



California State Board of Pharmacy

2720 Gateway Oaks Drive, Suite 100 Sacramento, CA 95834
Phone (916) 574-7900
Fax (916) 574-8618

STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR GAVIN NEWSOM

Cease and Desist Orders

Date: June 9, 2025

Permit No.: Unlicensed

Name: Premier Pharmacy (Premier San Ramon)

Address: 18080 San Ramon Valley Blvd, Ste 104
San Ramon, CA 94583

Authority for this Action:

Business and Professions Code Section 4316, subdivision (a), states, the board, through its executive officer, is authorized to issue a cease-and-desist order for operating any facility under this chapter that requires licensure or for practicing any activity under this chapter that requires licensure without obtaining that licensure. Subdivision (b) of that section provides that, whenever the board issues a cease-and-desist order pursuant to subdivision (a), the board shall immediately issue the facility a notice setting forth the acts or omissions with which it is charged, specifying the pertinent code section or sections and any regulations.

Activities under this chapter that require licensure include those set forth in the following regulations:

Business and Professions Code section 4037, subdivision (a) "Pharmacy" means an area, place, or premises licensed by the board in which the profession of pharmacy is practiced and where prescriptions are compounded. "Pharmacy" includes, but is not limited to, any area, place, or premises described in a license issued by the board wherein controlled substances, dangerous drugs, or dangerous devices are stored, possessed, prepared, manufactured, derived, compounded, or repackaged, and from which the controlled substances, dangerous drugs, or dangerous devices are furnished, sold, or dispensed at retail.

Business and Professions Code section 4110, subdivision (a), states, no person shall conduct a pharmacy in the State of California unless they have obtained a license from the board. A license shall be required for each pharmacy owned or operated by a specific person. A separate license shall be required for each of the premises of any person operating a pharmacy in more than one location. The license shall be renewed annually. The license shall not be renewed unless the applicant includes necessary matters identified by the board in the renewal application, including, but not limited to, notification to the board regarding compounding practices, including compounded human drug preparations distributed outside of the state. The board may, by regulation, determine the circumstances under which a license may be transferred.

Business and Professions Code section 4201, subdivision (a), states, each application to conduct a pharmacy, wholesaler, third-party logistics provider, veterinary food-animal drug retailer, or outsourcing facility shall be

made on a form furnished by the board and shall state the name, address, usual occupation, and professional qualifications, if any, of the applicant. If the applicant is other than a natural person, the application shall state the information as to each person beneficially interested therein or any person with management or control over the license. Business and Professions Code section 4201, subdivision (e), states, upon the approval of the application by the board and payment of the fee required by this chapter for each pharmacy, wholesaler, third-party logistics provider, or veterinary food-animal drug retailer, the executive officer of the board shall issue a license to conduct a pharmacy, wholesaler, third-party logistics provider, veterinary food-animal drug retailer, or outsourcing facility if all of the provisions of this chapter have been complied with. Business and Professions Code section 4201, subdivision (f), states, notwithstanding any other law, the pharmacy license shall authorize the holder to conduct a pharmacy. The license shall be renewed annually and shall not be transferable.

California Code of Regulations, title 16, section 1707.4 subdivision (a) A pharmacy licensed by the board may process a request for refill of a prescription received by a pharmacy within this state, provided: (1) The pharmacy that is to refill the prescription either has a contract with the pharmacy which received the prescription or has the same owner as the other pharmacy.

California Code of Regulations, title 16, section 1717.1 subdivision (a) For dangerous drugs other than controlled substances: Two or more pharmacies may establish and use a common electronic file to maintain required dispensing information. Pharmacies using such a common file are not required to transfer prescriptions or information for dispensing purposes between or among pharmacies participating in the same common prescription file.

California Code of Regulations, title 16, section 1793.3 subdivision (a) In addition to employing a pharmacy technician to perform the tasks specified in section 1793.2, a pharmacy may employ a non-licensed person to type a prescription label or otherwise enter prescription information into a computer record system, but the responsibility for the accuracy of the prescription information and the prescriptions as dispensed lies with the registered pharmacist who initials the prescription or prescription record. At the direction of the registered pharmacist, a non-licensed person may also request and receive refill authorization.

Acts or Omissions Upon Which this Action is Based

Premier Pharmacy (Premier San Ramon) located at 18080 San Ramon Valley Blvd, Ste 104 San Ramon, CA 94583, is not licensed as a pharmacy by the California State Board of Pharmacy.

The Board's investigation determined, Premier San Ramon, an unlicensed location, located at 18080 San Ramon Valley Blvd, Ste 104, in San Ramon, CA 94583, was engaged in activities under this chapter that require licensure, without having obtained the necessary licensure. Specifically, Premier San Ramon, initiated the process of dispensing drugs as follows:

- Premier San Ramon was previously licensed by the Board, from 1/4/16 until 2/14/25, (PHY 53899). On 2/14/25, Premier San Ramon's license was cancelled, and the license was no longer active, after 2/14/25.

- On 2/14/25, Board issued a pharmacy license to Premier Pharmacy (Premier Sacramento), PHY 59396, located at 2800 Gateway Oaks Dr #101, Sacramento CA 95833, which will expire on 8/12/25.
- After 2/14/2025, Premier San Ramon employees, who has access to Premier Sacramento's common electronic files, continued to type and process prescriptions on behalf of Premier Sacramento.
- These employees located at Premier San Ramon access the common electronic file of Premier Sacramento, and review patient profiles, patient medication information, address, date of birth, and billing information of patients.
- After employees located at Premier San Ramon began the process of dispensing drugs, the prescription was then sent to Premier Sacramento, indicating those prescriptions were jointly dispensed.
- Dangerous drugs, records of acquisition and disposition of dangerous drugs and devices and computers to process prescriptions were also located at Premier San Ramon.

Order

On the basis of the foregoing, the Board, through its Executive Officer therefore ORDERS:

Effective immediately, Premier San Ramon located at 18080 San Ramon Valley Blvd, Ste 104 San Ramon, CA 94583, an unlicensed pharmacy, shall cease and desist practicing any activity under this chapter that requires licensure, including initiating the dispensing process for prescription and prescription refills and the sharing of common electronic files for any pharmacy licensed in California, including Premier Sacramento, located at 2800 Gateway Oaks Drive Suite 101, Sacramento, CA 95833.

Premier San Ramon is to immediately close the unlicensed pharmacy. All dangerous drugs, dangerous devices and records of acquisition and disposition are to be moved to an appropriately licensed Board premise.

Pursuant to Business and Professions Code sections 4008, and 4081, Premier San Ramon is instructed to inventory all dangerous drugs and devices and provide the inventory to the Board. In addition, provide to the Board, the name, address and license number, of the licensed location to which the dangerous drugs, devices and records of acquisition and disposition are being moved to, within 24 hours. Premier San Ramon is also instructed to print a list of all prescriptions and prescription refills processed from 2/15/25 until 6/9/25 for all pharmacies licensed in California, including Premier Sacramento, and provide this list to the board within in 24 hours.

Unlicensed Entity's Right to be Heard and Procedure

Pursuant to Business and Professions Code Section 4316, subdivision (c), within 15 days of receipt of this notice, Premier Pharmacy may request a hearing before the president of the Board to contest this cease and desist order. Any contest of the cease and desist order will comply with the requirements of Section 11425.10 of the Government Code. Chapter 5 of the Administrative Procedure Act (commencing at Government Code Section 11500) does not apply to this proceeding. The hearing will be held no later than five business days

from the date the owner's request for a hearing is received by the board. The president will render a written decision within five business days of the hearing. In the absence of the president of the board, the vice president of the board may conduct the hearing permitted by this subdivision. The owner or person in possession or control of the facility may seek review of the decision of the president of the board pursuant to Section 1094.5 of the Code of Civil Procedure.

California State Board of Pharmacy

By: Anne Sodergren, Executive Officer

Signed: **Sodergren,
Anne@DCA**  Digitally signed by
Sodergren, Anne@DCA
Date: 2025.06.09 14:55:47
-07'00'

Date: June 9, 2025

Acknowledgement

I hereby acknowledge receipt of the above cease and desist order and notice.

By: _____

Date:

Please return a copy of this signed and acknowledged document to the Board of Pharmacy by fax to 916-702-6783 or email Jyoti.Kaur@dca.ca.gov