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NEVADA STATE BOARD OF PHARMACY

431 W Plumb Lane – Reno, NV 89509

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

\$500.00 Fee made payable to: Nevada State Board of Pharmacy

(non-refundable and not transferable money order or cashier's check only)

Application must be printed legibly or typed

Any misrepresentation in the answer to any question on this application is grounds for refusal or denial of the application or subsequent revocation of the license issued and is a violation of the laws of the State of Nevada.

☒ New Pharmacy or ☐ Ownership Change (Provide current license number if making changes: PH _____)
Check box below for type of ownership and complete all required forms.

☐ Publicly Traded Corporation – Pages 1,2,3,7

☐ Partnership – Pages 1,2,5,7

☒ Non Publicly Traded Corporation – Pages 1,2,4,7

☐ Sole Owner – Pages 1,2,6,7

GENERAL INFORMATION to be completed by all types of ownership

Pharmacy Name: Cure Stat Rx Home Infusion and Specialty Pharmacy, Inc

Physical Address: 6725 Mesa Ridge Rd, #202 and 230

Mailing Address: 6725 Mesa Ridge Rd, #202 and 230

City: San Diego State: CA Zip Code: 92121

Telephone: 858-275-2144 Fax: 858-281-0045

Toll Free Number: 888-963-6544 (Required per NAC 639.708)

E-mail: pharmacy@curestatrx.com Website: www.curestatrx.com

Managing Pharmacist: Ramesh Chigurupati License Number: RPH 46131

TYPE OF PHARMACY AND

SERVICES PROVIDED

Yes/No

- ☒ ☐ Retail
☐ ☒ Hospital (# beds _____)
☐ ☒ Internet
☐ ☒ Nuclear
☐ ☒ Ambulatory Surgery Center
☐ ☒ Community
☒ ☐ Other: Home Infusion and Specialty Pharmacy

All boxes must be checked

For the application to be complete

Yes/No

- ☐ ☒ Off-site Cognitive Services
☒ ☐ Parenteral **
☒ ☐ Parenteral (outpatient)
☒ ☐ Outpatient/Discharge
☐ ☒ Mail Service
☐ ☒ Long Term Care
☒ ☐ Sterile Compounding **
☒ ☐ Non Sterile Compounding
☐ ☒ Mail Service Sterile Compounding **
☒ ☐ Other Services: Home Infusion and Specialty Pharmacy, veterinary compounding

****If you check "yes" on any of these types of services, you will be required to make an appearance at the board meeting,**

APPLICATION FOR OUT-OF STATE PHARMACY LICENSE

This page must be submitted for all types of ownership.

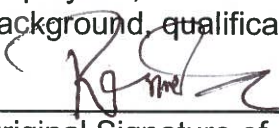
Within the last five (5) years:

- 1) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been charged, or convicted of a felony or gross misdemeanor (including by way of a guilty plea or no contest plea)? Yes ☐ No ☒
- 2) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been denied a license, permit or certificate of registration? Yes ☐ No ☒
- 3) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been the subject of an administrative action, board citation, site fine or proceeding relating to the pharmaceutical industry? Yes ☐ No ☒
- 4) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been found guilty, pled guilty or entered a plea of nolo contendere to any offense federal or state, related to controlled substances? Yes ☐ No ☒
- 5) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever surrendered a license, permit or certificate of registration voluntarily or otherwise (other than upon voluntary close of a facility)? Yes ☐ No ☒

If the answer to question 1 through 5 is "yes", a signed statement of explanation must be attached. Copies of any documents that identify the circumstance or contain an order, agreement, or other disposition may be required.

I hereby certify that the answers given in this application and attached documentation are true and correct. I understand that any infraction of the laws of the State of Nevada regulating the operation of an authorized pharmacy may be grounds for the revocation of this permit.

I have read all questions, answers and statements and know the contents thereof. I hereby certify, under penalty of perjury, that the information furnished on this application are true, accurate and correct. I hereby authorize the Nevada State Board of Pharmacy, its agents, servants and employees, to conduct any investigation(s) of the business, professional, social and moral background, qualification and reputation, as it may deem necessary, proper or desirable.


Original Signature of Person Authorized to Submit Application, no copies or stamps

Ramesh Chigurupati

Print Name of Authorized Person

Date

01/24/19

Page 2

Board Use Only

Date Processed: _____

Amount: 500.00

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

OWNERSHIP IS A NON PUBLICLY TRADED CORPORATIONState of Incorporation: California

Parent Company if any: _____

Mailing Address: 6725 Mesa Ridge Rd, Suite# 202, 230City: San Diego State: CA Zip: 92121Telephone: 888-963-6544 Fax: 858-281-0045Contact Person: Ramesh Chigurupati

For any corporation non publicly traded, disclose the following:

1) List top 4 persons to whom the shares were issued by the corporation?

a) Ramesh Chigurupati 10451 Blue Summit Ct, San Diego, CA 92131
Name Addressb) _____
Name Addressc) _____
Name Addressd) _____
Name Address2) Provide the number of shares issued by the corporation. 25,0003) What was the price paid per share? 40 cents4) What date did the corporation actually receive the cash assets? 02/14/17

5) Provide a copy of the corporation's stock register evidencing the above information

List any physician shareholders and percentage of ownership.

Name: — %: —

Name: _____ %: _____

Hours of Operation for the pharmacy:Monday thru Friday 8:30 am 5:00 pm Saturday 0 am 0 pmSunday 0 am 0 pm 24 Hours —

A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number: _____

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

OWNERSHIP IS A SOLE OWNER. All information relates to the person listed as the owner.

Owner's Name: Ramesh Chigurupati

Business Name: Cure Stat Rx Home Infusion And Specialty Pharmacy, Inc

Current Business Address: 6725 Mesa Ridge Rd, Suite# 202, 230

City: San Diego State: CA Zip Code: 92121

Telephone: 888-963-6544 Fax: 858-281-0045

List any physician shareholders and percentage of ownership.

Name: _____ %: _____

Name: _____ %: _____

Name: _____ %: _____

Name: _____ %: _____

Hours of Operation for the pharmacy:

Monday thru Friday	<u>8:30</u> am	<u>5:00</u> pm	Saturday	<u>0</u> am	<u>0</u> pm
Sunday	<u>0</u> am	<u>0</u> pm	24 Hours	_____	

A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number: _____

STATEMENT OF RESPONSIBILITY
FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

I, Ramesh Chigurupati

Responsible Person of Cure Stat Rx Home Infusion and Specialty Pharmacy, Inc

hereby acknowledge and understand that in addition to the corporation's, any owner(s), shareholder(s) or partner(s) responsibilities, may be responsible for any violations of pharmacy law that may occur in a pharmacy owned or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s) or partner(s) may be named in any action taken by the Nevada State Board of Pharmacy against a pharmacy owned by or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s) or partner(s) cannot require or permit the pharmacist(s) in said pharmacy to violate any provision of any local, state or federal laws or regulations pertaining to the practice of pharmacy.



Original Signature of Person Authorized to Submit Application, no copies or stamps

Ramesh Chigurupati

Print Name of Authorized Person

01/24/19

Date

State of California

Secretary of State

CERTIFICATE OF STATUS

ENTITY NAME:

CURE STAT RX HOME INFUSION AND SPECIALTY PHARMACY, INC.

FILE NUMBER: C3994213
FORMATION DATE: 02/14/2017
TYPE: DOMESTIC CORPORATION
JURISDICTION: CALIFORNIA
STATUS: ACTIVE (GOOD STANDING)

I, ALEX PADILLA, Secretary of State of the State of California, hereby certify:

The records of this office indicate the entity is authorized to exercise all of its powers, rights and privileges in the State of California.

No information is available from this office regarding the financial condition, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of December 28, 2018.

A handwritten signature in black ink, appearing to read "Alex Padilla".

ALEX PADILLA
Secretary of State


California State Board of Pharmacy

1625 N. Market Blvd, N219, Sacramento, CA 95834
 Phone: (916) 574-7900
 Fax: (916) 574-8618
www.pharmacy.ca.gov

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
 DEPARTMENT OF CONSUMER AFFAIRS
 GOVERNOR EDMUND G. BROWN JR.

December 31, 2018

Nevada State Board of Pharmacy
 431 W Plumb Lane
 Reno, NV 89509

California State Board of Pharmacy License Verification

This document reflects the license status of the person or entity identified below on this date with the California State Board of Pharmacy. It may be used as prima facie evidence of the facts recited below pursuant to California Business and Professions Code section 162.

Licensee Name: CURE STAT RX
License Type: PHARMACY
License Number: PHY 55691
Status: ACTIVE
Issue Date: 07/31/17
Expiration Date: 07/01/19
Address of Record: 6725 MESA RIDGE RD STE 202 & 230 SAN DIEGO CA 92121
Disciplinary Action: NO RECORD OF DISCIPLINARY ACTION

Licensee Name: CURE STAT RX
License Type: STERILE COMPOUNDING
License Number: LSC 101091
Status: ACTIVE
Issue Date: 12/20/17
Expiration Date: 07/01/19
Address of Record: 6725 MESA RIDGE RD STE 202 & 230 SAN DIEGO CA 92121
Disciplinary Action: NO RECORD OF DISCIPLINARY ACTION

Anne Sodergren
 Interim Executive Officer

By


 Barbera Schleicher
 Public Inquiry Analyst
 (916) 574-7922
Barbera.Schleicher@dca.ca.gov



Visit our website at www.pharmacy.ca.gov



BOARD OF PHARMACY
1625 NORTH MARKET BLVD., SUITE N-219
SACRAMENTO, CA 95834
(916) 574-7900

Retail Pharmacy Permit

LICENSE NO. PHY 55691
RECEIPT NO. 81240929

VALID UNTIL JULY 01, 2019

CURE STAT RX
6725 MESA RIDGE RD STE 202 & 230
SAN DIEGO CA 92121

05/08/18

05/08/18 The official status of this license can be verified at www.pharmacy.ca.gov

----- NON-TRANSFERABLE --- POST IN PUBLIC VIEW -----

FORM WPHPHY (12/31/05) PH-02

In accordance with the Provisions of Chapter 9
of Division 2 of the Business and Professions
Code, the firm name herein is licensed at the
address shown, and is subject to the rules and
regulations of the California State Board of
Pharmacy.
This permit is non-transferable. Contact the
California State Board of Pharmacy within 30
days when there is a change of ownership,
location, corporate officer, director, shareholder
more than 10 percent share change,
administrator or pharmacist-in-charge.
This permit is valid only at the address shown.



Sterile Compounding License

BOARD OF PHARMACY
1625 NORTH MARKET BLVD., SUITE N-219
SACRAMENTO, CA 95834
(916) 574-7900



LICENSE NO. LSC 101091
RECEIPT NO. 00148566

VALID UNTIL JULY 01, 2019

CURE STAT RX
6725 MESA RIDGE RD STE 202 & 230
SAN DIEGO CA 92121

06/13/18

The official status of this license can be verified at www.pharmacy.ca.gov

----- NON-TRANSFERABLE --- POST IN PUBLIC VIEW -----

In accordance with the Provisions of Chapter 5 of Division 2 of the Business and Professions Code, the firm name herein is licensed at the address shown, and is subject to the rules and regulations of the California State Board of Pharmacy.
This permit is non-transferable. Contact the California State Board of Pharmacy within 30 days when there is a change of ownership, location, corporate officer, director, shareholder more than 10 percent share change, administrator or pharmacist-in-charge.
This permit is valid only at the address shown.

FORM WPLSC (12/31/05)

AFFIDAVIT for Out-of-State Pharmacy License

STATE OF California)
San Diego) ss. COUNTY)

I, Romesh Chigurupati, hereby certify that the assertions in this Affidavit are true and correct to the best of my knowledge and belief, and state as follows:

1. I am the Pharmacist-in-Charge & owner for Cure Stat Rx Home Infusion And Specialty Pharmacy, Inc (the Pharmacy), and in that capacity, I am authorized to speak on the Pharmacy's behalf.

2. I certify that upon licensure, the Pharmacy will not sell or ship compounded sterile products unto the state of Nevada, as indicated on the Pharmacy's application for a Nevada Out-of-State Pharmacy License.

3. I understand and acknowledge that the Pharmacy and any of its Nevada-registered/licensed staff members may be subject to discipline by the Board if the Pharmacy sells or ships any compounded sterile product into Nevada without first obtaining written authorization from the Board to do so.

4. I certify that if the Pharmacy ever decides to sell or ship any compounded sterile product into Nevada, the Pharmacy, through an authorized representative, will first notify the Board and obtain written approval to sell and ship such products into Nevada.

5. I understand that if the Pharmacy seeks approval to sell or ship compounded sterile product into Nevada, an authorized representative of the Pharmacy may be required to appear before the Board to answer questions before such approval is granted.

FURTHER AFFIANT SAYETH NOT.

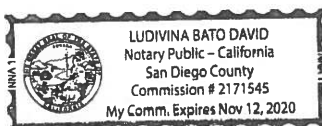
I, Romesh Chigurupati, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

Name

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

SUBSCRIBED AND SWORN TO
 before me, a notary public this
23rd day of JANUARY, 2019.

NOTARY PUBLIC



Ramesh Chigurupati, President & Owner

Cure Stat Rx Home Infusion And Specialty Pharmacy, Inc

6725 Mesa Ridge Rd, Suite# 202, 230

San Diego, CA 92121

INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA FEBRUARY 14, 2017

100,000

Cure Stat Rx Home Infusion and Specialty Pharmacy, Inc.

TOTAL AUTHORIZED ISSUE
1,000,000 SHARES WITHOUT PAR VALUE
COMMON STOCK

See Riders for
Certain Conditions

This is to Certify that Ramesh Chigurupati is the owner of

One hundred thousand (100,000) fully paid and
non-assessable shares of the above Corporation transferable only on the books of the
Corporation by the holder hereof in person or by duly authorized Attorney upon
surrender of this Certificate properly endorsed.

Witness, the seal of the Corporation and the signatures of its duly authorized officers.

Dated

Ramesh Chigurupati
SECRETARY

Ramesh Chigurupati
PRESIDENT

14B

NEVADA STATE BOARD OF PHARMACY

431 W Plumb Lane – Reno, NV 89509

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

\$500.00 Fee made payable to: Nevada State Board of Pharmacy

(non-refundable and not transferable money order or cashier's check only)

Application must be printed legibly or typed

Any misrepresentation in the answer to any question on this application is grounds for refusal or denial of the application or subsequent revocation of the license issued and is a violation of the laws of the State of Nevada.

☒ New Pharmacy or ☐ Ownership Change (Provide current license number if making changes: PH _____)
Check box below for type of ownership and complete all required forms.
☐ Publicly Traded Corporation – Pages 1,2,3,7 ☒ Partnership – Pages 1,2,5,7
☐ Non Publicly Traded Corporation – Pages 1,2,4,7 ☐ Sole Owner – Pages 1,2,6,7

GENERAL INFORMATION to be completed by all types of ownership

Pharmacy Name: MedRx Infusion Clinical Pharmacy
Physical Address: 415 - 417 N. Oak street, Inglewood CA 90302
Mailing Address: 415 - 417 N. Oak Street
City: Inglewood State: CA Zip Code: 90302
Telephone: 310) 671-2600 Fax: 310) 671-2601
Toll Free Number: (844) 671-2600 (Required per NAC 639.708)
E-mail: info @ medrxinfusion.com Website: medrxinfusion.com
Managing Pharmacist: Lloyd, Warren Christopher License Number: 41161

TYPE OF PHARMACY AND

SERVICES PROVIDED

Yes/No

- ☒ ☐ Retail
☐ ☒ Hospital (# beds _____)
☐ ☒ Internet
☐ ☒ Nuclear
☐ ☒ Ambulatory Surgery Center
☐ ☒ Community
☒ ☐ Other: sterile Compounding

All boxes must be checked

For the application to be complete

Yes/No

- ☐ ☒ Off-site Cognitive Services
☒ ☐ Parenteral **
☐ ☒ Parenteral (outpatient)
☐ ☒ Outpatient/Discharge
☒ ☐ Mail Service
☐ ☒ Long Term Care
☒ ☐ Sterile Compounding **
☐ ☒ Non Sterile Compounding
☐ ☒ Mail Service Sterile Compounding **
☐ ☒ Other Services: _____

**If you check "yes" on any of these types of services, you will be required to make an appearance at the board meeting,

APPLICATION FOR OUT-OF STATE PHARMACY LICENSE

This page must be submitted for all types of ownership.

Within the last five (5) years:

- 1) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been charged, or convicted of a felony or gross misdemeanor (including by way of a guilty plea or no contest plea)? Yes ☐ No ☒
- 2) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been denied a license, permit or certificate of registration? Yes ☐ No ☒
- 3) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been the subject of an administrative action, board citation, site fine or proceeding relating to the pharmaceutical industry? Yes ☒ No ☐
- 4) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been found guilty, pled guilty or entered a plea of nolo contendere to any offense federal or state, related to controlled substances? Yes ☐ No ☒
- 5) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever surrendered a license, permit or certificate of registration voluntarily or otherwise (other than upon voluntary close of a facility)? Yes ☐ No ☒

If the answer to question 1 through 5 is "yes", a signed statement of explanation must be attached. Copies of any documents that identify the circumstance or contain an order, agreement, or other disposition may be required.

I hereby certify that the answers given in this application and attached documentation are true and correct. I understand that any infraction of the laws of the State of Nevada regulating the operation of an authorized pharmacy may be grounds for the revocation of this permit.

I have read all questions, answers and statements and know the contents thereof. I hereby certify, under penalty of perjury, that the information furnished on this application are true, accurate and correct. I hereby authorize the Nevada State Board of Pharmacy, its agents, servants and employees, to conduct any investigation(s) of the business, professional, social and moral background, qualification and reputation, as it may deem necessary, proper or desirable.

Simon Javaheri

Original Signature of Person Authorized to Submit Application, no copies or stamps

SIMON JAVAHERI

Print Name of Authorized Person

Date

01/31/2019

Page 2

Board Use Only

Date Processed: _____

Amount:

500.00

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

OWNERSHIP IS A PUBLICLY TRADED CORPORATION

State of Incorporation: CALIFORNIA

Parent Company if any: _____

Corporation Name: MEDRX INFUSION CLINICAL PHARMACY LLC

Mailing Address: 417 N. OAK STREET

City: INGLEWOOD State: CA Zip: 90302

Telephone: 310 671 2600 Fax: 310 671 2601

Contact Person: SIMON JAVAHERI

If the corporation that holds an ownership interest in the applicant is a publicly traded corporation, the applicant shall identify the officers of that corporation, the date the corporation received its registration with the SEC, the registration number issued and the exchange at which the stock is being traded. You can provide a copy of the SEC report or copy of Form 10-K.

Date of Incorporation: 01/23/2013

Registration number issued: 201302310357

Stock Exchange: _____

Hours of Operation for the pharmacy:

Monday thru Friday 9 am 5 pm Saturday _____ am _____ pm

Sunday _____ am _____ pm 24 Hours On Call

A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number: _____

Must be included with the application for a publicly traded corporation

Certificate of Corporate Status (also referred to as Certificate of Good Standing). The Certificate is obtained from the Secretary of State's office in the State where incorporated. The Certificate of Corporate status must be dated within the last 6 months.

List of officers and directors.

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

OWNERSHIP IS A NON PUBLICLY TRADED CORPORATIONState of Incorporation: CALIFORNIA, LIMITED LIABILITY COMPANY

Parent Company if any: _____

Mailing Address: 417 N. OAK STREETCity: INGLEWOOD State: CA Zip: 90302Telephone: 310 671 2600 Fax: 310 671 2601

Contact Person: _____

For any corporation non publicly traded, disclose the following:

1) List top 4 persons to whom the shares were issued by the corporation?

a) N/A
Name Addressb) N/A
Name Addressc) N/A
Name Addressd) N/A
Name Address2) Provide the number of shares issued by the corporation. N/A3) What was the price paid per share? N/A4) What date did the corporation actually receive the cash assets? N/A

5) Provide a copy of the corporation's stock register evidencing the above information

List any physician shareholders and percentage of ownership.

Name: N/A %: _____Name: N/A %: _____**Hours of Operation for the pharmacy:**Monday thru Friday 9 am 5 pm Saturday _____ am _____ pmSunday _____ am _____ pm 24 Hours On Call

A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number: _____

Must be included with the application for a non publicly traded corporation

Certificate of Corporate Status (also referred to as Certificate of Good Standing). The Certificate is obtained from the Secretary of State's office in the State where incorporated. The Certificate of Corporate status must be dated within the last 6 months.

List of officers and directors

SIMON JAVAHERI

ALEX STEINE

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

OWNERSHIP IS A PARTNERSHIPGeneral _____ Limited xPartnership Name: MEDRX INFUSION CLINICAL PHARMACY LLCMailing Address: 417 N. OAK STREETCity: INGLEWOOD State: CA Zip Code: 90302Telephone Number: 310 671 2600 Fax Number: 310 671 2601

Contact Person: _____

List each partner and identify whether (G)eneral or (L)imited partner and percentage of ownership
 Use separate sheet if necessary

<u>Name</u>	<u>G or L</u>	<u>Percentage</u>
<u>CLIFFWOOD MEDRX PARTNERS LLC</u>	<u>LLC</u>	<u>60</u>
<u>MEDRX PARTNERS LLC</u>	<u>LLC</u>	<u>40</u>

List names of 4 largest partners and percentage of ownership:

Name: ALEX STEINE %: 20%Name: PEDRAM SHABATIAN %: 42%Name: MARLEN ZHORNITSKY %: 20%

Name: _____ %: _____

List any physician shareholders and percentage of ownership.

Name: _____ %: _____

Name: _____ %: _____

Name: _____ %: _____

Hours of Operation for the pharmacy:Monday thru Friday 9 am 5 pm

Saturday _____ am _____ pm

Sunday _____ am _____ pm

24 Hours on call

A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number: _____

STATEMENT OF RESPONSIBILITY
FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

I, SIMON JAVANERI

Responsible Person of LOS ANGELES, CALIFORNIA

hereby acknowledge and understand that in addition to the corporation's, any owner(s), shareholder(s) or partner(s) responsibilities, may be responsible for any violations of pharmacy law that may occur in a pharmacy owned or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s) or partner(s) may be named in any action taken by the Nevada State Board of Pharmacy against a pharmacy owned by or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s) or partner(s) cannot require or permit the pharmacist(s) in said pharmacy to violate any provision of any local, state or federal laws or regulations pertaining to the practice of pharmacy.

Simon Javaneri

Original Signature of Person Authorized to Submit Application, no copies or stamps

SIMON JAVANERI

Print Name of Authorized Person

1/31/2019
Date

AFFIDAVIT for Out-of-State Pharmacy License

STATE OF CALIFORNIA)
) ss.
LOS ANGELES COUNTY)

I, SIMON JAVIER, hereby certify that the assertions in this Affidavit are true and correct to the best of my knowledge and belief, and state as follows:

1. I am the CO CEO for MEDRX INFUSION CLINICAL ^{PHARMACY} (the Pharmacy), and in that capacity, I am authorized to speak on the Pharmacy's behalf.

2. I certify that upon licensure, the Pharmacy will not sell or ship compounded sterile products unto the state of Nevada, as indicated on the Pharmacy's application for a Nevada Out-of-State Pharmacy License.

3. I understand and acknowledge that the Pharmacy and any of its Nevada-registered/licensed staff members may be subject to discipline by the Board if the Pharmacy sells or ships any compounded sterile product into Nevada without first obtaining written authorization from the Board to do so.

4. I certify that if the Pharmacy ever decides to sell or ship any compounded sterile product into Nevada, the Pharmacy, through an authorized representative, will first notify the Board and obtain written approval to sell and ship such products into Nevada.

5. I understand that if the Pharmacy seeks approval to sell or ship compounded sterile product into Nevada, an authorized representative of the Pharmacy may be required to appear before the Board to answer questions before such approval is granted.

FURTHER AFFIANT SAYETH NOT.

I, SIMON JAVIER, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

Simon Javier
 Name

SUBSCRIBED AND SWORN TO
 before me, a notary public this
 ___ day of ___, 20__.

NOTARY PUBLIC

See Attached
 California
 Certificate

California Jurat Certificate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

} S.S.

Subscribed and sworn to (~~or affirmed~~) before me on this 1st day of February,
Month

20 19, by Simon Javaheri and
Name of Signer (1)

— N/A —, proved to me on the basis of
Name of Signer (2)

satisfactory evidence to be the person(s) who appeared before me.


Signature of Notary Public



For other required information (Notary Name, Commission No. etc.)

Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document

Description of Attached Document

The certificate is attached to a document titled/for the purpose of

containing _____ pages, and dated _____

Additional Information

Method of Affiant Identification

Proved to me on the basis of satisfactory evidence:
☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

☐ Affiant(s) Thumbprint(s) ☐ Describe: _____

State of California

Secretary of State

CERTIFICATE OF STATUS

ENTITY NAME: MEDRX INFUSION CLINICAL PHARMACY, LLC

FILE NUMBER: 201302310357
FORMATION DATE: 01/23/2013
TYPE: DOMESTIC LIMITED LIABILITY COMPANY
JURISDICTION: CALIFORNIA
STATUS: ACTIVE (GOOD STANDING)

I, ALEX PADILLA, Secretary of State of the State of California, hereby certify:

The records of this office indicate the entity is authorized to exercise all of its powers, rights and privileges in the State of California.

No information is available from this office regarding the financial condition, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of January 29, 2019.

ALEX PADILLA
Secretary of State



Board of Pharmacy



Retail Pharmacy Permit

LICENSE NO. PHY 51821

ISSUE DATE OCTOBER 31, 2014

MEDRX INFUSION CLINICAL PHARMACY

415-417 N OAK ST
INGLEWOOD CA 90302

The above is licensed with the State Board of Pharmacy as a Limited Liability Company.

LIMITED LIABILITY COMPANY

PHARMACIST IN CHARGE

The official status of this license can be verified at www.pharmacy.ca.gov



Retail Pharmacy Permit

BOARD OF PHARMACY
1625 NORTH MARKET BLVD., SUITE N-219
SACRAMENTO, CA 95834
(916) 574-7900

LICENSE NO. PHY 51821
RECEIPT NO. 82110043

VALID UNTIL OCTOBER 01, 2019

MEDRX INFUSION CLINICAL PHARMACY
415-417 N OAK ST
INGLEWOOD CA 90302

In accordance with the Provisions of Chapter 9 of Division 2 of the Business and Professions Code, the firm name hereon is licensed at the address shown, and is subject to the rules and regulations of the California State Board of Pharmacy.
This permit is non-transferable. Contact the California State Board of Pharmacy within 30 days when there is a change of ownership, location, corporate officer, director, shareholder (more than 10 percent share change) administrator or pharmacist-in-charge.
This permit is valid only at the address shown.



Board of Pharmacy



Sterile Compounding License

LICENSE NO. LSC 100692

ISSUE DATE DECEMBER 30, 2014

MEDRX INFUSION CLINICAL PHARMACY

415-417 N OAK ST
INGLEWOOD CA 90302

The above is licensed with the State Board of Pharmacy as a Limited Liability Company.

LIMITED LIABILITY COMPANY

The official status of this license can be verified at www.pharmacy.ca.gov



BOARD OF PHARMACY
1625 NORTH MARKET BLVD., SUITE N-219
SACRAMENTO, CA 95834
(916) 574-7900

Sterile Compounding License

LICENSE NO. LSC 100692
RECEIPT NO. 00151269

VALID UNTIL OCTOBER 01, 2019

MEDRX INFUSION CLINICAL PHARMACY
415-417 N OAK ST
INGLEWOOD CA 90302

In accordance with the Provisions of Chapter 9 of Division 2 of the Business and Professions Code, the firm name hereon is licensed at the address shown and is subject to the rules and regulations of the California State Board of Pharmacy.
This permit is non-transferable. Contact the California State Board of Pharmacy within 30 days when there is a change of ownership, location, corporate officer, director, shareholder (more than 10 percent share change), administrator or pharmacist-in-charge.
This permit is valid only at the address shown.

3/27/18

3/27/18 The official status of this license can be verified at www.pharmacy.ca.gov

NON-TRANSFERABLE --- POST IN PROMINENT VIEW ---

14C

NEVADA STATE BOARD OF PHARMACY

431 W Plumb Lane – Reno, NV 89509

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

\$500.00 Fee made payable to: Nevada State Board of Pharmacy

(non-refundable and not transferable money order or cashier's check only)

Application must be printed legibly or typed

Any misrepresentation in the answer to any question on this application is grounds for refusal or denial of the application or subsequent revocation of the license issued and is a violation of the laws of the State of Nevada.

☐ New Pharmacy or ☒ **Ownership Change** (Provide current license number if making changes: **PH 01895**)

Check box below for type of ownership and complete all required forms.

☐ Publicly Traded Corporation – Pages 1,2,3,7

☐ Partnership - Pages 1,2,5,7

☒ Non Publicly Traded Corporation – Pages 1,2,4,7,8

☐ Sole Owner – Pages 1,2,6,7

GENERAL INFORMATION to be completed by all types of ownership

Pharmacy Name: Vasco Rx

Physical Address: 4045 E. Bell Road, Suite 163

Mailing Address: 4045 E. Bell Road, Suite 163

City: Phoenix State: Arizona Zip Code: 85032

Telephone: 602-971-6950 Fax: 602-404-2504

Toll Free Number: 877-971-3001 (Required per NAC 639.708)

E-mail: admin@vascorx.com

Website: https://vascorx.com

Managing Pharmacist: Kristine Lowe License Number: AZ #S015310
NV #12361

TYPE OF PHARMACY **AND**

SERVICES PROVIDED

Yes/No

- ☒ ☐ Retail
☐ ☒ Hospital (# beds)
☐ ☒ Internet
☐ ☒ Nuclear
☐ ☒ Ambulatory Surgery Center
☐ ☒ Community
☐ ☒ Other:

All boxes must be checked

For the application to be complete

Yes/No

- ☐ ☒ Off-site Cognitive Services
☒ ☐ Parenteral **
☐ ☒ Parenteral (outpatient)
☐ ☒ Outpatient/Discharge
☐ ☒ Mail Service
☐ ☒ Long Term Care
☒ ☐ Sterile Compounding **
☒ ☐ Non Sterile Compounding
☐ ☒ Mail Service Sterile Compounding **
☐ ☒ Other Services:

****If you check "yes" on any of these types of services, you will be required to make an appearance at the board meeting,**

APPLICATION FOR OUT-OF STATE PHARMACY LICENSE

This page must be submitted for all types of ownership.

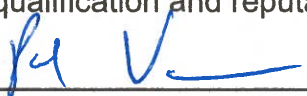
Within the last five (5) years:

- 1) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been charged, or convicted of a felony or gross misdemeanor (including by way of a guilty plea or no contest plea)? Yes ☐ No ☒
- 2) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been denied a license, permit or certificate of registration? Yes ☐ No ☒
- 3) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been the subject of an administrative action, board citation, site fine or proceeding relating to the pharmaceutical industry? Yes ☒ No ☐
- 4) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been found guilty, pled guilty or entered a plea of nolo contendere to any offense federal or state, related to controlled substances? Yes ☐ No ☒
- 5) Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever surrendered a license, permit or certificate of registration voluntarily or otherwise (other than upon voluntary close of a facility)? Yes ☐ No ☒

If the answer to question 1 through 5 is "yes", a signed statement of explanation must be attached. Copies of any documents that identify the circumstance or contain an order, agreement, or other disposition may be required.

I hereby certify that the answers given in this application and attached documentation are true and correct. I understand that any infraction of the laws of the State of Nevada regulating the operation of an authorized pharmacy may be grounds for the revocation of this permit.

I have read all questions, answers and statements and know the contents thereof. I hereby certify, under penalty of perjury, that the information furnished on this application are true, accurate and correct. I hereby authorize the Nevada State Board of Pharmacy, its agents, servants and employees, to conduct any investigation(s) of the business, professional, social and moral background, qualification and reputation, as it may deem necessary, proper or desirable.


Original Signature of Person Authorized to Submit Application, no copies or stamps

Paul Vasiliauskas
Print Name of Authorized Person

1/29/19
Date

Page 2

Board Use Only

Date Processed: _____

Amount: 500.00

APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

OWNERSHIP IS A NON PUBLICLY TRADED CORPORATION

State of Incorporation: California

Parent Company if any: Vitalab Pharmacy, Inc.

Mailing Address: 4045 E. Bell Road, Suite 163

City: Phoenix State: Arizona Zip: 85032

Telephone: 602-971-6950 Fax: 602-404-2504

Contact Person: Paul Vasiliauskas

For any corporation non publicly traded, disclose the following:

- 1) List top 4 persons to whom the shares were issued by the corporation?

a)	Name	Address
	AleraCare Holdings, LLC	4045 E. Bell Road, Suite 157 Phoenix, AZ 85032

[illegible]

c) _____

Name	Address
------	---------

[illegible]

- 2) Provide the number of shares issued by the corporation. To be determined at closing

- 3) What was the price paid per share? N/A

- 4) What date did the corporation actually receive the cash assets? Date of actual closing

- 5) Provide a copy of the corporation's stock register evidencing the above information

* Will provide post-closing

List any physician shareholders and percentage of ownership.

Name: **None** %: **N/A**

Name: _____ %: _____

Hours of Operation for the pharmacy:

Monday thru Friday 7:30 am 5:30 pm Saturday 9:00 am 1:00 pm

Sunday closed am pm 24 Hours

A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number: **N/A**

STATEMENT OF RESPONSIBILITY
FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

I, Paul Vasiliauskas

Responsible Person of Vasco Rx

hereby acknowledge and understand that in addition to the corporation's, any owner(s), shareholder(s) or partner(s) responsibilities, may be responsible for any violations of pharmacy law that may occur in a pharmacy owned or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s) or partner(s) may be named in any action taken by the Nevada State Board of Pharmacy against a pharmacy owned by or operated by said corporation.

I further acknowledge and understand that the corporation's, any owner(s), shareholder(s) or partner(s) cannot require or permit the pharmacist(s) in said pharmacy to violate any provision of any local, state or federal laws or regulations pertaining to the practice of pharmacy.



Original Signature of Person Authorized to Submit Application, no copies or stamps

Paul Vasiliauskas

Print Name of Authorized Person

Date

1/29/19

Vitalab Pharmacy, Inc. dba Vasco Rx
Nevada Application for Out-of-State Pharmacy License

Officer / Director / Owner Information

Officers

Name	Title	Address of Record
Russel Corvese	Chief Executive Officer	4045 E. Bell Road, Suite 163 Phoenix, AZ 85032
Paul Vasiliauskas	Chief Operating Officer	4045 E. Bell Road, Suite 163 Phoenix, AZ 85032
Thomas Pasco, Jr.	Chief Financial Officer	4045 E. Bell Road, Suite 163 Phoenix, AZ 85032
Dina Lenchitsky	Chief Compliance Officer and Secretary	7039 Valjean Avenue Van Nuys, CA 91406

Directors

Name	Title	Address of Record
Vladimir Lenchitsky	Chairman	7039 Valjean Avenue Van Nuys, CA 91406
Paul Vasiliauskas	Director	4045 E. Bell Road, Suite 163 Phoenix, AZ 85032

**Vitalab Pharmacy, Inc. dba Vasco Rx
Nevada Application for Out-of-State Pharmacy License**

Page 2, Item 3)

**Discipline Summary for Vitalab Pharmacy, Inc. dba Vasco Rx
4045 E. Bell Road, Suite 163
Phoenix, AZ 85032**

1. **May 11, 2016:** Arizona State Board of Pharmacy – Consent Agreement - Failure to follow requirements of waiver from the Board of Pharmacy regarding the filling of compounded prescriptions. A \$22,275 Disciplinary Fine relating to filling compounded prescription was imposed and subsequently paid by the pharmacy.
2. **April 24, 2017:** Hawaii Board of Pharmacy – Settlement Agreement – In response to the aforementioned Arizona State Board of Pharmacy Consent Agreement – A \$2,500 fine was imposed and subsequently paid by the pharmacy.
3. **November 15, 2016:** Alabama State Board of Pharmacy – Consent Order – In response to the aforementioned Arizona State Board of Pharmacy Consent Agreement – A \$2,500 fine was imposed and subsequently paid by the pharmacy.
4. **December 27, 2016:** Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation – Consent Order - In response to the aforementioned Arizona State Board of Pharmacy Consent Agreement – No fine was imposed; however, the pharmacy received a license reprimand.
5. **February 27, 2018:** Pennsylvania State Board of Pharmacy – Order - In response to the aforementioned Arizona State Board of Pharmacy Consent Agreement – A \$1,000 civil penalty was imposed and subsequently paid by the pharmacy.
6. **March 7, 2018:** Indiana State Board of Pharmacy – Final Order – In response to the aforementioned Arizona State Board of Pharmacy Consent Agreement – The Company received a letter of reprimand and a \$2,005 fine was imposed. The fine was subsequently paid by the pharmacy.

Supporting documentation for all actions is enclosed.

**California Non-Discipline Summary for Vitalab Pharmacy, Inc. dba Vasco Rx
4045 E. Bell Road, Suite 163
Phoenix, AZ 85032**

1. The California Board of Pharmacy (the “CA BOP”) issued four citations and fines to Vasco Rx related to routine pharmacy inspection findings. Per the CA BOP, the issuance of these citations is not considered a disciplinary action. The Board considers citations to be administrative actions resolving comments received incident to routine inspections.

It should be noted that the pharmacy has implemented corrective measures in an effort to better comply with California compounding requirements. Nonetheless, without admitting violations of the above requirements, the pharmacy and its supervising pharmacist now meet these and all other applicable rules and regulations relating to pharmacy and sterile compounding.

The citations are as follows:

October 11, 2018 – Citation Number CI 2017 79790

October 11, 2018 – Citation Number CI 2018 81580 (Same matter as CI 2017 79790)

October 18, 2018 – Citation Number CI 2016 75547

October 18, 2018 – Citation Number CI 2018 81589 (Same matter as CI 2016 75547)

2. **January 2, 2019** – Citation Number CI 2017 79432 – Issued to Vasco Rx in response to the aforementioned Arizona State Board of Pharmacy Consent Agreement. Again, the CA BOP considers the citation to be an administrative matter rather than a disciplinary action taken against the pharmacy.

Supporting documentation for all Citations is enclosed.

ARIZONA STATE BOARD OF PHARMACY
CONSENT AGREEMENT

1 MARK BRNOVICH
 2 Attorney General
 (Firm State Bar No. 14000)

3 JEANNE M. GALVIN
 4 Assistant Attorney General
 State Bar No. 015072
 1275 W. Washington, SGD/LES
 5 Phoenix, Arizona 85007-2997
 Tel: (602) 542-7983
 6 Fax: (602) 364-3202

7 Attorneys for the Arizona State Board of Pharmacy

8
 9 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

10 In the Matter of:

11 **VASCO Rx**

12 Holder of Permit No. Y004706
 13 In the State of Arizona,

14 Respondent.

Board Case No. 16-0012-PHR

**CONSENT AGREEMENT
 FOR CIVIL PENALTY AND
 RECISSION OF DEVIATION**

15
 16 In the interest of a prompt and judicious settlement of this case, consistent with the
 17 public interest, statutory requirements and the responsibilities of the Arizona State Board
 18 of Pharmacy ("Board") under A.R.S. § 32-1901, *et seq.*, Vasco Rx Pharmacy, holder of
 19 Permit No. Y004706 (hereinafter, "Respondent" or "Vasco Rx") and the Board enter into
 20 the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent
 21 Agreement") as a final disposition of this matter.

22 **RECITALS**

23 1. Respondent has read and understands this Consent Agreement and has had
 24 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
 25 opportunity to discuss this Consent Agreement with an attorney.
 26

1 2. Respondent understands that it has a right to a public administrative hearing
2 concerning this matter at which hearing it could present evidence and cross examine
3 witnesses. By entering into this Consent Agreement, Respondent knowingly and
4 voluntarily relinquishes all right to such an administrative hearing, as well as rights of
5 rehearing, review, reconsideration, appeal, judicial review or any other administrative
6 and/or judicial action, concerning the matters set forth herein.

7 3. Respondent affirmatively agrees that this Consent Agreement shall be
8 irrevocable.

9 4. Respondent understands that this Consent Agreement or any part of the
10 agreement may be considered in any future disciplinary action by the Board against it.

11 5. Respondent understands this Consent Agreement deals with Board
12 Complaint No. 4487 involving allegations of unprofessional conduct against Respondent.
13 The investigation into these allegations against Respondent shall be concluded upon the
14 Board's adoption of this Consent Agreement.

15 6. Respondent understands that this Consent Agreement does not constitute a
16 dismissal or resolution of any other matters currently pending before the Board, if any,
17 and does not constitute any waiver, express or implied, of the Board's statutory authority
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19 7. Respondent also understands that acceptance of this Consent Agreement
20 does not preclude any other agency, subdivision, or officer of this State from instituting
21 any other civil or criminal proceedings with respect to the conduct that is the subject of
22 this Consent Agreement.

23 8. Respondent acknowledges and agrees that, upon signing this Consent
24 Agreement and returning this document to the Board's Executive Director, it may not
25 revoke its acceptance of the Consent Agreement or make any modifications to the
26

1 document regardless of whether the Consent Agreement has been signed by the
2 Executive Director. Any modification to this original document is ineffective and void
3 unless mutually agreed by the parties in writing.

4 9. This Consent Agreement is subject to the approval of the Board and is
5 effective only when accepted by the Board and signed by the Executive Director. In the
6 event that the Board does not approve this Consent Agreement, it is withdrawn and shall
7 be of no evidentiary value and shall not be relied upon nor introduced in any action by
8 any party, except that the parties agree that should the Board reject this Consent
9 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the
10 Board was prejudiced by its review and discussion of this document or any records
11 relating thereto.

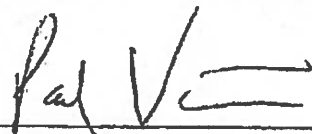
12 10. If a court of competent jurisdiction rules that any part of this Consent
13 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
14 shall remain in full force and effect.

15 11. Respondent understands that this Consent Agreement is a public record that
16 may be publicly disseminated as a formal action of the Board and may be reported as
17 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
18 Protection Data Bank.

19 12. Respondent understands that any violation of this Consent Agreement
20 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. § 32-
21 1901.01(A)(19).

22 13. Respondent agrees that the Board will adopt the following Findings of Fact,
23 Conclusions of Law and Order.
24
25
26

1 ACCEPTED AND AGREED BY RESPONDENT

2 
3 _____

Dated: 4/21/16

4 Paul Vasiliauskas on behalf of
5 Vasco Rx

6 **FINDINGS OF FACT**

7 1. The Board is the duly constituted authority for licensing and regulating the
8 practice of pharmacy in the State of Arizona.

9 2. Respondent Vasco Rx holds pharmacy permit no. Y004706.

10 3. In August of 2014, Paul Vasiliauskas appeared on behalf of Respondent
11 before the Board with Jeffrey Karp, a representative of Integrity Rx Specialty Pharmacy
12 ("Integrity Rx"), seeking a deviation related to a remote dispensing device. According to
13 Respondent:
14

15 a. Vasco Rx would place a remote dispensing device within Integrity
16 Rx.
17

18 b. The remote dispensing device will contain medication compounded
19 by Vasco Rx Pharmacy.

20 c. The remote dispensing device will be stocked by a pharmacist from
21 Vasco Rx who will deliver the medication, inventory it, and log it in to the remote
22 dispensing device.

23 d. The remote dispensing device will track the lot number, expiration
24 date and the inventory in and out.
25
26

1 e. The remote dispensing device inventory will only be accessed and
2 scanned by a Vasco Rx employee pharmacist.

3 f. A Vasco Rx Pharmacist will be on-site at Integrity Rx every day at a
4 designated time.

5 g. Integrity Rx receives a prescription for a compounded medication,
6 and after patient authorization, transfers the prescription to Vasco Rx.

7 h. The Vasco Rx operating system will talk to the remote dispensing
8 device system and a label will print. Inventory will be checked by a Vasco Rx
9 pharmacist.

10 i. All product dispensing will be labeled and checked by a Vasco Rx
11 pharmacist and placed in a tote dedicated for that patient.

12 4. Based upon the Respondent's representations, the Board granted
13 Respondent a deviation.

14 5. A routine inspection conducted at Integrity Rx Specialty Pharmacy on
15 February 5, 2016, revealed the following:

16 a. No remote dispensing device provided by Vasco Rx was within the
17 Integrity Rx. Rather, two file cabinets with locks labeled "property of Vasco Rx Specialty
18 Pharmacy" were present. Jeffrey Karp indicated that no remote dispensing device was
19 ever placed by Vasco Rx.

20 b. Compounded medication labeled property of Vasco Rx was found in
21 each file cabinet drawer.
22
23
24
25
26

1 c. On request of Integrity Rx, Vasco Rx delivers compounded
2 medication to Integrity Rx. The delivery is completed by an employee of Vasco Rx, not a
3 pharmacist, and left with Integrity Rx staff. There is not usually a delivery invoice.

4 d. Lot number, expiration date, inventory in and out is maintained on a
5 perpetual paper log.
6

7 e. Jeffrey Karp indicated that he has the keys to the file cabinets and
8 either an Integrity Rx pharmacist or a technician will place the compounded medication
9 in the file cabinet.

10 f. Neither Paul Vasiliauskas nor another Vasco Rx Pharmacist come to
11 Integrity Rx.
12

13 g. Integrity Rx transfers the prescription to Vasco Rx after patient
14 authorization using the shared computer system.

15 h. The prescription verification PV1 and PV2 is then completed by an
16 Integrity Rx pharmacist, not a Vasco Rx pharmacist. A prescription label with Vasco Rx
17 information then prints at Integrity Rx
18

19 i. The final product dispensing is completed by an Integrity Rx
20 pharmacist, not a Vasco Rx pharmacist.

21 6. On March 1, 2016, Respondent filed a written response to the Complaint
22 wherein it acknowledged the findings set forth in paragraph 3 above and further noted
23 that the pharmacy "clearly failed to focus on the key elements of our proposal [for the
24 deviation] which was to provide for an *automated* system." (emphasis in the original).
25
26

1 7. Respondent further stated that "Based on the cost of obtaining a remote
2 device, and due to our misbelief that we met the qualifications for shared services and
3 therefore didn't think that the remote device was necessary for what we wanted to do, we
4 chose to implement a program which provided security and record-keeping processes for
5 the Vasco stock, but did not put the stock into an automated dispensing machine....[W]e
6 realize now that the automated dispensing machine was an integral part of the program."

8 8. Respondent also acknowledged that Jeffrey Karp's role as pharmacist for
9 both Integrity Rx and Vasco Rx "may not be seen as meeting what we described during
10 the presentation in front of the Board and for that we are both deeply regretful and
11 genuinely embarrassed."

13 9. According to information gathered during the inspection, approximately
14 2,200 prescriptions were compounded/filled contrary to the deviation granted by the
15 Board and therefore in violation of the Board's statutes and rules.

17 10. Finally, Respondent noted that the program was ceased immediately after
18 the inspection was completed. All compounded stock was returned to Vasco Rx and in its
19 place is a more traditional process whereby prescriptions are verbally transferred to
20 Vasco pharmacists in the Vasco pharmacy where prescriptions are filled.

21 CONCLUSIONS OF LAW

22 1. The Board possesses jurisdiction over the subject matter and over
23 Respondent pursuant to A.R.S. § 32-1901 *et seq.*

24 2. The Board may discipline a permittee who has engaged in unprofessional
25 conduct. A.R.S. §32-1927.02.
26

1 3. The failure to follow the processes described in the deviation request
2 approved by the Board constitutes unprofessional conduct pursuant to A.R.S. §§ 32-
3 1901.01(A)(18) (violating or attempting to violate, directly or indirectly, or assisting in or
4 abetting the violation of, or conspiring to violate, the board's statutes or rules) as it relates
5 to A.R.S. §32-1901(8) (Compounding means the preparation, mixing, assembling,
6 packaging or labeling of a drug by a pharmacist or an intern or pharmacy technician
7 under the pharmacist's supervision, for the purpose of dispensing to a patient based on a
8 valid prescription order. Compounding includes the preparation of drugs in anticipation
9 of prescription orders prepared on routine, regularly observed prescribing patterns and the
10 preparation of drugs as an incident to research, teaching or chemical analysis or for
11 administration by a medical practitioner to the medical practitioner's patient and not for
12 sale or dispensing. Compounding does not include the preparation of commercially
13 available products from bulk compounds or the preparation of drugs for sale to
14 pharmacies, practitioners or entities for the purpose of dispensing or distribution), and
15 Arizona Administrative Code R4-23-410(A)(3) (neither the pharmacy permittee nor a
16 pharmacist employed by the pharmacy permittee provides a compounded pharmaceutical
17 product to a pharmacy, medical practitioner, or other person for dispensing or distributing
18 except that a compounded pharmaceutical product may be provided to a medical
19 practitioner to administer to a patient of the medical practitioner if each container is
20 accompanied by the written list required in subsection (1)(5) and has a label that includes
21 (1) the pharmacy name, address and telephone number, (2) the pharmaceutical product's
22 name and the information required in subsection (1)(5) and (3) a lot or control number);
23 and A.R.S. §32-1968(D) (any drug dispensed in accordance with subsection A of this
24 section is exempt from the requirements of A.R.S. §32-1967(1), (10) and (11) and the
25 packaging requirements of subsection A(7) and (8), if the drug container bears a label
26

1 containing the name and address of the dispenser, serial number, date of dispensing,
2 name of the prescriber, name of the patient, or if an animal, the name of the owner of the
3 animal and the species of the animal, directions for use and cautionary statements, if any,
4 contained in the order. This exemption does not apply to any drug dispensed in the
5 course of the conduct of a business of dispensing drugs pursuant to diagnosis by mail or
6 the internet or to a drug dispensed in violation of subsection A of this section.)

7
8 **ORDER**

9 Based upon the above Findings of Fact and Conclusions of Law, IT IS HEREBY
10 ORDERED THAT Respondent shall:

11 1. Pay a civil penalty of \$10.00 per prescription filled/compounded in
12 violation of the deviation granted by the Board and contrary to the Board's statutes and
13 rules (2220 said prescriptions) for a total of \$22,200 within 180 days of the effective date
14 of this Order. The effective date of this Order is the date it is signed by the Board's
15 Executive Director.

16 2. Pay the investigative costs in this matter in the sum of \$175 within 180
17 days of the effective date of this Order.

18 3. The deviation granted to Respondent in August of 2014, is hereby
19 RESCINDED.

20 4. If Respondent violates this Order in any way or fails to fulfill the
21 requirements of this Order, the Board, after giving the Respondent notice and the
22 opportunity to be heard, may revoke, suspend or take other disciplinary actions against
23 Respondent's permit. The issue at such a hearing will be limited solely to whether this
24 Order has been violated.

1 DATED this th 11 day of May, 2016.

2
3 ARIZONA STATE BOARD OF PHARMACY

4 (Seal)

5 By: Kam Gandhi
6 KAMLESH GANDHI, PharmD.
Executive Director

7 ORIGINAL OF THE FORGOING FILED
8 this 11th day of May 2016, with:

9 Arizona State Board of Pharmacy
10 1616 W. Adams, Ste. 120
Phoenix, Arizona 85007

11 EXECUTED COPY OF THE FOREGOING MAILED
12 BY CERTIFIED MAIL
13 this 6th day of July, 2016, to:

14 Vasco Rx
15 4045 E. Bell Road, Ste. 163
Phoenix, AZ 85032
Respondent

16 EXECUTED COPY OF THE FOREGOING MAILED
17 this 6th day of July 2016, to:

18 Susan B. Trujillo
19 Ouarles & Brady, LLP
20 One Renaissance Square
Two North Central Avenue
21 Phoenix, Arizona 85004

22 Jeanne M. Galvin
23 Assistant Attorney General
1275 W. Washington Street, SGD/LES
Phoenix, Arizona 85007
24 Attorney for the Board

25
26 #5039394

**HAWAII BOARD OF PHARMACY
SETTLEMENT AGREEMENT**

4. RICO obtained a copy of a Consent Agreement from the Arizona State Board of Pharmacy issued to Respondent in Board Case No. 16-0012-PHR (hereinafter the "Arizona Agreement") (Exhibit "1"). The Arizona Agreement was based on allegations Respondent failed to follow processes described in a deviation request related to a remote dispensing device. Pursuant to the terms of the Arizona Agreement, the deviation was rescinded and Respondent was ordered to pay a \$22,200.00 civil penalty and \$175.00 in costs.

5. RICO alleges Respondent was disciplined by the State of Arizona.

6. The foregoing allegations, if proven at an administrative hearing before the Board, would constitute violations of the following statute(s) and/or rule(s): Hawaii Revised Statutes ("HRS") § 436B-19(13) (disciplinary action by another state or federal agency).

7. The Board has jurisdiction over the subject matter herein and over the parties hereto.

B. REPRESENTATIONS BY RESPONDENT:

1. Respondent is fully aware that Respondent has the right to be represented by an attorney and voluntarily waives that right.

2. Respondent enters into this Settlement Agreement freely, knowingly, voluntarily, and under no coercion or duress.

3. Respondent is aware of the right to have a hearing to adjudicate the issues in the case. Pursuant to HRS § 91-9(d), Respondent freely, knowingly, and voluntarily waives the right to a hearing, and agrees to dispose of this case in accordance with the terms and conditions of this Settlement Agreement.

4. Respondent, being at all times relevant herein permitted as a miscellaneous permit holder by the Board, acknowledges that Respondent is subject to penalties including but not limited to, revocation, suspension or limitation of the permit and administrative fines, if the foregoing allegations are proven at hearing.

5. Respondent further understands that RICO enters into this Settlement Agreement, and agrees to the specific terms contained in this Settlement Agreement, based upon Respondent's representations made herein.

6. Respondent represents Exhibit "1" is a true and correct copy of the Consent Agreement from the Arizona State Board of Pharmacy issued to Respondent in Board Case No. 16-0012-PHR.

7. Respondent understands that any false or untrue statement or any material misrepresentation or omission of fact by Respondent in this settlement agreement may be grounds for further disciplinary action under HRS Chapters 436B and 461.

8. Respondent does not admit to violating any law or rule, but acknowledges that RICO has sufficient cause to file a Petition for Disciplinary Action against Respondent's permit.

9. Respondent enters into this Settlement Agreement as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing on this matter.

10. Respondent agrees that this Settlement Agreement is intended to resolve the issues raised in RICO's investigation in RICO Case No. PHA 2016-110-L.

11. Respondent understands that this Settlement Agreement may be subject to reporting requirements.

12. Respondent understands this Settlement Agreement is public record pursuant to Hawaii Revised Statutes Chapter 92F.

C. TERMS OF SETTLEMENT:

1. **Administrative Fine.** Respondent agrees to pay a fine in the amount of TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$2,500.00). Payment shall be made by cashier's check or money order made payable to "DCCA - Compliance Resolution Fund" and mailed to the Regulated Industries Complaints Office, Attn: John T. Hassler, Esq., 235 S. Beretania Street, 9th Floor, Honolulu, Hawaii 96813. Payment of the fine shall be due at the time this Settlement Agreement is returned to RICO.

2. **Failure to Comply with Settlement Agreement.** If Respondent fails to fully and timely comply with the terms of this Settlement Agreement as set forth in paragraph C.1. above, Respondent's permit shall be automatically revoked upon RICO's filing of an affidavit with the Board attesting to such failure. In case of such revocation, Respondent shall turn in all indicia of licensure to the Executive Officer of the Board within ten (10) days after receipt of notice of the revocation. In case of such revocation, Respondent understands Respondent cannot apply for a new permit until the expiration of at least five (5) years after the effective date of the revocation. Respondent understands that if Respondent desires to become permitted again, Respondent must apply to the Board for a new permit pursuant to and subject to HRS §§ 92-17, 436B-21, and all other applicable laws and rules in effect at the time.

3. **Possible Further Sanction.** The Board, at its discretion, may pursue additional disciplinary action as provided by law to include further fines and other sanctions as the Board may deem appropriate if Respondent violates any provision of the statutes or rules governing the conduct of pharmacies in the State of Hawaii, or if Respondent fails to abide by the terms of this Settlement Agreement.

4. **Approval of the Board.** Respondent agrees that, except for the representations, agreements and covenants contained in Paragraphs C.5., C.6., C.7., and C.8. below, this Settlement Agreement shall not be binding on any of the parties unless and until it is approved by the Board.

5. No Objection if Board Fails to Approve. If the Board does not approve this Settlement Agreement, does not issue an order pursuant thereto, or does not approve a lesser remedy, but instead an administrative hearing is conducted against Respondent in the Board's usual and customary fashion pursuant to the Administrative Procedure Act, Respondent agrees that neither Respondent, nor any attorney that Respondent may retain, will raise as an objection in any administrative proceeding or in any judicial action, to the Board's proceeding against Respondent on the basis that the Board has become disqualified to consider the case because of its review and consideration of this Settlement Agreement.

6. Any Ambiguities Shall be Construed to Protect the Consuming Public. It is agreed that any ambiguity in this Settlement Agreement is to be read in the manner that most completely protects the interests of the consuming public.

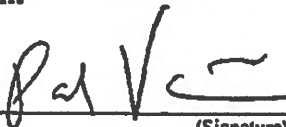
7. No Reliance on Representations by RICO. Other than the matters specifically stated in this Settlement Agreement, neither RICO nor anyone acting on its behalf has made any representation of fact, opinion, or promise to Respondent to induce entry into this Settlement Agreement, and Respondent is not relying upon any statement, representation or opinion, or promise made by RICO or any of its agents, employees, representatives, or attorneys concerning the nature, extent or duration of exposure to legal liability arising from the subject matter of this Settlement Agreement or concerning any other matter.

8. Complete Agreement. This Settlement Agreement is a complete settlement of the rights, responsibilities and liabilities of the parties hereto with respect to the subject matter hereof; contains the entire agreement of the parties; and may only be modified, changed or amended by written instrument duly executed by all parties hereto.

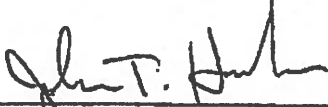
IN WITNESS WHEREOF, the parties have signed this Settlement Agreement on the date(s) set forth below.

DATED: Phoenix, AZ, 04/24/2017.
(City) (State) (Date)

VITALAB PHARMACY, INC.,
doing business as VASCO RX
Respondent

By: 
(Signature)
Paul Vasilavskas
(Print Name)
Its President


DATED: Honolulu, Hawaii, APR 26 2017.


DARIA A. LOY-GOTO
JOHN T. HASSLER
Attorneys for Department of Commerce
and Consumer Affairs

IN THE MATTER OF THE MISCELLANEOUS PERMIT OF VITALAB PHARMACY, INC., DOING BUSINESS AS VASCO RX;
SETTLEMENT AGREEMENT PRIOR TO FILING OF PETITION FOR DISCIPLINARY ACTION AND BOARD'S FINAL ORDER;
EXHIBIT "1"; RICO CASE NO. PHA 2016-110-L

IN THE MATTER OF THE MISCELLANEOUS PERMIT OF VITALAB PHARMACY, INC.,
DOING BUSINESS AS VASCO RX; SETTLEMENT AGREEMENT PRIOR TO FILING OF
PETITION FOR DISCIPLINARY ACTION AND BOARD'S FINAL ORDER; EXHIBIT "1";
RICO CASE NO. PHA 2016-110-L

APPROVED AND SO ORDERED:
BOARD OF PHARMACY
STATE OF HAWAII


KERRI OKAMURA
Chairperson

5/18/17
DATE


GARRETT A. LAU
Vice Chairperson

MARCELLA CHOCK


MARY JO KEEFE

CAROLYN S. J. MA


RONALD WEINBERG


JULIE YURIE TAKISHIMA-LACASA

PVL 05/26/16

STATE OF AZ)
) SS.
 COUNTY OF MARICOPA)

On this 24 day of APRIL, 2017, before me personally appeared PAUL VINCENT VASKIAUSKAS, to me known to be the person described, and who executed the foregoing instrument on behalf of VITALAB PHARMACY, INC., DOING BUSINESS AS VASCO RX as its PRESIDENT, and acknowledged that he/she executed the same as his/her free act and deed.

This 7-page SETTLEMENT AGREEMENT PRIOR TO FILING OF PETITION FOR DISCIPLINARY ACTION AND BOARD'S FINAL ORDER document dated

4/24/2017, 2017 was acknowledged before me by
 [Date Document Signed by Respondent]

PAUL VINCENT VASKIAUSKAS this 24 day of APRIL, 2017,
 [Name of Person Signing Document]

in the City of PHOENIX, in the County of MARICOPA, in the State of AZ.



Michael R. Webb
 Name: MICHAEL R. WEBB
 Notary Public, State of AZ

My Commission expires: 1/25/2018

ALABAMA BOARD OF PHARMACY
CONSENT ORDER

IN THE MATTER OF:

VASCO RX

Non-Resident Pharmacy
Permit Number: 113335

BEFORE THE ALABAMA STATE
BOARD OF PHARMACY

CASE NO: 16-L-0083

CONSENT ORDER

THIS MATTER comes before the Alabama State Board of Pharmacy (hereinafter referred to as the "Board") on a complaint against Vasco RX which resulted in the filing of a Statement of Charges and Notice of Hearing ("Statement") alleging violations of the Alabama Pharmacy Practice Act as are more particularly set out in the Statement which is attached hereto as Exhibit "A."

Prior to a hearing in this cause, and pursuant to Code of Alabama (1975) §41-22-12(f), the Board through its counsel and Vasco RX through its counsel engaged in negotiations and as a result the matters at issue were resolved informally by the parties and the parties negotiated a Consent Order, the terms of which are as follows:

1. The Board finds that Vasco violated the provisions of law based upon the conduct set out in all Counts of the Statement.

2. Vasco RX shall pay an administrative fine in the amount of Five Thousand Dollars (\$5,000.00) within thirty (30) days of the effective date of this consent order that being the day the same is signed on behalf of the Board. This payment shall not be subject to discharge in bankruptcy nor shall either pharmacy attempt to discharge the same.

3. Vasco RX expressly waive its rights pursuant to the Alabama Pharmacy Practice Act, the Alabama Administrative Procedure Act and the Alabama Uniform Controlled Substances Act, including but not limited to the Code of Alabama (1975),

§34-23-34 and §34-23-92(12), Code of Alabama (1975), §41-22-12 and §40-22-20 and Code of Alabama (1975), § 20-2-50 et seq., and including but not limited to the opportunity for a hearing before the Board in connection with any charges against it and any judicial review. Vasco RX further waives any objection to the attorney for the Board preparing, drafting or making this Order, including the waiver of any objection or right pursuant to Code of Alabama (1975), §41-22-18.

4. By execution of this Consent Order, Vasco RX hereby releases the Board, its members, agents, representatives, servants and employees from any and all liability, claims, damages, fees or expenses arising out of or made in connection with the matters relating to this Consent Order and Statement.

5. Vasco RX acknowledges and agrees that any future violation of the Alabama Pharmacy Practice Act, the laws that regulate the sale and/or dispensing of prescription or legend drugs and/or narcotics or any Rules and regulations of the Alabama State Board of Pharmacy or the pharmacy law or rules of the Board of Pharmacy of another state or any other applicable laws, may, upon proof and hearing thereof, result in further disciplinary sanctions against Vasco RX's permit, including, but not limited to revocation.

6. Vasco RX acknowledges and agrees that it has read this Consent Order and that it fully understand the terms, conditions and contents of the same. Vasco RX acknowledges and agrees that it voluntarily and of its own free will accepts the terms and conditions set out in this Consent Order and is signing this Consent Order on the advice of its attorney.

DONE this the 15th of November, 2016.

VASCO RX

BY: Paul Vasco

ITS: President

1112

Spencer H. Larche, attorney for Vasco RX

ALABAMA STATE BOARD OF PHARMACY

By: Timothy A. Martin
Timothy A. Martin, Pharm.D., President

By: James S. Ward
James S. Ward,
Attorney for the Alabama State
Board of Pharmacy

OF COUNSEL:

WARD & WILSON, LLC
2100A Southbridge Parkway
Suite 580
Birmingham, AL 35209
(205) 871-5404

IN THE MATTER OF:

VASCO RX

Non-Resident Pharmacy
Permit Number: 113335

BEFORE THE ALABAMA STATE
BOARD OF PHARMACY

CASE NO: 16-L-0083

STATEMENT OF CHARGES AND NOTICE OF HEARING

TO: VASCO Rx
4045 E. Bell Road
#163
Phoenix, Arizona 85032

Pursuant to the provisions of Code of Alabama (1975), § 34-23-34 and § 34-23-92(12), Code of Alabama (1975), §20-2-213(e) and Code of Alabama (1975), § 41-22-12, you are hereby notified and requested to appear before the Alabama State Board of Pharmacy (hereinafter referred to as the "Board") on _____, 2016 at _____ m., at the State Board of Pharmacy Conference Room, 111 Village Street, Birmingham, Alabama 35242, and from time to time thereafter as may be required by the Board for the purpose of a hearing to determine why the permit to operate VASCO Rx (VASCO) should not be revoked, suspended or placed on probation or a monetary penalty imposed in that it is alleged that VASCO has been guilty of the following, to-wit:

COUNT ONE:

Violating Code of Alabama (1975), § 34-23-33(6) based upon making certain representations to the Arizona State Board of Pharmacy in connection with obtaining a deviation related to a remote processing device, the Board relying on those representations in granting the deviation, the Board later determining those

representations were false, fraudulent and/or not performed. The specific representations made are set out in the Findings of Fact 3(a)-(l) and what was actually performed is set out in Findings of Fact 5(a)-(l) of a Consent Agreement For Civil Penalty and Recission of Deviation entered by the Arizona State Board of Pharmacy on May 11, 2016 attached hereto as Exhibit "A".

COUNT TWO

Violating Code of Alabama (1975), § 34-23-33(2) based upon the Consent Agreement referenced above and/or some or all of the Conclusions of Law set out in Paragraph 3 under "Conclusions of Law".

COUNT THREE

Violating Code of Alabama (1975), § 34-23-33(13) in that you violated Board Rule 680-X-2-22(2)(d) based upon any or all of the allegations of the preceding Counts.

COUNT FOUR

Violating Code of Alabama (1975), § 34-23-33(13) in that you violated Board Rule 680-X-2-22(2)(f) based upon any or all of the allegations of Counts One and/or Two above.

Further, pursuant to the provisions of Code of Alabama, (1975), §20-2-53 and §41-22-12, you are hereby notified and requested to appear before the Board at the aforesaid time and place and from time to time thereafter as may be requested by the Board for the purpose of a hearing to determine why your registration to manufacture, dispense or distribute controlled substances enumerated in Schedules II, III, IV and V of the Alabama Uniform Controlled Substances Act, Code of Alabama (1975), §20-2-1, et.

seq., issued pursuant to Code of Alabama (1975), §20-2-52, should not be suspended or revoked in that it is alleged that you have been guilty of the following:

COUNT FIVE

Violating Code of Alabama (1975), §20-2-54(a)(4) by violating the provisions of Code of Alabama (1975), §34-23-1 et seq., said violation being based upon any or all of the allegations contained in the preceding Counts of this Statement of Charges and Notice of Hearing.

At the aforesaid time and place and from time to time thereafter as may be directed by the Board, you may be represented by an attorney, if you so desire, cross-examine all witnesses who testify against you and present such evidence in your own behalf in response to these charges as you consider necessary and appropriate.

Dated this the _____ day of _____, 2016.

ALABAMA STATE BOARD OF PHARMACY

By: Susan Alverson
Secretary

1 **MARK BRNOVICH**
 2 Attorney General
 (Firm State Bar No. 14000)

3 **JEANNE M. GALVIN**
 4 Assistant Attorney General
 State Bar No. 015072
 5 1275 W. Washington, SGD/LES
 Phoenix, Arizona 85007-2997
 6 Tel: (602) 542-7983
 Fax: (602) 364-3202

7 Attorneys for the Arizona State Board of Pharmacy

8 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**
 9

10 In the Matter of:

11 **VASCO Rx**

12 Holder of Permit No. Y004706
 13 In the State of Arizona,

14 Respondent.

Board Case No. 16-0012-PHR

**CONSENT AGREEMENT
 FOR CIVIL PENALTY AND
 RECISSION OF DEVIATION**

15
 16 In the interest of a prompt and judicious settlement of this case, consistent with the
 17 public interest, statutory requirements and the responsibilities of the Arizona State Board
 18 of Pharmacy ("Board") under A.R.S. § 32-1901, *et seq.*, Vasco Rx Pharmacy, holder of
 19 Permit No. Y004706 (hereinafter, "Respondent" or "Vasco Rx") and the Board enter into
 20 the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent
 21 Agreement") as a final disposition of this matter.

22 **RECITALS**

23 1. Respondent has read and understands this Consent Agreement and has had
 24 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
 25 opportunity to discuss this Consent Agreement with an attorney.
 26

1 2. Respondent understands that it has a right to a public administrative hearing
2 concerning this matter at which hearing it could present evidence and cross examine
3 witnesses. By entering into this Consent Agreement, Respondent knowingly and
4 voluntarily relinquishes all right to such an administrative hearing, as well as rights of
5 rehearing, review, reconsideration, appeal, judicial review or any other administrative
6 and/or judicial action, concerning the matters set forth herein.

7 3. Respondent affirmatively agrees that this Consent Agreement shall be
8 irrevocable.

9 4. Respondent understands that this Consent Agreement or any part of the
10 agreement may be considered in any future disciplinary action by the Board against it.

11 5. Respondent understands this Consent Agreement deals with Board
12 Complaint No. 4487 involving allegations of unprofessional conduct against Respondent.
13 The investigation into these allegations against Respondent shall be concluded upon the
14 Board's adoption of this Consent Agreement.

15 6. Respondent understands that this Consent Agreement does not constitute a
16 dismissal or resolution of any other matters currently pending before the Board, if any,
17 and does not constitute any waiver, express or implied, of the Board's statutory authority
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19 7. Respondent also understands that acceptance of this Consent Agreement
20 does not preclude any other agency, subdivision, or officer of this State from instituting
21 any other civil or criminal proceedings with respect to the conduct that is the subject of
22 this Consent Agreement.

23 8. Respondent acknowledges and agrees that, upon signing this Consent
24 Agreement and returning this document to the Board's Executive Director, it may not
25 revoke its acceptance of the Consent Agreement or make any modifications to the
26

1 e. The remote dispensing device inventory will only be accessed and
2 scanned by a Vasco Rx employee pharmacist.

3 f. A Vasco Rx Pharmacist will be on-site at Integrity Rx every day at a
4 designated time.

5 g. Integrity Rx receives a prescription for a compounded medication,
6 and after patient authorization, transfers the prescription to Vasco Rx.

7 h. The Vasco Rx operating system will talk to the remote dispensing
8 device system and a label will print. Inventory will be checked by a Vasco Rx
9 pharmacist.
10

11 i. All product dispensing will be labeled and checked by a Vasco Rx
12 pharmacist and placed in a tote dedicated for that patient.
13

14 4. Based upon the Respondent's representations, the Board granted
15 Respondent a deviation.

16 5. A routine inspection conducted at Integrity Rx Specialty Pharmacy on
17 February 5, 2016, revealed the following:
18

19 a. No remote dispensing device provided by Vasco Rx was within the
20 Integrity Rx. Rather, two file cabinets with locks labeled "property of Vasco Rx Specialty
21 Pharmacy" were present. Jeffrey Karp indicated that no remote dispensing device was
22 ever placed by Vasco Rx.
23

24 b. Compounded medication labeled property of Vasco Rx was found in
25 each file cabinet drawer.
26

1 7. Respondent further stated that "Based on the cost of obtaining a remote
2 device, and due to our misbelief that we met the qualifications for shared services and
3 therefore didn't think that the remote device was necessary for what we wanted to do, we
4 chose to implement a program which provided security and record-keeping processes for
5 the Vasco stock, but did not put the stock into an automated dispensing machine....[W]e
6 realize now that the automated dispensing machine was an integral part of the program."

8 8. Respondent also acknowledged that Jeffrey Karp's role as pharmacist for
9 both Integrity Rx and Vasco Rx "may not be seen as meeting what we described during
10 the presentation in front of the Board and for that we are both deeply regretful and
11 genuinely embarrassed."

13 9. According to information gathered during the inspection, approximately
14 2,200 prescriptions were compounded/filled contrary to the deviation granted by the
15 Board and therefore in violation of the Board's statutes and rules.

17 10. Finally, Respondent noted that the program was ceased immediately after
18 the inspection was completed. All compounded stock was returned to Vasco Rx and in its
19 place is a more traditional process whereby prescriptions are verbally transferred to
20 Vasco pharmacists in the Vasco pharmacy where prescriptions are filled.

21 **CONCLUSIONS OF LAW**

22 1. The Board possesses jurisdiction over the subject matter and over
23 Respondent pursuant to A.R.S. § 32-1901 *et seq.*

24 2. The Board may discipline a permittee who has engaged in unprofessional
25 conduct. A.R.S. §32-1927.02.
26

1 3. The failure to follow the processes described in the deviation request
2 approved by the Board constitutes unprofessional conduct pursuant to A.R.S. §§ 32-
3 1901.01(A)(18) (violating or attempting to violate, directly or indirectly, or assisting in or
4 abetting the violation of, or conspiring to violate, the board's statutes or rules) as it relates
5 to A.R.S. §32-1901(8) (Compounding means the preparation, mixing, assembling,
6 packaging or labeling of a drug by a pharmacist or an intern or pharmacy technician
7 under the pharmacist's supervision, for the purpose of dispensing to a patient based on a
8 valid prescription order. Compounding includes the preparation of drugs in anticipation
9 of prescription orders prepared on routine, regularly observed prescribing patterns and the
10 preparation of drugs as an incident to research, teaching or chemical analysis or for
11 administration by a medical practitioner to the medical practitioner's patient and not for
12 sale or dispensing. Compounding does not include the preparation of commercially
13 available products from bulk compounds or the preparation of drugs for sale to
14 pharmacies, practitioners or entities for the purpose of dispensing or distribution), and
15 Arizona Administrative Code R4-23-410(A)(3) (neither the pharmacy permittee nor a
16 pharmacist employed by the pharmacy permittee provides a compounded pharmaceutical
17 product to a pharmacy, medical practitioner, or other person for dispensing or distributing
18 except that a compounded pharmaceutical product may be provided to a medical
19 practitioner to administer to a patient of the medical practitioner if each container is
20 accompanied by the written list required in subsection (I)(5) and has a label that includes
21 (1) the pharmacy name, address and telephone number, (2) the pharmaceutical product's
22 name and the information required in subsection (I)(5) and (3) a lot or control number);
23 and A.R.S. §32-1968(D) (any drug dispensed in accordance with subsection A of this
24 section is exempt from the requirements of A.R.S. §32-1967(1), (10) and (11) and the
25 packaging requirements of subsection A(7) and (8), if the drug container bears a label
26

1 containing the name and address of the dispenser, serial number, date of dispensing,
2 name of the prescriber, name of the patient, or if an animal, the name of the owner of the
3 animal and the species of the animal, directions for use and cautionary statements, if any,
4 contained in the order. This exemption does not apply to any drug dispensed in the
5 course of the conduct of a business of dispensing drugs pursuant to diagnosis by mail or
6 the internet or to a drug dispensed in violation of subsection A of this section.)

7
8 **ORDER**

9 Based upon the above Findings of Fact and Conclusions of Law, IT IS HEREBY
10 ORDERED THAT Respondent shall:

11 1. Pay a civil penalty of \$10.00 per prescription filled/compounded in
12 violation of the deviation granted by the Board and contrary to the Board's statutes and
13 rules (2220 said prescriptions) for a total of \$22,200 within 180 days of the effective date
14 of this Order. The effective date of this Order is the date it is signed by the Board's
15 Executive Director.

16 2. Pay the investigative costs in this matter in the sum of \$175 within 180
17 days of the effective date of this Order.

18 3. The deviation granted to Respondent in August of 2014, is hereby
19 RESCINDED.

20 4. If Respondent violates this Order in any way or fails to fulfill the
21 requirements of this Order, the Board, after giving the Respondent notice and the
22 opportunity to be heard, may revoke, suspend or take other disciplinary actions against
23 Respondent's permit. The issue at such a hearing will be limited solely to whether this
24 Order has been violated.

1 DATED this th 11 day of May, 2016.

2
3 (Seal)

ARIZONA STATE BOARD OF PHARMACY

4
5 By:

Kamlesh Gandhi
KAMLESH GANDHI, PharmD.
Executive Director

6
7 ORIGINAL OF THE FORGOING FILED
8 this 11th day of May, 2016, with:

9 Arizona State Board of Pharmacy
10 1616 W. Adams, Ste. 120
Phoenix, Arizona 85007

11 EXECUTED COPY OF THE FOREGOING MAILED
12 BY CERTIFIED MAIL
13 this 6th day of July, 2016, to:

14 Vasco Rx.
15 4045 E. Bell Road, Ste. 163
Phoenix, AZ 85032
Respondent

16 EXECUTED COPY OF THE FOREGOING MAILED
17 this 6th day of July, 2016, to:

18 Susan B. Trujillo
19 Quarles & Brady, LLP
One Renaissance Square
20 Two North Central Avenue
Phoenix, Arizona 85004

21 Jeanne M. Galvin
22 Assistant Attorney General
23 1275 W. Washington Street, SGD/LES
Phoenix, Arizona 85007
24 Attorney for the Board
25

26 #5039394

ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION
CONSENT ORDER

**STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION**

DEPARTMENT OF FINANCIAL AND PROFESSIONAL)	
REGULATION, DIVISION OF PROFESSIONAL REGULATION)	
of the State of Illinois,	Complainant,)	
v.)	No. 2016-11188
VITALAB PHARMACY, INC)	
License No. 054.016668,	Respondent.)	

CONSENT ORDER

The Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation, by and through Brandon R. Thom, Enforcement Attorney of Health-Related Prosecutions, and VITALAB PHARMACY INC, Respondent, hereby agree to the following:

STIPULATIONS

VITALAB PHARMACY INC (hereinafter the "Respondent") is the holder of a pharmacy license in the State of Illinois, License No. 054.016668. Said license is currently in active status. At all times material to the matters set forth in this Consent Order, the Department of Financial and Professional Regulation of the State of Illinois, Division of Professional Regulation (hereinafter the "Department") has had jurisdiction over the subject matter and parties herein.

The Department received a self-report from Respondent on December 27, 2016, indicating the Respondent was disciplined by multiple states due to an action taken by Arizona's Board of Pharmacy in case number 16-0012-PHR. On or about July 6, 2016, Respondent was assessed a civil penalty of twenty-two thousand two hundred dollars (\$22,200.00) by the Arizona Board of Pharmacy due to multiple violations found during a routine inspection on February 5,

2016, and for failing to meet the terms of a deviation granted to their Arizona license for a remote dispensing device.

The aforementioned conduct, if proven to be true, would constitute grounds for disciplinary action against Respondent's pharmacy license on the authority of 225 ILCS 85/30 (a)(2), and (8).

Respondent has been advised of the right to have the pending allegation(s) reduced to written charges, the right to counsel, the right to a hearing, the right to contest any charges brought, and the right to administrative review of any Order resulting from a hearing. Respondent knowingly waives each of these rights, as well as any right to administrative review of this Consent Order. Such waiver ceases if this Consent Order is rejected by either the Illinois State Board of Pharmacy or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation. Respondent acknowledges that Respondent has entered into this Consent Order freely and of Respondent's own will without threat or coercion by the Department or any person. Respondent acknowledges that the Department attorney may be requested to communicate with the Illinois State Board of Pharmacy or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation in furtherance of the approval of this Consent Order.

Respondent and the Department have agreed that Respondent be permitted to enter into this Consent Order with the Department, providing for the imposition of disciplinary measures which are fair and equitable in these circumstances and which are consistent with the best interests of the people of the State of Illinois.

CONDITIONS

WHEREFORE, the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation, through Brandon R. Thom, Enforcement Attorney of Health-Related Prosecutions, and VITALAB PHARMACY INC, Respondent, agree:

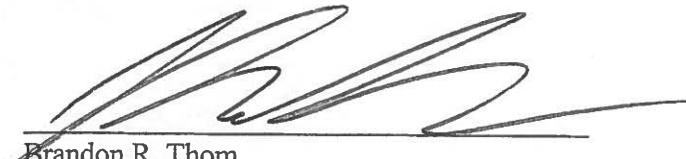
- A. The pharmacy license of VITALAB PHARMACY INC, license No. 054.016668, is REPRIMANDED.
- B. This Consent Order shall become effective immediately upon signing and approval by the Director of the Division of Professional Regulation of the Department.
- C. This Consent Order is a public disciplinary action and will be reported to all applicable public indexes, including the National Practitioner Databank. This Consent Order will be available to the general public.
- D. The above-named Respondent consents to electronic service of the Final Director's

Order-in-lieu-of-service-by-certified-mail. Service shall be made upon Respondent's email address.

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DIVISION OF PROFESSIONAL REGULATION
of the State of Illinois

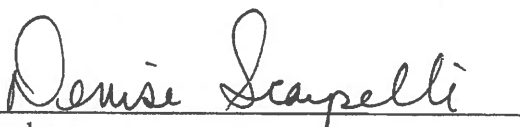
10/4/17
DATE


Brandon R. Thom
Enforcement Attorney, Health-Related Prosecutions

10/2/17
DATE


VITALAB PHARMACY INC.
Respondent

10/19/17
DATE


Member-
Illinois State Board of Pharmacy

THIS CONSENT ORDER IS APPROVED IN FULL:

DATED THIS 2 DAY OF December, 20 17.

ILLINOIS DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION
OF THE STATE OF ILLINOIS
BRYAN SCHNEIDER, SECRETARY
DIVISION OF PROFESSIONAL REGULATION


JESSICA BAER
DIRECTOR

Case No. 2016-11188
License No. 054.016668

PENNSYLVANIA STATE BOARD OF PHARMACY
ORDER

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF PHARMACY**

PROTHONOTARY

2018 MAR 1 AM 10:24

Department of State

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

File No.: 17-54-05737

vs.

**Vasco Rx,
Respondent**

Docket No: 1603-54-17

CONSENT AGREEMENT AND ORDER

PARTIES

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs ("Commonwealth") and Vasco Rx ("Respondent") stipulate as follows in settlement of the above-captioned case.

APPLICABLE LAW

1. This matter is before the State Board of Pharmacy ("Board") pursuant to the Pharmacy Act, Act of September 27, 1961, P.L. 1700, ("Act"), *as amended*, 63 P.S. §§ 390-1 to 390-13; and/or the Act of July 2, 1993, P.L. 345, No. 48 ("ACT 48"), *as amended*, 63 P.S. §§ 2201-2207.

LICENSURE STATUS

2. At all relevant and material times, Respondent held the following registration to practice as a non-resident pharmacy in the Commonwealth of Pennsylvania: registration no. NP000488, which was originally issued on July 5, 2016, and which is currently set to expire on August 31, 2019.

STIPULATED FACTS

3. The Respondent admits that the following allegations are true:

a. Absent additional Board action, Respondent's registration may be continually reactivated, renewed, or reinstated upon the filing of the appropriate documentation and payment of the necessary fees.

b. Respondent's last known office address on file with the Board is: 4045 E. Bell Road, #163, Phoenix, AZ 85032.

c. At all relevant and material times, Respondent was authorized to practice as a pharmacy in the State of Arizona.

d. On or about May 11, 2016, the Arizona State Board of Pharmacy ("Arizona Board") approved a Consent Agreement for Civil Penalty and Recission of Deviation In the Matter of Vasco Rx, Respondent.

e. The Arizona Board ordered Respondent to pay a civil penalty of \$22,200.00 to the State of Arizona.

f. At all relevant and material times, Respondent was authorized to practice as a nonresident pharmacy in the State of Alabama.

g. On or about November 15, 2016, the Alabama State Board of Pharmacy ("Alabama Board") approved a Consent Order In the Matter of Vasco Rx, Non-Resident Pharmacy Permit Number: 113335 at Case No: 16-L-0083.

h. A true and correct copy of the Consent Order referenced in paragraph 3g is attached and incorporated as **Exhibit 1**.

i. The Alabama Board ordered Respondent to pay an administrative fine of \$5000.00 to the State of Alabama.

j. Respondent reported the state disciplinary actions referenced in paragraph 3d and 3g in a timely manner to the Pennsylvania State Board of Pharmacy.

ALLEGED VIOLATIONS

4. The Commonwealth alleges that the Board is authorized to suspend or revoke, or otherwise restrict Respondent's license under Section 4.1(e) of the Act, 63 P.S. §§ 390-4.1(e); or impose a civil penalty under Section 8 of the Act, 63 P.S. §390-8, and/or Section 5(b)(4) of ACT 48, 63 P.S. §2205(b)(4) and/or impose the costs of investigation under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at Section 4.1(g), 63 P.S. § 390-4.1(g), in that Respondent had a permit to conduct a nonresident pharmacy disciplined by the proper licensing authority of another state.

PROPOSED ORDER

5. The parties, intending to be legally bound, consent to the issuance of the following Order in settlement of this matter:

a. The Board finds that it is authorized to suspend or revoke, or otherwise restrict Respondent's license under Section 4.1(e) of the Act, 63 P.S. §§ 390-4.1(e); or impose a civil penalty under Section 8 of the Act, 63 P.S. §390-8, and/or Section 5(b)(4) of ACT 48, 63 P.S. §2205(b)(4) and/or impose the costs of investigation under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated the Act at Section 4.1(g), 63 P.S. § 390-4.1(g), in that Respondent had a permit to conduct a nonresident pharmacy disciplined by the proper licensing authority of another state.

PUBLIC REPRIMAND

b. A **PUBLIC REPRIMAND** shall be placed on Respondent's permanent disciplinary record with the Board.

CIVIL PENALTY

c. A **CIVIL PENALTY** of one thousand dollars (\$1,000.00) is levied upon Respondent. Respondent shall tender the full sum of one thousand dollars (\$1,000.00) with this executed Consent Agreement and shall be paid by certified check, cashier's check, attorney's check, or money order issued by a usual, customary, and reputable issuer (e.g. U.S. Postal Money Order, Western Union Money Order, etc.). Payment shall be made payable to the "Commonwealth of Pennsylvania," and shall be valid for a period of at least one hundred eighty (180) days. Respondent agrees that payment shall only be made by one of the methods indicated above and shall not be made by uncertified personal or corporate check.

d. This Order constitutes disciplinary action by the Board and shall be reported to other licensing authorities and any applicable national licensing databank as a disciplinary action by the Board.

e. This Consent Agreement contains and represents the entirety of the Board's discipline associated with the Arizona Board's Consent Agreement, the Alabama Board's Consent Order, and any other reciprocal discipline associated with those actions or any other action associated with or resulting from the Arizona Board's Consent Agreement. The Board agrees that it will not impose further discipline upon Respondent for any state board of pharmacy's action associated with the Arizona Board's Consent Agreement or any discipline imposed by any other state for that discipline.

f. This case shall be deemed settled and discontinued upon the Board issuing an Order adopting this Consent Agreement.

ADMISSIBILITY OF CONSENT AGREEMENT IN FUTURE PROCEEDINGS

6. Respondent agrees that if Respondent is charged with a violation of an Act enforced by this Board in the future, this Consent Agreement and Order shall be admitted into evidence without objection in that proceeding.

ACKNOWLEDGMENT OF NOTICE AND WAIVER OF HEARING

7. Respondent acknowledges receipt of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and knowingly and voluntarily waives the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

ACKNOWLEDGMENT OF RIGHT TO ATTORNEY

8. Respondent acknowledges that it is aware that it has the right to consult with, and/or be represented by, private legal counsel of Respondent's choosing and at Respondent's expense when reviewing, considering and accepting the terms of this Consent Agreement. Respondent had an opportunity to consult with Attorney Joseph McHale, regarding this Consent Agreement.

WAIVER OF CLAIM OF COMMINGLING AND OTHER CONSTITUTIONAL CLAIMS

9. Respondent expressly waives any constitutional rights and issues, such as commingling of prosecutorial and adjudicative functions by the Board or its counsel, which may arise or have arisen during the negotiation, preparation and/or presentation of this Consent Agreement. Respondent specifically agrees that if the Board rejects this agreement, it may

assume that the facts and averments as alleged in this Consent Agreement are true and correct for the limited purpose of recommending a sanction, based on those assumed facts, that would be acceptable to the Board before hearing the case. In the event that the Board does assume the facts and averments as alleged in this Consent Agreement are true for purposes of making a recommendation as to an acceptable sanction, such action shall not constitute commingling of prosecutorial and adjudicative functions by the Board or its counsel, and the Respondent expressly waives any constitutional rights and issues related to alleged commingling, bias, or violation of due process rights to have an unbiased and impartial adjudicator in any subsequent hearing. If a hearing is subsequently held, neither this Consent Agreement nor the proposed terms of settlement may be admitted into evidence and any facts, averments, and allegations contained in the Consent Agreement must be proven at hearing unless otherwise separately stipulated. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

NO MODIFICATION OF ORDER

10. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

AGREEMENT NOT BINDING ON OTHER PARTIES

11. The Office of General Counsel has approved this Consent Agreement as to form and legality; however, this Consent Agreement shall have no legal effect unless and until the Board issues an Order approving and adopting this Consent Agreement.

EFFECT OF BOARD'S REJECTION OF CONSENT AGREEMENT

12. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not

prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

AGREEMENT DOES NOT PREVENT ADDITIONAL DISCIPLINE BASED ON OTHER COMPLAINTS

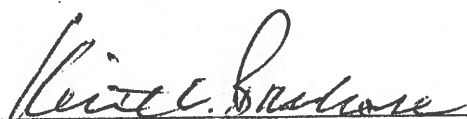
13. Nothing in this Order shall preclude the Prosecution Division for the Commonwealth from filing charges or the Board from imposing disciplinary or corrective measures for violations or facts not contained in this Consent Agreement;

ENTIRE AGREEMENT

14. This agreement contains the whole agreement between the participants; provided however, that the captions printed in the various provisions of this agreement are for ease of reading only and are not to be interpreted as forming any part of this agreement. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

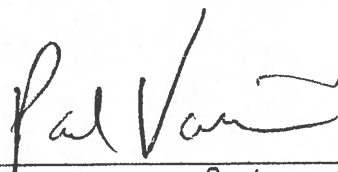
VERIFICATION OF FACTS AND STATEMENTS

15. Respondent verifies that the facts and statements set forth in this Consent Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Consent Agreement are made subject to the criminal penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.



Keith E. Bashore
Prosecuting Attorney

DATED: 12/15/17



For Vasco Rx Paul Vasiltauskas, President
Respondent

DATED: 12/6/17



Joseph McHale
Attorney for Respondent

DATED: 12/7/17

CASE NO: 16-L-0083

Page 1 of 3

§34-23-34 and §34-23-92(12), Code of Alabama (1975), §41-22-12 and §40-22-20 and Code of Alabama (1975), § 20-2-50 et seq., and including but not limited to the opportunity for a hearing before the Board in connection with any charges against it and any judicial review. Vasco RX further waives any objection to the attorney for the Board preparing, drafting or making this Order, including the waiver of any objection or right pursuant to Code of Alabama (1975), §41-22-18.

4. By execution of this Consent Order, Vasco RX hereby releases the Board, its members, agents, representatives, servants and employees from any and all liability, claims, damages, fees or expenses arising out of or made in connection with the matters relating to this Consent Order and Statement.

5. Vasco RX acknowledges and agrees that any future violation of the Alabama Pharmacy Practice Act, the laws that regulate the sale and/or dispensing of prescription or legend drugs and/or narcotics or any Rules and regulations of the Alabama State Board of Pharmacy or the pharmacy law or rules of the Board of Pharmacy of another state or any other applicable laws may, upon proof and hearing thereof, result in further disciplinary sanctions against Vasco RX's permit, including, but not limited to revocation.

6. Vasco RX acknowledges and agrees that it has read this Consent Order and that it fully understand the terms, conditions and contents of the same. Vasco RX acknowledges and agrees that it voluntarily and of its own free will accepts the terms and conditions set out in this Consent Order and is signing this Consent Order on the advice of its attorney.

DONE this the 15th of November, 2016.

VASCO RX

BY: Paul Vasco

ITS: President

1112
Spencer H. Larche, attorney for Vasco RX

ALABAMA STATE BOARD OF PHARMACY

By: Timothy A. Martin

Timothy A. Martin, Pharm.D., President

By: James S. Ward

James S. Ward,
Attorney for the Alabama State
Board of Pharmacy

OF COUNSEL:

WARD & WILSON, LLC
2100A Southbridge Parkway
Suite 580
Birmingham, AL 35209
(205) 871-5404

IN THE MATTER OF:)	
)	BEFORE THE ALABAMA STATE
VASCO RX)	BOARD OF PHARMACY
)	
Non-Resident Pharmacy)	CASE NO: 16-L-0083
Permit Number: 113335)	

STATEMENT OF CHARGES AND NOTICE OF HEARING

TO: VASCO Rx
 4045 E. Bell Road
 #163
 Phoenix, Arizona 85032

Pursuant to the provisions of Code of Alabama (1975), § 34-23-34 and § 34-23-92(12), Code of Alabama (1975), §20-2-213(e) and Code of Alabama (1975), § 41-22-12, you are hereby notified and requested to appear before the Alabama State Board of Pharmacy (hereinafter referred to as the "Board") on November 15, 2016 at 8:00 a m., at the State Board of Pharmacy Conference Room, 111 Village Street, Birmingham, Alabama 35242, and from time to time thereafter as may be required by the Board for the purpose of a hearing to determine why the permit to operate VASCO Rx (VASCO) should not be revoked, suspended or placed on probation or a monetary penalty imposed in that it is alleged that VASCO has been guilty of the following, to-wit:

COUNT ONE

Violating Code of Alabama (1975), § 34-23-33(6) based upon making certain representations to the Arizona State Board of Pharmacy in connection with obtaining a deviation related to a remote processing device, the Board relying on those representations in granting the deviation, the Board later determining those

representations were false, fraudulent and/or not performed. The specific representations made are set out in the Findings of Fact 3(a)-(i) and what was actually performed is set out in Findings of Fact 5(a)-(i) of a Consent Agreement For Civil Penalty and Recission of Deviation entered by the Arizona State Board of Pharmacy on May 11, 2016 attached hereto as Exhibit "A".

COUNT TWO

Violating Code of Alabama (1975), § 34-23-33(2) based upon the Consent Agreement referenced above and/or some or all of the Conclusions of Law set out in Paragraph 3 under "Conclusions of Law".

COUNT THREE

Violating Code of Alabama (1975), § 34-23-33(13) in that you violated Board Rule 680-X-2.22(2)(d) based upon any or all of the allegations of the preceding Counts.

COUNT FOUR

Violating Code of Alabama (1975), § 34-23-33(13) in that you violated Board Rule 680-X-2.22(2)(f) based upon any or all of the allegations of Counts One and/or Two above.

Further, pursuant to the provisions of Code of Alabama, (1975), §20-2-53 and §41-22-12, you are hereby notified and requested to appear before the Board at the aforesaid time and place and from time to time thereafter as may be requested by the Board for the purpose of a hearing to determine why your registration to manufacture, dispense or distribute controlled substances enumerated in Schedules II, III, IV and V of the Alabama Uniform Controlled Substances Act, Code of Alabama (1975), §20-2-1, et.

seq., issued pursuant to Code of Alabama (1975), §20-2-52, should not be suspended or revoked in that it is alleged that you have been guilty of the following:


COUNT FIVE

Violating Code of Alabama (1975), §20-2-54(a)(4) by violating the provisions of Code of Alabama (1975), §34-23-1 et seq., said violation being based upon any or all of the allegations contained in the preceding Counts of this Statement of Charges and Notice of Hearing.

At the aforesaid time and place and from time to time thereafter as may be directed by the Board, you may be represented by an attorney, if you so desire, cross-examine all witnesses who testify against you and present such evidence in your own behalf in response to these charges as you consider necessary and appropriate.

Dated this the 6th day of October, 2016.

ALABAMA STATE BOARD OF PHARMACY


By: Susan Alverson
Secretary

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF PHARMACY**

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

vs.

Vasco Rx,

Respondent

File No.: 17-54-05737

Docket No: 1603-54-17

ORDER

AND NOW, this *27th* day of *February*, 2018, the **STATE BOARD OF PHARMACY** ("Board") approves and adopts the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**

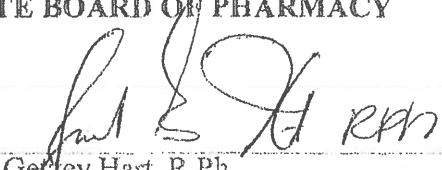

Ian J. Harlow
Commissioner

For the Commonwealth:

For the For the Respondent:

Date of mailing:

**BY ORDER:
STATE BOARD OF PHARMACY**


Janet Getzey Hart, R.Ph.
Chairperson

Keith E. Bashore, Prosecuting Attorney
Pennsylvania Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521

Joseph McHale, Esquire
Stradley Ronon Stevens & Young, LLP
30 Valley Stream Parkway
Malvern, PA 19355-1481

March 1, 2018

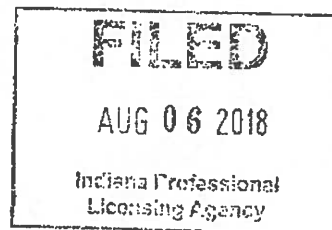
INDIANA STATE BOARD OF PHARMACY
LETTER OF REPRIMAND

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NO. 2018 IBP 0017**

IN THE MATTER OF THE LICENSE OF)

VITALAB PHARMACY, INC.)

LICENSE NO: 64000975A)



**FINAL ORDER ACCEPTING PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER**

The State of Indiana ("Petitioner"), represented by the Office of the Indiana Attorney General by Roxanne M. Hilton, Deputy Attorney General, and Paul Vasiliauskas, President of Vitalab Pharmacy Inc., signed a Proposed Settlement Agreement ("Agreement"), which purports to resolve all issues involved in the aforementioned action by Petitioner and the Indiana Board of Pharmacy ("Board") regarding the Administrative Complaint filed against Respondent, and which Agreement has been submitted to the Board for approval.

The Board, after reviewing the Agreement at the June 11, 2018 meeting held in room W064 of the Indiana Government Center South, 302 West Washing Street, Indianapolis, Indiana, now finds it has been entered into fairly and without fraud, duress, or undue influence, and it is fair and equitable between the parties. The Board hereby incorporates the Agreement which is attached hereto and incorporated herein as **Exhibit A** and approves and adopts in full the Agreement as a resolution of this matter. The Board approved this Agreement by a vote of 7-0-0. Incorporate into the Agreement was the consensus of both parties to Findings of Fact, Conclusions of Law, and Order.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

WHEREFORE, the Board hereby accepts and approves the Agreement, settling all matters in this case consistent with the terms of the Agreement between the parties, and Respondent is hereby **ORDERED** to abide by all the terms of the Agreement as set forth below.

ORDER

1. Respondent shall receive a **LETTER OF REPRIMAND**.
2. Respondent shall pay a fine in the amount of **TWO THOUSAND DOLLARS (\$2,000.00)** payable to the Indiana Professional Licensing Agency at the following address:

Indiana Professional Licensing Agency
Attn: Indiana Board of Pharmacy
402 West Washington Street, Rm. W072
Indianapolis, IN 46204

3. Respondent shall, pursuant to Ind. Code § 4-6-14-10(b), pay a **FEE of FIVE DOLLARS (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Office of the Indiana Attorney General
Attn: Teresa Henson
302 St Washington Street, 5th Floor
Indianapolis, IN 46204.

4. Respondent further understands that a violation of the final order in this matter, any non-compliance with the statutes and regulations regarding the practice of pharmacy or any violation of this Agreement could subject him to further action.

SO ORDERED, this 6th day of August 2018.

INDIANA BOARD OF PHARMACY

By: Maurice Bennett
for Winnie Landis, R.Ph., Board President

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order" has been duly served upon:

Vitalab Pharmacy
C/O Paul Vasiliauskas
4045 East Bell Road, Suite 163
Phoenix AZ 85032
Service by U.S. Mail

Roxanne M. Hilton
Deputy Attorney General
Office of the Indiana Attorney General
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204
Service by Email: Roxanne.Hilton@atg.IN.gov

8/6/18

Date


Nathaniel Black Jr., Litigation Specialist

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: (317) 234-2067
Fax: (317) 233-4236
Email: pla4@pla.in.gov

Explanation of Service Methods

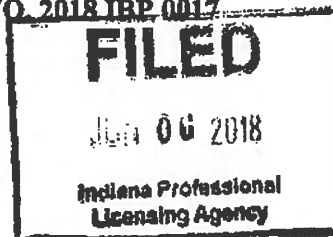
Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NO. 2018 IBP 0017

IN THE MATTER OF THE LICENSE OF)
)
VITALAB PHARMACY, INC.)
)
LICENSE NO: 64000975A)



PROPOSED SETTLEMENT AGREEMENT

The State of Indiana ("Petitioner"), by counsel, Deputy Attorney General Roxanne M. Hilton, on behalf of the Office of the Indiana Attorney General, and Vitalab Pharmacy, Inc. ("Respondent"), hereby execute this Proposed Settlement Agreement ("Agreement") in disposition of the Administrative Complaint filed in this cause on March 7, 2018. This Agreement is subject to review and approval of the Indiana State Board of Pharmacy ("Board") pursuant to Ind. Code § 25-1-9 and the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3.

STIPULATED FACTS

1. Respondent's address on file with the Indiana Board of Pharmacy ("Board") is 4045 East Bell Road, Suite 163, Phoenix, Arizona 85032.
2. Respondent is a licensed non-resident pharmacy in the State of Indiana having been issued license number 64000975A on June 15, 2009.
3. In August 2014, Respondent requested and received a deviation from the Arizona State Board of Pharmacy ("Arizona Board") to place a remote dispensing device within Integrity Rx Specialty Pharmacy. This deviation was based upon the following:
 - a. The device would electronically track all transactions; and
 - b. A Respondent pharmacist would verify, label, and dispense the compounded

EXHIBIT A

medications.

4. On February 5, 2016, an inspection of the remote dispensing device found that:
 - a. Two locked filed cabinets labeled "property of [Respondent]" were used to house the medications compounded by Respondent;
 - b. Lot number, expiration date, inventory in and out was maintained on a perpetual paper log; and
 - c. An Integrity Rx pharmacist would verify, label, and dispense the compounded medications—a pharmacist from Respondent's pharmacy had never been on site to stock or dispense medications.

ARIZONA VIOLATIONS

5. On May 11, 2016, Respondent entered into a consent agreement with the Arizona Board ("Consent Agreement").
6. The Arizona Board found that Respondent violated Arizona Administrative Code § 4-23-410(B)(3), which states:

neither the pharmacy permittee nor a pharmacist employed by the pharmacy permittee provides a compounded pharmaceutical produced to a pharmacy . . . or other person for dispensing or distributing except that a compounded pharmaceutical product may be provided to a medical practitioner to administer to a patient . . . if each container . . . has a label that includes (a) the pharmacy name, address, and telephone number, (b) the pharmaceutical product's name and the information required in subsection (1)(4) and (c) a lot or control number.

7. Ariz. Admin. Code § 4-23-410(B)(3), is similar to Ind. Code § 16-42-3-4(1) and(2) which states:

A drug . . . is considered to be misbranded . . . (1) If the labeling of the drug or device is false or misleading in any way. (2) If the drug or device is in package form unless the drug or device bears a label containing: (A) the name and place of business of the manufacturer, packer, or distributor; and (B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count.

8. The Arizona Board found that Respondent violated Arizona Revised Statute ("A.R.S") § 32-1968(D), which states:

Any drug dispensed . . . is exempt from the requirements of section 32-1967 . . . if the drug container bears a label containing the name and address of the dispenser, the serial number, the date of dispensing, the name of the prescriber, the name of the patient . . . directions for use and cautionary statements, if any.

9. A.R.S. § 32-1968(D) is similar to 856 IAC 1-23-1 which states:

. . . in the sale or dispensing of any prescription drug . . . the pharmacist shall be required to affix . . . a label bearing the following information: (1) the name, address, and telephone number of the establishment from which such drug was sold . . . (4) the name of the practitioner who prescribed the drug (5) the name of the patient . . . (6) the directions for use of the drug as contained in the prescription (7) the name of the drug . . . in compliance with the Generic Drug Law found in IC 16-42-22.

10. As part of the Consent Agreement, Respondent was fined \$22,375, and the deviation granted in August 2014 was revoked.

STIPULATED CONCLUSIONS OF LAW

11. By Respondent's conduct in violating Ariz. Admin. Code § 4-23-410(B)(3), which is similar to Ind. Code § 16-42-3-4(1) and (2), Respondent has violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in any state or jurisdiction on grounds similar to Ind. Code § 25-1-9.

12. By Respondent's conduct in violating A.R.S. § 32-1968(D) which is similar to 856 IAC 1-23-1, Respondent has violated Ind. Code § 25-1-9-4(a)(7) in that Respondent has had disciplinary action taken against his license to practice in any state or jurisdiction on grounds similar to Ind. Code § 25-1-9.

AGREED DISPOSITION

It is therefore agreed by Respondent and Petitioner as follows:

1. The Board has jurisdiction over Respondent and the subject matter in this disciplinary action.
2. The parties execute this Agreement voluntarily.
3. Both parties voluntarily waive their rights to a public hearing on the Administrative Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
4. Petitioner agrees the terms of this Agreement will resolve this claim, as well as any past, pending or future disciplinary action against Respondent imposed by any other state as reciprocal discipline related to the May 11, 2016, Arizona Consent Agreement.
5. Respondent shall receive a **LETTER OF REPRIMAND** attached hereto as "Exhibit A."
6. Respondent shall pay a fine in the amount of **TWO THOUSAND DOLLARS (\$2,000)** payable to the Indiana Professional Licensing Agency at the following address:

Indiana Professional Licensing Agency
Attn: Indiana State Board of Pharmacy
302 West Washington Street
Indianapolis, IN 46204
7. Pursuant to Ind. Code § 4-6-14-10(b), Respondent shall pay a fee of **Five Dollars (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid within ninety (90) days of the issuance of the Final Order in this matter, submitted to the following address:

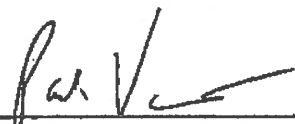
Indiana Office of the Attorney General
Attn: Teresa Henson
302 West Washington Street, 5th Floor

Indianapolis, IN 46204

8. Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a Final Order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

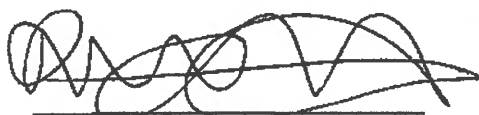
9. Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of pharmacy, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

10. The parties agree to the continuing jurisdiction of the Board and that the discipline agreed to, terms of discipline, and licensure status will apply even if the Board renews Respondent's license at a later date.



Paul Vasilias, President.
Vitalab Pharmacy, Inc.

6/5/18
Date



Roxanne M. Hilton
Deputy Attorney General
Attorney No.: 34634-53

6/5/2018
Date

Professional Licensing Agency
402 West Washington Street
Room W072
Indianapolis, IN 46204



Eric J. Holcomb
Governor of Indiana
Deborah J. Frye
PLA Executive Director

August 6, 2018

Vitalab Pharmacy
4045 east Bell Road, Suite 163
Phoenix, AZ 85032

Re: In the Matter of the License of Vitalab Pharmacy
Cause Number 2018 IBP 0017

Dear Mr. Vasiliauskas:

This letter of reprimand is issued in accordance with the Final Order Accepting the Recommended Findings of Fact, Conclusions of Law and Order issued by the Indiana State Board of Pharmacy resolving the administrative complaint against Vitalab Pharmacy's non-resident pharmacy license filed by the Office of the Attorney General on March 7, 2018.

The purpose of this reprimand is to stress the important responsibility that you have by reason of possession of a license to practice as a non-resident pharmacy in the State of Indiana. Further, there is an expectation that you will follow all pharmacy regulations, policies, and procedures with respect to ethics and professionalism.

The Findings of Fact and Final Order are attached and incorporated herein as part of this reprimand.

It is your responsibility to conduct your practice of pharmacy in accordance with the standards of the profession.

Sincerely,

INDIANA STATE BOARD OF PHARMACY

By: Maureen Bennett
for Winnie Landis
Board President

CALIFORNIA BOARD OF PHARMACY**CITATION CI 2017 79790**



California State Board of Pharmacy
 1625 North Market Boulevard, Suite N219, Sacramento, CA 95834
 Phone (916) 574-7900
 Fax (916) 574-8618
www.pharmacy.ca.gov

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
 DEPARTMENT OF CONSUMER AFFAIRS
 GOVERNOR EDMUND G. BROWN JR.

October 11, 2018

DATED MATERIAL ENCLOSED

VASCO RX
 ATTN: PAUL VASILIAUSKAS, PRES
 4045 E BELL RD STE 163
 PHOENIX, AZ 85032

RE: CI 2017 79790
VASCO RX
NSC 99468

The attached Citation and Fine, ("Citation") is being issued pursuant to Business and Professions Code section 125.9 and California Code of Regulations, title 16, section 1775 et. seq., for violations of the laws and regulations that govern the practice of pharmacy in California. (For exact language refer to the California Pharmacy Law and Index, located on the Board's web site, at www.pharmacy.ca.gov, under Pharmacy Law and Regulation).

The attached Citation references the specific statutes and regulations violated, defines each violation charged and specifies any fine(s) assessed. The attached Citation details the conduct that resulted in the issuance of the Citation.

IT IS YOUR RESPONSIBILITY TO READ THE ENTIRE CITATION AND INSTRUCTIONS, TO UNDERSTAND THE PROCESS FOR CONTESTING THE CITATION AND TO RESPOND TO THE CITATION WITHIN THE FOLLOWING TIME FRAMES:

- November 10, 2018: Unless the Citation is contested payment of fine(s) must be received by the Board.
- October 25, 2018: Any contest of the Citation by request for an informal Office Conference must be received by the Board.
- November 10, 2018: Any contest of the Citation by request for a formal Appeal must be received by the Board.

Page two
VASCO RX
CI 2017 79790

The issuance of a Citation by the Board of Pharmacy is considered an administrative action and substantiated resolution of a complaint and/or investigation. If a hearing is not requested to contest the Citation(s), payment of any fine(s) shall not constitute an admission of the violation(s) charged. Payment in full of the fine(s) assessed shall be represented as a satisfactory resolution of the matter in any public disclosure. (Business and Professions Code section 125.9; California Code of Regulations section 1775).

Additionally, if, at the time of license renewal, the Board has not received full payment of assessed fine(s) and a request to contest the Citation has not been received within the time frames specified, the license shall not be renewed until the assessed fine(s) and renewal fee/s are paid in full.

If you have any questions regarding this Citation please contact Christina Metzen, Associate Enforcement Analyst at (916) 574-7924.

Sincerely

A handwritten signature in cursive script, appearing to read "Virginia Herold".

Virginia Herold
Executive Officer
Board of Pharmacy

Attachments

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

CITATION AND FINE

Citation Number	Name, License No
CI 2017 79790	VASCO RX, NSC 99468

JURISDICTION: Bus. & Prof. Code § 4314; CCR, title 16, § 1775; Bus. & Prof. Code § 4301, subd. (o)

VIOLATION CODE SECTION	OFFENSE	AMT OF FINE
CCR, Title 16, § 1735.2 subd. (i)	The pharmacist performing or supervising compounding is responsible for the proper preparation, labeling, storage, and delivery of the compounded drug product	\$350.00
CCR, Title 16, § 1751.7 subd. (e)(1)	Sterile Compounding Quality Assurance and Process Validation; Batch-produced sterile drug preparations compounded from one or more non-sterile ingredients shall be subject to...	\$350.00

CONDUCT:

California Code of Regulations section 1735.2(i) stats every compounded drug preparation shall be given beyond use date representing the date or date and time beyond which the compounded drug preparation should not be used, stored, transported or administered, and determined based on the professional judgment of the pharmacist performing or supervising the compounding. (3) For sterile compounded drug preparations, extension of a beyond use date is only allowable when supported by the following: (A) Method Suitability Test, (B) Container Closure Integrity Test, and (C) Stability Studies. Vasco Rx, NSC99468 located at 4045 E. Bell Rd. Ste. 163, Phoenix, AZ 85032 was not compliant. Specifically, Vasco assigned a beyond used date of 180 day for at least the following C- methylcobalamin 1mg/ml lot 1282017@31 and lot 01312018@40 without first having the required studies to support this beyond use date. This is a violation of pharmacy law.

California Code of Regulations section 1751.7 (e)(1) stats batch-produced sterile drug preparations compounded from one or more non-sterile ingredients, except as provided in paragraph (2), shall be subject to documented end product testing for sterility and pyrogens and shall be quarantined until the end product testing confirms sterility and acceptable levels of pyrogens. Sterility testing shall be USP chapter 71 compliant and pyrogens testing shall confirm acceptable levels of pyrogens per USP chapter 85 limits, before dispensing. This requirement of end product testing confirming sterility and acceptable levels of pyrogens prior to dispensing shall apply regardless of any sterility or pyrogen testing that may have been conducted on any ingredient or combination of ingredients that were previously non-sterile. Vasco Rx, NSC99468 located at 4045 E. Bell Rd. Ste. 163, Phoenix, AZ 85032 was not compliant. Specifically, Vasco dispensed at least C- methylcobalamin 1mg/ml lot 1282017@31 and lot 01312018@40 without first having a USP chapter 71 compliant sterility test confirming end product sterility. This is a violation of pharmacy law.

CITATION ISSUED ON: October 11, 2018

TOTAL AMOUNT OF FINE(S): \$700.00

PAYMENT OF FINE(S) DUE BY: November 10, 2018

CALIFORNIA BOARD OF PHARMACY**CITATION CI 2018 81580**



California State Board of Pharmacy
 1625 North Market Boulevard, Suite N219, Sacramento, CA 95834
 Phone (916) 574-7900
 Fax (916) 574-8618
www.pharmacy.ca.gov

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
 DEPARTMENT OF CONSUMER AFFAIRS
 GOVERNOR EDMUND G. BROWN JR.

October 11, 2018

DATED MATERIAL ENCLOSED

**VASCO RX
 ATTN: PAUL VASILIAUSKAS, PRES
 4045 E BELL RD STE 163
 PHOENIX, AZ 85032**

**RE: CI 2018 81580
 VASCO RX
 NRP 856**

The attached Citation, ("Citation") is being issued pursuant to Business and Professions Code section 125.9 and California Code of Regulations, title 16, section 1775 et. seq., for violations of the laws and regulations that govern the practice of pharmacy in California. (For exact language refer to the California Pharmacy Law and Index, located on the Board's web site, at www.pharmacy.ca.gov, under Forms and Publications).

The attached Citation references the specific statutes and regulations violated, and defines each violation charged. The attached Citation details the conduct that resulted in the issuance of the Citation.

IT IS YOUR RESPONSIBILITY TO READ THE ENTIRE CITATION AND INSTRUCTIONS, TO UNDERSTAND THE PROCESS FOR CONTESTING THE CITATION AND IF CONTESTING THE CITATION TO RESPOND WITHIN THE FOLLOWING TIME FRAMES:

- **October 25, 2018:** Any contest of the Citation by request for an informal Office Conference must be received by the Board.
- **November 10, 2018:** Any contest of the Citation by request for a formal Appeal must be received by the Board.

The issuance of a Citation by the Board of Pharmacy is considered an administrative action and substantiated resolution of a complaint and/or investigation. The acceptance of the Citation(s) shall not constitute an admission of the violation(s) charged.

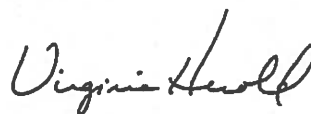
Page two
VASCO RX
CI 2018 81580

No fine has been assessed with this Citation and no proof of abatement has been ordered.

If the Board does not receive a written request to contest this Citation within 30 days of the issue date, you will be deemed to have waived your right to contest this Citation. The Citation shall then become the final order of the Board. Please be advised that if not contested this Citation will become a part of the Board's records and constitute a public record for purposes of disclosure.

If you have any questions regarding this Citation please contact Christina Metzen, Associate Enforcement Analyst at (916) 574-7924.

Sincerely

A handwritten signature in black ink, appearing to read "Virginia Herold". The signature is fluid and cursive, with a large initial "V" and a long, sweeping underline.

Virginia Herold
Executive Officer
Board of Pharmacy

Attachments

**BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
CITATION**

Citation Number	Name, License No
CI 2018 81580	VASCO RX, NRP 856

JURISDICTION: Bus. & Prof. Code § 4314; CCR, title 16, § 1775; Bus. & Prof. Code § 4301, subd. (o)

VIOLATION CODE SECTION	OFFENSE
CCR, Title 16, § 1735.2 subd. (i)	The pharmacist performing or supervising compounding is responsible for the proper preparation, labeling, storage, and delivery of the compounded drug product
CCR, Title 16, § 1751.7 subd. (e)(1)	Sterile Compounding Quality Assurance and Process Validation; Batch-produced sterile drug preparations compounded from one or more non-sterile ingredients shall be subject to...

CONDUCT:

California Code of Regulations section 1735.2(i) states every compounded drug preparation shall be given beyond use date representing the date or date and time beyond which the compounded drug preparation should not be used, stored, transported or administered, and determined based on the professional judgment of the pharmacist performing or supervising the compounding. (3) For sterile compounded drug preparations, extension of a beyond use date is only allowable when supported by the following: (A) Method Suitability Test, (B) Container Closure Integrity Test, and (C) Stability Studies. Vasco Rx, NRP856 located at 4045 E. Bell Rd. Ste. 163, Phoenix, AZ 85032 was not compliant. Specifically, Vasco assigned a beyond used date of 180 day for at least the following C- methylcobalamin 1mg/ml lot 1282017@31 and lot 01312018@40 without first having the required studies to support this beyond use date. This is a violation of pharmacy law.

California Code of Regulations section 1751.7 (e)(1) states batch-produced sterile drug preparations compounded from one or more non-sterile ingredients, except as provided in paragraph (2), shall be subject to documented end product testing for sterility and pyrogens and shall be quarantined until the end product testing confirms sterility and acceptable levels of pyrogens. Sterility testing shall be USP chapter 71 compliant and pyrogens testing shall confirm acceptable levels of pyrogens per USP chapter 85 limits, before dispensing. This requirement of end product testing confirming sterility and acceptable levels of pyrogens prior to dispensing shall apply regardless of any sterility or pyrogen testing that may have been conducted on any ingredient or combination of ingredients that were previously non-sterile. Vasco Rx, NRP856 located at 4045 E. Bell Rd. Ste. 163, Phoenix, AZ 85032 was not compliant. Specifically, Vasco dispensed at least C-methylcobalamin 1mg/ml lot 1282017@31 and lot 01312018@40 without first having a USP chapter 71 compliant sterility test confirming end product sterility. This is a violation of pharmacy law.

CITATION ISSUED ON October 11, 2018

CALIFORNIA BOARD OF PHARMACY**CITATION CI 2016 75547**



California State Board of Pharmacy
1625 North Market Boulevard, Suite N219, Sacramento, CA 95834
Phone (916) 574-7900
Fax (916) 574-8618
www.pharmacy.ca.gov

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR.

October 18, 2018

VASCO RX
ATTN: KRISTINE ANN LOWE, PIC
4045 E BELL RD STE 163
PHOENIX, AZ 85032

RE: CI 2016 75547
VASCO RX
NRP 856

The attached Citation CI 2016 75547, has been issued to VASCO RX, NRP 856. A copy has been sent to the pharmacy, and a copy is being sent to the pharmacist-in-charge for informational purposes only. As pharmacist in charge it is your responsibility to insure the pharmacy's compliance with the term(s) and condition(s) of the citation by the date(s) ordered, and to ensure the pharmacy's compliance with all pharmacy laws.

The Citation references the specific statutes and regulations violated, and defines each violation charged. The Citation details the conduct that resulted in the issuance of the citation. In addition the citation may also include information regarding fine(s) assessed. If fine(s) have been assessed, the citation specifies the amount and the specific violation for which the fine was levied.

If you have any questions please contact Christina Metzen, Associate Enforcement Analyst at (916) 574-7924.

Sincerely

A handwritten signature in black ink, appearing to read "Virginia Herold".

Virginia Herold
Executive Officer
Board of Pharmacy

Attachments

**BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
CITATION**

Citation Number	Name, License No
CI 2016 75547	VASCO RX, NRP 856

JURISDICTION: Bus. & Prof. Code § 4314; CCR, title 16, § 1775; Bus. & Prof. Code § 4301, subd. (o)

VIOLATION CODE SECTION	OFFENSE
CCR, Title 16, § 1735.2 subd. (l)(3)(A)(B)(C)	Extension of a beyond use date is only allowable when supported by the following: (A) Method Suitability Test, (B) Container Closure Integrity Test and, (C) Stability Studies
CCR, Title 16, § 1751.7 subd. (e)(1)	Sterile Compounding Quality Assurance and Process Validation; Batch-produced sterile drug preparations compounded from one or more non-sterile ingredients shall be subject to...

CONDUCT:

California Code of Regulations section 1735.2 (l)(3)(A)(B)(C) states in pertinent part, extension of a beyond use date is only allowable when supported by the following (A) Method Suitability Test (B) Container Closure Test (C) Stability Studies. Vasco Rx located at 4045 E. Bell Road #163, Phoenix, AZ 85032 was not compliant. Specifically, in 2017 Vasco Rx shipped at least the 2,468 orders containing compounded leuprolide into California. Batch records reviewed showed a beyond use date of 180 day was assigned to at least 2,038 of these compounding leuprolide order. Vasco Rx had no stability study to allow this extension of the beyond use date. This was a violation of pharmacy law.

California Code of Regulations section 1751.7 (e)(1) states in pertinent part, Batch-produced sterile drug preparations compounded from one or more non-sterile ingredients, except as provided in paragraph (2), shall be subject to documented end product testing for sterility and pyrogens and shall be quarantined until the end product testing confirms sterility and acceptable levels of pyrogens. Sterility testing shall be USP chapter 71 compliant. Vasco Rx located at 4045 E. Bell Road #163, Phoenix, AZ 85032 was not compliant. Specifically, in 2017 Vasco Rx shipped at least the 2,468 orders containing compounded leuprolide into California. Batch records reviewed showed end product sterility testing was done by SCAN RDI, not a USP chapter 71 compliant testing method. This was a violation of pharmacy law.

CITATION ISSUED ON: October 18, 2018

CALIFORNIA BOARD OF PHARMACY**CITATION CI 2018 81589**



California State Board of Pharmacy
1625 North Market Boulevard, Suite N219, Sacramento, CA 95834
Phone (916) 574-7900
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BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
GOVERNOR EDMUND G. BROWN JR.

October 18, 2018

VASCO RX
ATTN: KRISTINE ANN LOWE, PIC
4045 E BELL RD STE 163
PHOENIX, AZ 85032

RE: CI 2018 81589
VASCO RX
NSC 99468

The attached Citation CI 2018 81589, has been issued to VASCO RX, NSC 99468. A copy has been sent to the pharmacy, and a copy is being sent to the pharmacist-in-charge for informational purposes only. As pharmacist in charge it is your responsibility to insure the pharmacy's compliance with the term(s) and condition(s) of the citation by the date(s) ordered, and to ensure the pharmacy's compliance with all pharmacy laws.

The Citation references the specific statutes and regulations violated, and defines each violation charged. The Citation details the conduct that resulted in the issuance of the citation. In addition the citation may also include information regarding fine(s) assessed. If fine(s) have been assessed, the citation specifies the amount and the specific violation for which the fine was levied.

If you have any questions please contact Christina Metzen, Associate Enforcement Analyst at (916) 574-7924.

Sincerely

A handwritten signature in black ink, appearing to read "Virginia Herold".

Virginia Herold
Executive Officer
Board of Pharmacy

Attachments

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

CITATION AND FINE

Citation Number	Name, License No
CI 2018 81589	VASCO RX, NSC 99468

JURISDICTION: Bus. & Prof. Code § 4314; CCR, title 16, § 1775; Bus. & Prof. Code § 4301, subd. (o)

VIOLATION CODE SECTION	OFFENSE	AMT. OF FINE
CCR, Title 16, § 1735.2 subd. (i)(3)(A)(B)(C)	Extension of a beyond use date is only allowable when supported by the following: (A) Method Suitability Test, (B) Container Closure Integrity Test and, (C) Stability Studies	\$2,500.00
CCR, Title 16, § 1751.7 subd. (e)(1)	Sterile Compounding Quality Assurance and Process Validation; Batch-produced sterile drug preparations compounded from one or more non-sterile ingredients shall be subject to...	\$2,500.00

CONDUCT:

California Code of Regulations section 1735.2 (i)(3)(A)(B)(C) states in pertinent part, extension of a beyond use date is only allowable when supported by the following (A) Method Suitability Test (B) Container Closure Test (C) Stability Studies. Vasco Rx located at 4045 E. Bell Road #163, Phoenix, AZ 85032 was not compliant. Specifically, in 2017 Vasco Rx shipped at least the 2,468 orders containing compounded leuprolide into California. Batch records reviewed showed a beyond use date of 180 day was assigned to at least 2,038 of these compounding leuprolide order. Vasco Rx had no stability study to allow this extension of the beyond use date. This was a violation of pharmacy law

California Code of Regulations section 1751.7 (e)(1) states in pertinent part, Batch-produced sterile drug preparations compounded from one or more non-sterile ingredients, except as provided in paragraph (2), shall be subject to documented end product testing for sterility and pyrogens and shall be quarantined until the end product testing confirms sterility and acceptable levels of pyrogens. Sterility testing shall be USP chapter 71 compliant. Vasco Rx located at 4045 E. Bell Road #163, Phoenix, AZ 85032 was not compliant. Specifically, in 2017 Vasco Rx shipped at least the 2,468 orders containing compounded leuprolide into California. Batch records reviewed showed end product sterility testing was done by SCAN RDI, not a USP chapter 71 compliant testing method. This was a violation of pharmacy law.

CITATION ISSUED ON: October 18, 2018

TOTAL AMOUNT OF FINE(S): \$5,000.00

PAYMENT OF FINE(S) DUE BY: November 17, 2018

CALIFORNIA BOARD OF PHARMACY**CITATION CI 2017 79432**



California State Board of Pharmacy
 1625 North Market Boulevard, Suite N219, Sacramento, CA 95834
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www.pharmacy.ca.gov

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
 DEPARTMENT OF CONSUMER AFFAIRS
 GOVERNOR EDMUND G. BROWN JR.

January 02, 2019

DATED MATERIAL ENCLOSED

VASCO RX
 ATTN: PAUL VASILIAUSKAS, PRS
 4045 E BELL RD STE 163
 PHOENIX, AZ 85032

RE: CI 2017 79432
 VASCO RX
 NRP 856

The attached Citation and Fine, ("Citation") is being issued pursuant to Business and Professions Code section 125.9 and California Code of Regulations, title 16, section 1775 et. seq., for violations of the laws and regulations that govern the practice of pharmacy in California. (For exact language refer to the California Pharmacy Law and Index, located on the Board's web site, at www.pharmacy.ca.gov, under Pharmacy Law and Regulation).

The attached Citation references the specific statutes and regulations violated, defines each violation charged and specifies any fine(s) assessed. The attached Citation details the conduct that resulted in the issuance of the Citation.

IT IS YOUR RESPONSIBILITY TO READ THE ENTIRE CITATION AND INSTRUCTIONS, TO UNDERSTAND THE PROCESS FOR CONTESTING THE CITATION AND TO RESPOND TO THE CITATION WITHIN THE FOLLOWING TIME FRAMES:

- February 01, 2019: Unless the Citation is contested payment of fine(s) must be received by the Board.
- January 16, 2019: Any contest of the Citation by request for an informal Office Conference must be received by the Board.
- February 01, 2019: Any contest of the Citation by request for a formal Appeal must be received by the Board.

Page two
VASCO RX
CI 2017 79432

The issuance of a Citation by the Board of Pharmacy is considered an administrative action and substantiated resolution of a complaint and/or investigation. If a hearing is not requested to contest the Citation(s), payment of any fine(s) shall not constitute an admission of the violation(s) charged. Payment in full of the fine(s) assessed shall be represented as a satisfactory resolution of the matter in any public disclosure. (Business and Professions Code section 125.9; California Code of Regulations section 1775).

Additionally, if, at the time of license renewal, the Board has not received full payment of assessed fine(s) and a request to contest the Citation has not been received within the time frames specified, the license shall not be renewed until the assessed fine(s) and renewal fee/s are paid in full.

If you have any questions regarding this Citation please contact Joshua Monforte, Enforcement Analyst at (916) 574-7903.

Sincerely



Anne Sodergren
Interim Executive Officer
Board of Pharmacy

Attachments

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

CITATION AND FINE

Citation Number	Name, License No
CI 2017 79432	VASCO RX, NRP 856

JURISDICTION: Bus. & Prof. Code § 4314; CCR, title 16, § 1775; Bus. & Prof. Code § 4301, subd. (o)

VIOLATION CODE SECTION	OFFENSE	AMT OF FINE
Bus. & Prof. Code § 4301 subd. (n)	Unprofessional Conduct - Out of state disciplinary action	\$5,000.00

CONDUCT:

Business and Professions Code section 4301(n) authorizes the Board to take action against a licensee for the revocation, suspension, or other discipline by another state of a license to practice pharmacy, operate a pharmacy, or do any other act for which a license is required. Specifically, on July 6, 2016, the Arizona Board of Pharmacy rescinded a deviation granted to Vasco Rx in August 2014, and ordered it to pay \$22,175 (\$22,000 civil penalty, \$175 investigative costs) after finding that the pharmacy failed to meet the terms of the deviation granted for a remote dispensing device, which constituted unprofessional conduct.

CITATION ISSUED ON: January 02, 2019

TOTAL AMOUNT OF FINE(S): \$5,000.00

PAYMENT OF FINE(S) DUE BY: February 01, 2019



4045 E. BELL RD, STE 163
 PHOENIX, AZ 85032
 PH: 877-971-3001 FAX: 877-722-2936
 Web: VASCORX.COM

February 1, 2019

VIA Federal Express
7743 7764 0765

Nevada Board of Pharmacy
 431 West Plumb Lane
 Reno, NV 89509

RE: Vitalab Pharmacy, Inc. dba Vasco Rx
 Phoenix, AZ
 Out of State Pharmacy License #89509

Dear Sir/Madam:

This letter is sent as written notification of a pending transaction involving Vitalab Pharmacy, Inc. dba Vasco Rx ("Vasco") located at 4045 E. Bell Road, Suite 163, Phoenix, AZ 85032. AleraCare Holdings, LLC will be purchasing all of the outstanding shares of Vasco. Vasco will remain as the permit holder and AleraCare Holdings, LLC will become the parent company of Vasco.

The pharmacist-in-charge of Vasco will remain the same and there will be no change in the NCPDP, NPI, tax ID, or location. The contemplated transaction is expected to close on or around **February 15, 2019**. A chart showing the post-closing organizational structure is attached as Exhibit A.

As required for this type of transaction, enclosed is a completed Application For Out of State Pharmacy License with applicable attachments and fee. A copy of the new resident state pharmacy license and the new DEA Registration will be sent to you once the transaction has closed and the new numbers have been issued.

Should you have any questions, please contact me at 801-942-2968 or via email at rhansen@rchconsult.com or Kristine Lowe at kris.l@vascorx.com.

Sincerely,

A handwritten signature in blue ink that reads "Robyn C. Hansen".

Robyn C. Hansen
 Regulatory Compliance Consultant

Enclosures



EXHIBIT A

**VITALAB PHARMACY, INC. dba VASCO INFUSION
a California Corporation**

Post Transaction Ownership Structure

