

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

**In the Matter of the Statement of Issues Against:**

**TARANEH SADEGHI, Respondent**

**Agency Case No. 7504**

**OAH No. 2023100628**

**DECISION AND ORDER**

The attached Proposed Decision of the Administrative Law Judge 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 July 11, 2024.

It is so ORDERED on June 11, 2024.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By



Seung W. Oh, Pharm.D.  
Board President

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**PROPOSED DECISION**

Eileen Cohn, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, heard this matter by videoconference on February 26, 2024.

Complainant Anne Sodergren, Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs, was represented by Langston M. Edwards, Deputy Attorney General, Department of Justice, Office of the Attorney General. Respondent Taraneh Sadeghi was present and was represented by Michael Khouri, Attorney at Law.

Testimony and documents were received into evidence of the date of the hearing. At the end of the hearing the parties stipulated to keeping the record open to provide the respondent an opportunity to submit the court docket or a letter from her criminal defense counsel confirming her conviction was reduced to a misdemeanor, and to provide the complainant an opportunity to object to respondent's submission.

Respondent timely submitted a letter dated February 29, 2024, from her criminal defense attorney detailing the status of the conviction as a misdemeanor which was marked and admitted, without objection, as Exhibit F. Respondent also timely submitted the minute order of the Superior Court proceeding dated January 25, 2024, which was marked and admitted, without objection, as Exhibit G.

The record was closed, and the matter was submitted for decision at the conclusion on March 18, 2024.

## **FACTUAL FINDINGS**

### **Parties and Jurisdiction**

1. On October 24, 2021, the Board received respondent's Intern Pharmacist Application (Application). (Ex. 3.) On March 14, 2023 the Board notified respondent it was denying the Application and informed her of the appeal process. (Ex. 4.) Respondent is not currently and has never been licensed by the Board. (Ex. 2.)

2. On August 28, 2023, complainant served the Statement of Issues in the above-captioned matter while acting in her official capacity. (Ex. 1.)

3. Respondent filed a timely Notice of Defense, and this hearing ensued. (Ex. 1.)

### **July 10, 2023 Criminal Conviction**

4. On July 10, 2023, in *The People of the State of California v. Taraneh Sadeghi* (Super. Ct. Los Angeles County, Case No. GA 111793), respondent was convicted, on her plea of nolo contendere, of violating Vehicle Code section 20001,

subdivision (b) (1) hit and run driving resulting in injury to another person, imprisonment for not more than a year and or a fine not less (\$1,000) or more than (\$10,000), a felony. The court found respondent guilty, delayed sentencing for one year and provided respondent the opportunity to reduce the plea to a misdemeanor at sentencing after one year summary probation. The court further ordered respondent pay restitution to all victims, participate in 35 days of community labor by July 10, 2024, attend traffic school and pay court fees and assessments. (Ex. 6, Ex. E.).

5. On January 25, 2024, the court sentenced respondent to one misdemeanor count for the same violation, placed respondent on summary probation for a period of one year with conditions including payment of victim restitution, court operations assessment, criminal conviction assessment and completion of 35 hours of community labor and traffic school. At the time of the court hearing, respondent had completed community labor and traffic school and victim restitution. Respondent was ordered to pay the remaining court fees and assessments to the clerk's office "forthwith." (Ex. E, p. B8, Exs. F & G.) Respondent confirmed court fees and assessments were paid, as well as victims' restitution (\$15,000). No evidence was presented to the contrary.

6. The circumstances of the conviction are that on November 30, 2021 respondent, while driving to work from her home between 8 and 9 a.m., hit pedestrians, a parent and the parent's baby with her vehicle and kept driving. Both the parent and the baby sustained injuries. An observer to the accident identified respondent's vehicle as the vehicle responsible for the accident and leaving the scene of the accident. An observer noted the parent's screams and the investigation report confirmed the parent and baby suffered injuries and were taken to a local hospital. When stopped by police officers down the road, the police officers did not observe

damage to the front bumper or grille but did observe a dent several inches in diameter on the front portion of the hood on the upper portion of the front end of the car. On closer inspection a clear imprint in the shape of a human buttocks facing toward the windshield was observed, consistent in size to an adult male's pelvic region. Police officers involved in the investigation also observed fresh dirt on the front of the car. (Ex. 6. p. A44.) At first, respondent did not admit to knowing she hit anything; she later reported she did remember hitting something, but did not know what she hit, because she felt something. She was looking in one direction to make the turn onto the main street and rushed past the stop sign because she was late for work. Respondent repeated this explanation during the hearing. Observers at the scene confirmed respondent did not stop or slow down before or after she collided with the parent and baby and the parent was observed with the baby on the ground screaming after the impact. Respondent was arrested. (Ex. 6.)

7. Respondent's cell phone was subpoenaed. It was found she was texting her sister and asking her what to say: "I hit the man," "What to say," "I did not see it???" (Ex. 6, p. 53.) There is no report of a response to that particular question, other than to secure an attorney before speaking to the police officers. The police officers concluded she was seeking to confirm her alibi she did not see those she hit. However, it was not clearly established in the police report when she made the admission to her sister, before or after she admitted she hit something. Respondent's phone calls went unanswered so she began texting which based upon the timing would have occurred after she was stopped by the police. (*Ibid.*) During her testimony, respondent remained steadfast she did not know she hit a pedestrian. The evidence is inconclusive about whether she was aware she hit a pedestrian based upon the apparent speed she went through the stop sign, and where she was looking when she made the turn onto the main street as discussed in the findings under the section, "Respondent's Evidence."

## **Board Expert**

8. Suzy Patell, R.PH. Board's expert witness, has been a licensed pharmacist in California since 1991 and the State of Nevada since 1993. She has worked as a practicing pharmacist from 1990 through 2012. Since October 2012 she has worked as a Board inspector, on both the diversion and fraud team and sterile compounding team. She has conducted over 1200 routine inspections and case investigations of pharmacies, clinics, wholesalers, sterile compounding pharmacies, performed audits, reviewed and analyzed complex documents and wrote investigative reports. Ms. Patell is well-informed of the practice of pharmacy and the rules and regulations governing the practice. She has the necessary training, education and qualifications to render an expert opinion.

9. Ms. Patell relied upon the investigative report and related documents, (Exhibit 5). Her chief concern was the circumstances of respondent's conviction, specifically, her deception, demonstrated by physically leaving the scene of the accident where two individuals were injured, not being proactive by reporting the incident and instead requiring the police to apprehend her, and after stopping, failing to admit she hit a pedestrian. Based upon the contents of the police report (Exhibit 6) also referenced in the investigative report, Ms. Patell noted respondent changed her earlier statement denying any knowledge she hit something, by stating she did not know why she did not remain on the scene. On cross-examination, Ms. Patell admitted once respondent was stopped by the police, she fully cooperated by, among other things, showing them her driver's license, proof of insurance.

10. Ms. Patell also conceded the responses of respondent recorded in the police report could have been to different unidentified questions and been more nuanced than reported, and that it was possible she was not clearly lying. Respondent

answers where she remembered hitting something but did not know what it was and she did not know why she left the scene, could be answers to different unidentified questions posed, such as, whether she remembered being in an accident. The specific questions ask of respondent and their chronology were not included in the police report. Further her response to a question about the dent in the hood, "she hit a tree," could have been more uncertain, i.e., she did not know if she had previously hit a tree.

11. On re-direct Ms. Patell noted from the report respondent's response she hit a tree was clear and from her review of her text messages with her sister about stating she did not see hitting the 'man', she believed respondent lied to the police.

12. Ms. Patell established the conviction, no matter the details of respondent's interview with the police, was substantially related to the practice of pharmacy. From her experience as a pharmacist. Ms. Patell established respondent's criminal conviction relates to her work because Intern Pharmacists perform the same functions as pharmacists, albeit technically under a pharmacist's supervision. Because the pharmacy is busy a supervising pharmacist cannot oversee everything an Intern Pharmacist does, and interns need to exercise good judgment, be honest, and perform with integrity. Based upon her own experience, Ms. Patell offered an Intern Pharmacist in fact works independently throughout the day. Ms. Patell's central concern about respondent from her conviction is the potential for respondent to fail to report or to cover-up her mistakes, and in so doing, endanger the public. For example, if an Intern pharmacist makes a mistake taking a verbal order from a doctor, dispenses the medication, and discovers it, but does not report it, or worse, lies about it, the consequences can be severe. Ms. Patell is of the opinion respondent cannot be trusted or relied upon as an Intern Pharmacist, and her application should be denied.

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## **Respondent's Evidence**

13. Respondent's conviction is her only conviction or incident involving law enforcement. Aside from the circumstances of this conviction, respondent does not have any record of poor conduct. She never had a traffic ticket.

14. Respondent admitted to the criminal conviction but disagreed with the police officers' reports of her statements. Respondent insisted she did not know she hit anyone. She was worried about being late for work and made a quick right at the intersection looking left for oncoming traffic. She did not hear anything. When she turned left onto the next road crossing, she noticed the police and pulled over to the right at their instruction. When questioned by the police officers, she was in shock and could not recall everything. On reflection respondent did feel hitting a bump or the curb but was not sure so said maybe. She did not remember hitting anything until after her Miranda rights were read. She wrote to her sister after being told she hit someone. Otherwise, she did not know she had caused an accident and had hit a pedestrian. Respondent did not recall being asked about the dent on the car. She did hit a tree a couple of months before the accident. Respondent's car was new, and she did not report hitting a tree to the insurance company because she did not want her rates to go up. Respondent did recall when the attorney asked the police about the streaks which looked like a forearm the police officer admitted his only experience was when his daughter touched the hood of his car.

15. Respondent will have the opportunity and intends to apply for early termination of the summary probation in six months.

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16. In response to being asked what she should have done differently on November 30, 2021, respondent said she should have paid attention to the road specifically when making a right turn at an intersection. On further questioning about her interactions with the police officers, she was steadfast when she responded she did everything she was told and followed their instruction.

17. Based upon respondent's testimony, it was conceivable respondent was in shock when she responded to the police, her answers did not correspond to the questions asked, and the text to her sister, could have been after the police informed her she had hit someone. Notably, her text to her sister only mentioned a man and not a child suggesting she was relying on the police's representation. Regardless of respondent's testimony, her conviction is very serious, substantially related to the practice of pharmacy, and reflects badly on her character and integrity. However, respondent provided credible testimony her conduct on that day alone did not represent a permanent character trait of lying for self-protection, requiring her to be permanently barred from the practice of pharmacy to protect the public.

18. Respondent remains on summary probation for one year, effective January 25, 2024, the date of sentencing and the reduction of the conviction from a felony to a misdemeanor. She has already satisfied the terms of her conviction by, among other conditions, paying victims' restitution (\$15,000) all court fees and assessments, and completing the required community service and traffic school. (Ex.E, p. B8, Exs. F&G; respondent's testimony.)

19. Respondent has a strong record as a practicing pharmacist. Respondent is an immigrant from Iran. Before she emigrated to the United States respondent obtained a degree as a pharmacist in Iran from the Islamic Azad University of Pharmaceutical Sciences (IAUPS) in May 2016, a six-year program, when she was 25

years of age. Respondent obtained her license in Iran and after graduation worked in pharmacies in Iran, as a pharmacist-in-charge for two years, and pharmaceutical company for another two years involved with patents for new medications. Respondent completed post-graduate training in pharmaceutical manufacturing. (Respondent's testimony: Ex. D, letter of R. Ali Amini, MD).

20. Respondent immigrated to the United States in 2019 with her family with whom she remains very close. She obtained work with pharmacies verifying insurance benefits and obtaining prior authorizations from insurance companies. While she was working she studied for her pharmacy licensing exam. She passed all necessary exams to qualify as an Intern Pharmacist, including an exam for foreign-language applicants. The circumstances of the conviction occurred on her way to work at her current job with a physical therapy center.

21. Respondent obtained character reference letters from family and close family friends. All references were aware of her conviction and knew her for a long period of time. She described the references as shocked and expressing disbelief when they heard about her arrest and conviction.

22. Respondent's brother Dr. Seyed Mahammad Sadeghi, MD, an anesthesiologist, described respondent as the "core of the family." Respondent is the principal caregiver of their aging parents. She moved in with her parents in 2020 and meticulously tends to their dietary and medical needs, in addition to engaging them in stimulating activities to make sure they are part of the community. Her "dedication and sense of responsibility towards our parents keeps astonishing me every day." As a medical doctor he routinely speaks with respondent about medications and their side effects and is "impressed by her vast knowledge of pharmaceuticals" as well as her work as an authorization specialist with pharmacies and now with a physical therapy center.

He is impressed with her dedication to help patients find coupons and special offers to reduce their co-pays. (Ex. A.)

23. Dr. Ali Amani, MD, Instructor, Diagnostic Medical Sonography, has known respondent for 17 years, from the time she first decided to pursue pharmacy as a profession. She attended one of the top pharmacy schools in Iran and studied hard to obtain her license. During the time after her graduation when she was working for a pharmacy, Dr. Armani owned an imaging center and regularly ordered special medication, including contrast material for a CT scan through respondent. He recalled she handled "every order diligently and made sure the supplies would reach our center in due time." Overall, he observed, "[i]n every role, she gained the highest respect from her peers and managers and was recognized as an outstanding employee with a strong sense of responsibility and professionalism." Further, respondent demonstrated her "exceptional compassion" when his wife suddenly fell sick in 2019 and his son was quite young. Respondent accompanied his wife to doctors' appointments and cared for their son. "Her unparalleled kindness was instrumental in the recovery of my wife and overcoming that hard period in our lives." Dr. Amani further observed respondent's similar acts of compassion with patients: "I have witnessed similar act[s] of compassion by Ms. Sadeghi in treating each and every patient when she was working as a pharmacist in Iran." (Ex. D.)

24. Azam Sarari is a close friend of respondent's mother and has known respondent since childhood as a "very kindhearted and caring person who steps up and volunteers to help anyone in need." She has observed respondent caring for her parents with "love and consideration," and to be a "very considerate, thoughtful, sincere, and kind person all together." (Ex. B.)

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25. Ebrahim Dadashi is a close friend of respondent and has known her since respondent immigrated to the United States in 2019. She considers her a warm, pleasant and generous person, who freely shares her knowledge with new immigrants and assists them with opening a bank account, securing a social security card, applying for insurance and preparing a resume. (Ex. C.)

26. Respondent committed a hit-and-run, as established by her conviction. However, by her testimony and demeanor at the hearing, her prior history as a pharmacist in Iran, and strong character references, respondent met her burden of proof she should be granted a probationary Intern Pharmacist registration/license with standard conditions along with a suspension to give her sufficient time she would be required to obtain a clinical evaluation by a Board-approved clinician at her own expense who will issue a report to the Board. Respondent is still under the jurisdiction of the court in her criminal matter until no later than January 2025. However, she has already satisfied the conditions of her criminal probation, and as a single, albeit serious, conviction, based upon her law-abiding and professional history, there is no evidence her conduct would be any different if she was not currently on summary probation.

## **LEGAL CONCLUSIONS**

### **Purpose of Pharmacy Law**

1. "Protection of the public shall be the highest priority for the California State Board of Pharmacy in exercising its licensing, regulatory, and disciplinary functions." (Bus. & Prof. Code, § 4001.1.).

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## **Standard and Burden of Proof**

2. Respondent has the burden of proving that she qualifies for a pharmacist license in California. (*Coffin v. Alcoholic Beverage Control Appeals Bd.* (2006) 139 Cal.App.4th 471, 476.) "Except as otherwise provided by law, the burden of proof requires proof by a preponderance of the evidence. (Evid. Code, § 115.) In other words, respondent must prove it is more likely than not she is fit for the license she seeks and that the license should be granted. (*People ex. Rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

## **Role of Intern Pharmacists**

3. In California, Intern Pharmacists perform the duties and responsibilities of pharmacists and are highly trained. Pursuant to Business and Professions Code (Code) section 4114, subdivision (a), an Intern Pharmacist "may perform all functions of a pharmacist at the discretion of and under the supervision and control of a pharmacist whose license is in good standing with the board."

## **Relevant Statutes and Regulations**

4. Business and Professions Code section 480, subdivision (a) states the Board may deny a license on the ground the applicant has been convicted of a crime or has been subject to formal discipline within the preceding seven years from the date of the application that is substantially related to the qualifications, functions or duties of the profession or business for which the application is made.

5. Business and Professions Code section 4300, subdivision (a) provides every license issued may be suspended or revoked, subdivision (b) provides the Board's authority includes placing the licensee on probation, suspending their right to

practice for a period not exceeding one year, revoking the license, and taking any other action in relation to disciplining the licensee as the Board in its discretion deems proper; and subdivision (c) provides the Board the authority to refuse a license for unprofessional conduct.

6. California Code of Regulations, title 16 (Regulations), section 1770, subdivision (a) provides for the purpose of denial or other discipline, a crime, professional misconduct, or act shall be substantially related to the qualifications, functions, or duties of the practice, profession, or occupation that may be performed under the license type sought or held if to a substantial degree it evidences present or potential unfitness of an applicant or licensee to perform the functions authorized by the license in a manner consistent with the public health, safety, or welfare. The following criteria are considered in making the substantial relationship determination: nature and gravity of the offense; number of years elapsed since the date of the offense; nature of the duties of the practice, profession, or occupation that may be performed under the license type sought or held.

### **Causes for Discipline**

7. As set forth in Factual Findings 4 through 12, cause exists to deny respondent's Intern Pharmacist registration/license under Business and Professions Code section 480, in conjunction with Regulations, section 1770, subdivision (a), in that respondent's conviction for hit and run causing injury, is a conviction of a crime substantially related to the qualifications, functions, and duties of a licensee.

### **Disciplinary Guidelines**

8. The Board has adopted Disciplinary Guidelines for consideration when determining the appropriate discipline to impose for a registrant's violation of the

Pharmacy Law (Bus. & Prof. Code, § 4000 et seq.). (Regulations, § 1760.) The Disciplinary Guidelines categorize different violations into one of four categories and specify a recommended minimum and maximum discipline for each category.

9. Respondent's single conviction for hit and run set for the in Factual Findings 4 through 6, is a Category II violation. The minimum recommended penalty is revocation stayed with three years' probation (five years' probation in cases involving abusive use of alcohol) with all standard terms and appropriate optional terms, and the maximum recommended penalty is revocation.

10. The factors relevant to determining the appropriate level of discipline include: (1) actual or potential harm to the public or any consumer; (2) prior disciplinary record or warnings; (3) number and/or variety of current violations; (4) nature and severity of the acts, offenses or crimes under consideration; (5) evidence of aggravation, mitigation, or rehabilitation; (6) compliance with the criminal sentence imposed and overall criminal record; and, (7) time passed since the acts or offenses.

11. In this case, respondent committed a dangerous act when she hit and injured two individuals and was convicted of a hit-and-run, a misdemeanor offense. Respondent's conduct caused no harm to any patient but undoubtedly caused great harm to the public. Respondent's conduct occurred in 2021, the criminal conviction is recent, and she remains on summary probation until January 2025. However, respondent has had no prior interactions with law enforcement, the evidence she knowingly hit two individuals before leaving the scene, and lied about it, was not convincingly established as an aggravating factor, and she has complied with all terms of her criminal probation. There is no indication respondent has been subject to prior license discipline when she practiced in Iran. Notably, respondent presented evidence both in her testimony and in her character references this conviction is an aberration

and she otherwise is a competent professional, and a compassionate and law-abiding individual. (Factual Findings 13-26.)

12. Considering the evidence as a whole and in light of the Disciplinary Guidelines, respondent demonstrated her ability to perform her duties as an Intern Pharmacist in a manner consistent with public health, safety, and welfare, on a probationary basis. (*Griffiths v. Superior Court* (2002) 96 Cal.App.4th 757, 768 [“Administrative proceedings to . . . impose discipline on a professional license are noncriminal and not penal; they are not intended to punish the licensee, but rather to protect the public”].) As an assurance to the public, respondent’s registration/license shall be issued, immediately revoked, and in addition to the standard conditions, respondent shall be subject to suspension of no more than 90 days (Condition 14), which should be sufficient time for her to secure a clinical evaluation by a Board-approved clinician, at her own expense, who will issue a report to the Board and make a recommendation to the Board whether she is safe to practice (Condition 15.). In addition, respondent’s limitations on supervision will be more expansive with Option 1 of the probationary conditions added to the standard condition in Condition 7. The number of hours required to work as part of Condition 11 shall be determined by the Board consistent with the position of Intern Pharmacist.

## **ORDER**

Upon satisfaction of all statutory and regulatory requirements for issuance of an Intern Pharmacist registration/license, Taraneh Sadeghi shall be issued an Intern Pharmacist registration/license, which upon issuance shall be immediately revoked; however, the revocation is stayed, and respondent is placed on probation for three years upon the following terms and conditions:



Should the Board subsequently issue respondent a license to practice as a pharmacist to respondent during the period of probation, the Intern Pharmacist registration/license shall be canceled, and the pharmacist license shall be immediately revoked. The revocation of such license shall be stayed, and the probation imposed by this decision and order will continue. Respondent shall remain subject to the same terms and conditions imposed by this disciplinary order. Notwithstanding this provision, the Board reserves the right to deny respondent's application for the pharmacist licensure exam. If the Board issues a pharmacist license to respondent, the following additional terms and conditions shall be included as part of the disciplinary order:

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 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.

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

## 2. REPORT TO THE BOARD

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

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

## 3. INTERVIEW WITH THE BOARD

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

#### 4. COOPERATE WITH BOARD STAFF

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

#### 5. REPORTING OF EMPLOYMENT AND NOTICE TO EMPLOYERS

During the period of probation, respondent shall notify all present and prospective employers of the decision in case number 7504 and the terms, conditions and restrictions imposed on Respondent by the decision, as follows:

Within 30 days of the effective date of this decision, and within 10 days of undertaking any new employment, Respondent shall report to the Board in writing the name, physical address, and mailing address of each of her employer(s), and the name(s) and telephone number(s) of all of her direct supervisor(s), as well as any pharmacist(s)-in-charge, designated representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work schedule, if known. Respondent shall also include the reason(s) for leaving the prior employment. Respondent shall sign and return to the Board a written consent authorizing the Board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and authorizing those employer(s) or supervisor(s) to communicate with the Board or its designee, concerning respondent's work status, performance, and monitoring. Failure to comply

with the requirements or deadlines of this condition shall be considered a violation of probation.

Within 30 days of the effective date of this decision, and within 15 days of respondent undertaking any new employment, respondent shall cause (a) her direct supervisor, (b) her pharmacist-in-charge, designated representative-in-charge, responsible manager, or other compliance supervisor, and (c) the owner or owner representative of her employer, to report to the Board in writing acknowledging that the listed individual(s) has/have read the decision in case number 7504, and terms and conditions imposed thereby. If one person serves in more than one role described in (a), (b), or (c), the acknowledgment shall so state. It shall be respondent's responsibility to ensure that these acknowledgment(s) are timely submitted to the Board. In the event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term of probation, respondent shall cause the person(s) taking over the role(s) to report to the Board in writing within 15 days of the change acknowledging that he or she has read the decision in case number 7504, and the terms and conditions imposed thereby.

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

Furthermore, within 30 days of the effective date of this decision, and within 15 days of respondent undertaking any new employment by or through an employment service, respondent shall cause the person(s) described in (a), (b), and (c) above at the employment service to report to the Board in writing acknowledging that he or she

has read the decision in case number 7504, and the terms and conditions imposed thereby. It shall be respondent's responsibility to ensure that these acknowledgment(s) are timely submitted to the Board.

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

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

6. NOTIFICATION OF CHANGE(S) IN NAME, ADDRESS(ES), OR PHONE NUMBER(S)

Respondent shall further notify the Board in writing within 10 days of any change in name, residence address, mailing address, e-mail address or phone number. Failure to timely notify the Board of any change in employer, name, address, or phone number shall be considered a violation of probation.

7. RESTRICTIONS ON SUPERVISION AND OVERSIGHT OF LICENSED FACILITIES

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

During the period of probation, respondent shall not supervise any ancillary personnel, including, but not limited to, pharmacy technicians, designated representatives, designated representative-3PL in any entity licensed by the board. Assumption of any such unauthorized ancillary personnel supervision responsibilities shall be considered a violation of probation.

#### 8. PROBATION MONITORING COSTS

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

#### 9. STATUS OF LICENSE

Respondent shall, at all times while on probation, maintain an active, current intern pharmacist registration with the Board, including any period during which suspension or probation is tolled. Failure to maintain an active, current registration shall be considered a violation of probation.

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

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## 10. LICENSE SURRENDER WHILE ON PROBATION/SUSPENSION

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

Upon acceptance of the surrender, respondent shall relinquish her pocket and/or wall license, including any indicia of licensure not previously provided to the Board within 10 days of notification by the Board that the surrender is accepted if not already provided.

Respondent may not reapply for any license from the Board for 3 years from the effective date of the surrender. Respondent shall meet all requirements applicable to the license sought as of the date the application for that license is submitted to the Board, including any outstanding costs.

## 11. PRACTICE REQUIREMENT – EXTENSION OF PROBATION

Except during periods of suspension, respondent shall, at all times while on probation, be employed as an Intern Pharmacist in California for a minimum of hours per calendar month as determined by the Board. Any month during which this minimum is not met shall extend the period of probation by one month. During any such period of insufficient employment, respondent must nonetheless comply with all

terms and conditions of probation, unless respondent receives a waiver in writing from the board or its designee.

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

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

During respondent's enrollment in a school or college of pharmacy, no minimum practice hours shall be required. Instead, respondent shall report to the board quarterly in writing, in a format and schedule as directed by the board or its designee, on [his/her] compliance with academic and vocational requirements, and on her academic progress. Respondent must comply with all other terms and conditions of probation, unless notified in writing by the board or its designee.

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## 12. VIOLATION OF PROBATION

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

If respondent violates probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If a petition to revoke probation or an accusation is filed against respondent during probation, or the preparation of an accusation or petition to revoke probation is requested from the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

## 13. COMPLETION OF PROBATION

Upon written notice by the Board or its designee indicating successful completion of probation, respondent's registration/license will be fully restored.

## 14. SUSPENSION

As part of probation, respondent is suspended from practice as an Intern Pharmacist for 90 days beginning the effective date of this decision.

During suspension, respondent shall not enter any pharmacy area or any portion of the licensed premises of a wholesaler, third-party logistics provider, veterinary food-animal drug retailer, or any other distributor of drugs that is licensed by the Board, or any manufacturer, or any area where dangerous drugs and/or dangerous devices or controlled substances are maintained.

Respondent shall not practice pharmacy nor do any act involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall respondent manage, administer, or be a consultant to any licensee of the board, or have access to or control the ordering, distributing, manufacturing or dispensing of dangerous drugs and/or dangerous devices or controlled substances. During this suspension, respondent shall not engage in any activity that requires the professional judgment of and/or licensure as an Intern Pharmacist. Respondent shall not direct or control any aspect of the practice of pharmacy or of the manufacturing, distributing, wholesaling, or retailing of dangerous drugs and/or dangerous devices or controlled substances.

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

#### 15. CLINICAL DIAGNOSTIC EVALUATION

Within thirty (30) days of the effective date of this decision, and on a periodic basis thereafter if required by the Board or its designee, respondent shall undergo, at her own expense, clinical diagnostic evaluation(s) by a practitioner selected or approved prior to the evaluation by the Board or its designee. The approved evaluator shall be provided with a copy of the Board's denial of respondent's application, investigative report and decision. Respondent shall sign a release authorizing the

evaluator to furnish the Board with a current diagnosis and a written report regarding the respondent's judgment and ability to function independently as an Intern Pharmacist with safety to the public. If the evaluator recommends restrictions or conditions on respondent's practice, including but not limited to other terms and conditions listed in these guidelines (e.g., required psychotherapy, inpatient treatment, prescription coordination and monitoring, restricted practice), the Board or its designee may by written notice to respondent adopt any such restrictions or conditions as additional probation terms and conditions, violation of which shall be considered a violation of probation. Failure to comply with any requirement or deadline stated by this paragraph shall be considered a violation of probation.

If at any time the approved evaluator or therapist determines that respondent is unable to practice safely or independently, the licensed mental health practitioner shall notify the Board immediately by telephone and follow up by written letter within three (3) working days. Upon notification from the Board or its designee of this determination, respondent shall be automatically suspended and shall not resume practice until notified by the Board or its designee that practice may resume.

Failure to comply with any requirement or deadline stated by this term shall be considered a violation of probation.

DATE: 04/15/2024

*Eileen Cohn*

EILEEN COHN

Administrative Law Judge

Office of Administrative Hearings

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

12 In the Matter of the Statement of Issues  
13 Against:

Case No. 7504

14 **TARANEH SADEGHI**

**STATEMENT OF ISSUES**

15 **Intern Pharmacist Application Applicant**

16 Respondent.  
17

18 **PARTIES**

19 1. Anne Sodergren (Complainant) brings this Statement of Issues solely in her official  
20 capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer  
21 Affairs.

22 2. On or about October 24, 2022, the Board received an application for a/an Intern  
23 Pharmacist Application from Taraneh Sadeghi (Respondent). On or about October 21, 2022,  
24 Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and  
25 representations in the application. The Board denied the application on March 14, 2023.

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1 **JURISDICTION**

2 3. This Statement of Issues is brought before the Board under the authority of the  
3 following laws. All section references are to the Business and Professions Code unless otherwise  
4 indicated.

5 **STATUTORY PROVISIONS**

6 4. Section 480 of the Code states, in pertinent part:

7 (a) Notwithstanding any other provision of this code, a board may deny a  
8 license regulated by this code on the grounds that the applicant has been convicted of  
9 a crime or has been subject to formal discipline only if either of the following  
10 conditions are met:

11 (1) The applicant has been convicted of a crime within the preceding seven  
12 years from the date of application that is substantially related to the qualifications,  
13 functions, or duties of the business or profession for which the application is made,  
14 regardless of whether the applicant was incarcerated for that crime, or the applicant  
15 has been convicted of a crime that is substantially related to the qualifications,  
16 functions, or duties of the business or profession for which the application is made  
17 and for which the applicant is presently incarcerated or for which the applicant was  
18 released from incarceration within the preceding seven years from the date of  
19 application.

20 . . . .

21 5. Section 4300 of the Code states:

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

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

26 (1) Suspending judgment.

27 (2) Placing him or her upon probation.

28 (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.

(c) The board may refuse a license to any applicant guilty of unprofessional  
conduct. The board may, in its sole discretion, issue a probationary license to any  
applicant for a license who is guilty of unprofessional conduct and who has met all  
other requirements for licensure. The board may issue the license subject to any  
terms or conditions not contrary to public policy, including, but not limited to, the  
following:

- (1) Medical or psychiatric evaluation.
- (2) Continuing medical or psychiatric treatment.
- (3) Restriction of type or circumstances of practice.
- (4) Continuing participation in a board-approved rehabilitation program.
- (5) Abstention from the use of alcohol or drugs.
- (6) Random fluid testing for alcohol or drugs.
- (7) Compliance with laws and regulations governing the practice of pharmacy.

(d) The board may initiate disciplinary proceedings to revoke or suspend any probationary certificate of licensure for any violation of the terms and conditions of probation. Upon satisfactory completion of probation, the board shall convert the probationary certificate to a regular certificate, free of conditions.

(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.

### **REGULATORY PROVISIONS**

6. California Code of Regulations, title 16, section 1770, states:

(a) For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime, professional misconduct, or act shall be considered substantially related to the qualifications, functions or duties of the practice, profession, or occupation that may be performed under the license type sought or held if to a substantial degree it evidences present or potential unfitness of an applicant or licensee to perform the functions authorized by the license in a manner consistent with the public health, safety, or welfare.

(b) In making the substantial relationship determination required under subdivision (a) for a crime, the board will consider the following criteria:

- (1) The nature and gravity of the offense;
- (2) The number of years elapsed since the date of the offense; and
- (3) The nature and duties of the practice, profession, or occupation that may be performed under the license type sought or held.

(c) For purposes of subdivision (a), substantially related crimes, professional misconduct, or acts shall include, but are not limited to, those which:

- (1) Violate or attempt to violate, directly or indirectly, or to aid, abet or conspire to violate, any provision of law of this state, or any other jurisdiction, governing the practice of pharmacy.
- (2) Violate or attempt to violate, directly or indirectly, or to aid, abet or

1           conspire to violate, any provision of Chapter 13 (commencing with Section 801 ) of  
2           Title 21 of the United States Code regulating controlled substances or any law of this  
3           state, or any other jurisdiction, relating to controlled substances or dangerous drugs.

4                     (3) Violate or attempt to violate, directly or indirectly, or to aid, abet or  
5                     conspire to violate, any provision of law of this state, or any other jurisdiction,  
6                     relating to government provided or government supported healthcare.

7                     (4) Involve dishonesty, fraud, deceit, or corruption related to money, items,  
8                     documents, or personal information.

9                     (5) Involve a conviction for driving under the influence of drugs or alcohol.

10                                     **CAUSE FOR DENIAL OF APPLICATION**

11                                     **(Conviction of a Substantially Related Crime)**

12           7.       Respondent's application is subject to denial under Code section 480, subdivision  
13           (a)(1), in conjunction with California Code of Regulations, title 16, section 1770, in that  
14           Respondent was convicted of a crime substantially related to the qualifications, functions, or  
15           duties of an intern pharmacist. Specifically, on or about July 10, 2023, after her plea of nolo  
16           contendere, Respondent was convicted of violating Vehicle Code section 20001, subdivision  
17           (b)(1) (hit and run resulting in death or injury) in a criminal proceeding entitled: *The People of the*  
18           *State of California v. Taraneh Sadeghi* (Super. Ct. Los Angeles County, 2022, No. GA111793).

19           8.       The circumstances surrounding the conviction were that on or about November 30,  
20           2021, officers responded to a traffic collision with major injuries. Upon arrival, officers observed  
21           an adult male and a baby. The adult male was bleeding from his head and the baby was bleeding  
22           heavily from a laceration to his forehead. Officers broadcasted the description of the suspect  
23           vehicle and shortly after, officers spotted Respondent driving a vehicle that matched the  
24           description of the vehicle that fled the scene of the traffic collision. During an inspection of the  
25           outside of Respondent's vehicle, officers noted there was a dent on the hood with possible  
26           bloodstains on the front bumper. Respondent admitted she remembered hitting something, but did  
27           not know what it was. Respondent admitted she kept driving because she was late for work.

28                                     **PRAYER**

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

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1. Denying the application of Taraneh Sadeghi for an Intern Pharmacist Application;
- and
2. Taking such other and further action as deemed necessary and proper.

DATED: 8/22/2023

Sodergren,  
Anne@DCA



Digitally signed by Sodergren,  
Anne@DCA  
Date: 2023.08.22 18:32:11 -07'00'

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

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