriptions. Specifically,
19 Respondents dispensed 83 prescriptions under Dr. S. W.'s name, 247 prescriptions for
20 ketoconazole under Dr. J. F.'s name, and 252 prescriptions for diclofenac 50 mg tablets under Dr.
21 J. F.'s name. However, Dr. S. W. and Dr. J. F. confirmed that they did not authorize these
22 prescriptions. Complainant refers to and by this reference incorporates the allegations set forth
23 above in paragraphs 17 through 24, inclusive, as though set forth fully herein.

24 **FOURTH CAUSE FOR DISCIPLINE**

25 **(Violation of Statutes: Filling Non-Compliant Prescriptions – Respondent Gedjeyan)**

26 28. Respondent Gedjeyan's pharmacist license is subject to disciplinary action under
27 Code sections 4301, subdivision (j), 4040, subdivisions (a)(1)(D), and 4113, subdivision (c), in
28 that Respondents dispensed dangerous drugs pursuant to prescriptions that did not meet the form

1 requirements outlined in Code section 4040. Specifically, Respondents dispensed 60
2 prescriptions pursuant to faxed prescriptions from prescriber Dr. K. A. that did not contain either
3 rubber stamped, typed, or printed name, address and telephone number of the prescriber and 971
4 prescriptions to patients of prescriber Dr. J. F. that identified an incorrect address for CDV and
5 Dr. J. F. Complainant refers to and by this reference incorporates the allegations set forth above
6 in paragraphs 18 through 26, inclusive, as though set forth fully herein.

7 **OTHER MATTERS**

8 29. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
9 PHY 57545, issued to Respondent LA Care Pharmacy, Inc., Lilit Hakobyan shall be prohibited
10 from serving as a manager, administrator, owner, member, officer, director, associate, or partner
11 of a licensee for five years if Pharmacy Permit Number 57545 is placed on probation or until
12 Pharmacy Permit Number 31167 is reinstated if it is revoked.

13 30. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number
14 PHY 57545, issued to Respondent LA Care Pharmacy, Inc., doing business as LA Care
15 Pharmacy, while Lilit Hakobyan was an officer and owner and had knowledge of or knowingly
16 participated in any conduct for which the licensee was disciplined, Lilit Hakobyan shall be
17 prohibited from serving as a manager, administrator, owner, member, officer, director, associate,
18 or partner of a licensee for five years if Pharmacy Permit Number PHY 57545 is placed on
19 probation or until Pharmacy Permit Number PHY 57545 is reinstated if it is revoked.

20 31. Pursuant to Code section 4307, if discipline is imposed on Pharmacist License
21 Number RPH 79233, issued to Respondent Christine Amanda Gedjeyan, she shall be prohibited
22 from serving as a manager, administrator, owner, member, officer, director, associate, or partner
23 of a licensee for five years if Pharmacist License Number RPH 79233 is placed on probation or
24 until Pharmacist License Number RPH 79233 is reinstated if it is revoked.

25 **PRAYER**

26 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
27 and that following the hearing, the Board of Pharmacy issue a decision:
28

1 1. Revoking or suspending Permit Number PHY 57545, issued to LA Care Pharmacy,
2 Inc., doing business as LA Care Pharmacy, Lilit Hakobyan, 100% Shareholder, Chief Executive
3 Officer, President, Secretary, Treasurer/Chief Financial Officer, and Director;

4 2. Revoking or suspending Pharmacist License Number RPH 79233, issued to Christine
5 Amanda Gedjeyan;

6 3. Ordering LA Care Pharmacy and Christine Amanda Gedjeyan to pay the Board of
7 Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to
8 Business and Professions Code section 125.3;

9 4. Prohibiting LA Care Pharmacy, Inc., from serving as a manager, administrator,
10 owner, member officer, director, associate, or partner of a licensee for five years if Pharmacy
11 Permit Number PHY 57545 is placed on probation or until Pharmacy Permit Number PHY 57545
12 is reinstated if Pharmacy Permit Number 57545 issued to LA Care Pharmacy, Inc., doing business
13 as LA Care Pharmacy, Lilit Hakobyan, 100% Shareholder, Chief Executive Officer, President,
14 Secretary, Treasurer/Chief Financial Officer, and Director, is revoked;

15 5. Prohibiting Christine Amanda Gedjeyan from serving as a manager, administrator,
16 owner, member officer, director, associate, or partner of a licensee for five years if Pharmacy
17 Permit Number PHY 57545 is placed on probation or until Pharmacy Permit Number PHY 57545
18 is reinstated if Pharmacy Permit Number 57545 issued to LA Care Pharmacy, Inc., doing business
19 as LA Care Pharmacy, Lilit Hakobyan, 100% Shareholder, Chief Executive Officer, President,
20 Secretary, Treasurer/Chief Financial Officer, and Director, is revoked; and

21 6. Prohibiting Christine Amanda Gedjeyan from serving as a manager, administrator,
22 owner, member officer, director, associate, or partner of a licensee for five years if Pharmacist
23 License Number RPH 79233 is placed on probation or until Pharmacist License Number RPH
24 79233 is reinstated if Pharmacist License Number RPH 79233 issued to Christine Amanda
25 Gedjeyan is revoked; and

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

DATED: 6/16/2022_____

Signature on File

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

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