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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: 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 _____ 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 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.

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

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 ---

11B

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 02851**)
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: MILLER'S OF WYCKOFF

Physical Address: 678 WYCKOFF AVE

Mailing Address: _____

City: WYCKOFF State: NJ Zip Code: 07481

Telephone: 201-891-3333 Fax: 201-891-6392

Toll Free Number: 888-891-3334 (Required per NAC 639.708)

E-mail: PROUGH@YOURLIKOR.COM Website: YOURLIKOR.COM
MILLERS PHARMACY.COM

Managing Pharmacist: DAVID M. MILLOR License Number: (NJ) 28RT01608500

TYPE OF PHARMACY AND

SERVICES PROVIDED

Yes/No

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

Philip J. Kroun IV
Original Signature of Person Authorized to Submit Application, no copies or stamps

PHILIP J. KROUN IV
Print Name of Authorized Person

11-23-18
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: DELAWARE
 Parent Company if any: YOURLIFE RX, INC.
 Mailing Address: 3529 CROST ST
 City: ST. AUGUSTINE State: FL Zip: 32092
 Telephone: 717-856-3433 Fax: —
 Contact Person: PHIL KBOUGH

For any corporation non publicly traded, disclose the following:

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

a) BARUCH HALPERN 9601 COLLINS AVE, BAL HARBOUR, FL 33414
 Name Address
 b) PHIL KBOUGH 3529 CROST ST, ST. AUGUSTINE, FL 32092
 Name Address
 c) — —
 Name Address
 d) — —
 Name Address

- 2) Provide the number of shares issued by the corporation. 950,000

- 3) What was the price paid per share? \$0.0001

- 4) What date did the corporation actually receive the cash assets? 12-20-17

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

List any physician shareholders and percentage of ownership.

Name: N/A %: 0
 Name: N/A %: 0

Hours of Operation for the pharmacy:

Monday thru Friday 9 am 8 pm Saturday 9 am 4 pm
 Sunday CLOSED am — pm 24 Hours N/A

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

SEE ATTACHMENT

STATEMENT OF RESPONSIBILITY
FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

I, PHILIP J. KEOUGH IV
Responsible Person of YOUR LIBRARY, INC DBA MILLERS OR MYCHARD
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

PHILIP J. KEOUGH IV
Print Name of Authorized Person

12-4-18
Date

AFFIDAVIT for Out-of-State Pharmacy License

STATE OF _____)
) ss.
 _____ COUNTY)

I, PHIL KEOUAM, 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 CEO/PRESIDENT for MILLERS OR MYCKORP (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, PHIL KEOUAM, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

Philip Keouam
 Name

SUBSCRIBED AND SWORN TO
 before me, a notary public this
4 day of DECEMBER 2018.

Renata M. Weiss
 NOTARY PUBLIC



NEVADA STATE BOARD OF PHARMACY

(Licensee mailing address for window envelope)

THIS STUB IS YOUR RECEIPT

Date: 11/04/2016

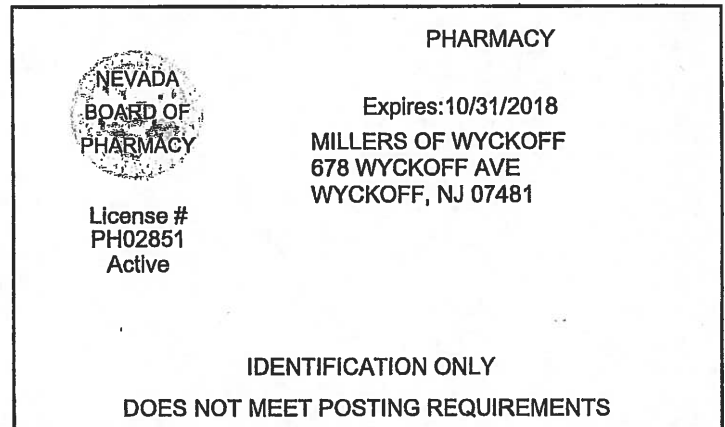
Amount: 500.00

License #: PH02851

MILLERS OF WYCKOFF
678 WYCKOFF AVE
WYCKOFF, NJ 07481

(ID Card)

Trim ID Card to fit your wallet



STATE OF NEVADA
STATE BOARD OF PHARMACY



License Type: PHARMACY

License #: PH02851

DEA #: BM4899615

THE UNDER-NOTED HAVING PAID STATUTORY FEE IS HEREBY LICENCED

Expires: 10/31/2018

STATUS: Active

MILLERS OF WYCKOFF
678 WYCKOFF AVE
WYCKOFF, NJ 07481

NONTRANSFERABLE
POST THIS LICENSE PROMINENTLY IN A CONSPICUOUS PLACE

State Of New Jersey
New Jersey Office of the Attorney General
Division of Consumer Affairs

THIS IS TO CERTIFY THAT THE
Board of Pharmacy

HAS LICENSED

MILLERS OF WYCKOFF INC
DAVID M MILLER
678 WYCKOFF AVE
WYCKOFF NJ 07481-1430

FOR PRACTICE IN NEW JERSEY AS A(N): Pharmacy

06/06/2018 TO 06/30/2019
VALID


Signature of Licensee/Registrant/Certificate Holder

28RS00529600
LICENSE/REGISTRATION/CERTIFICATION #


ACTING DIRECTOR



NEW JERSEY DIVISION OF CONSUMER AFFAIRS

Paul R. Rodrí
Acting Dir
Rea

License Information

Accurate as of November 23, 2018 12:13 PM

[Return to Search Results](#)

Name: MILLERS OF WYCKOFF INC

Address: WYCKOFF,NJ

Profession/License Type: Pharmacy,Pharmacy

License No: 28RS00529600

License Status: Active

Status Change Reason:

Issue Date: 4/10/1996

Expiration Date: 6/30/2019

Board Action: YES*

Please visit DCA's website to see the final disposition documents.

* A "YES" in the "Board Action" field indicates that the licensee has a public record of some form of action on file with the Board/Committee. Board actions may come in the form of a Cease and Desist Order, Interim Order, Reprimand, a finalized Uniform Penalty Letter, agreed upon Settlement Letter or Final Order. In some instances, "Yes" will represent that a public record such as an Administrative Complaint or a Provisional Order of Discipline may have been filed with the Board/Committee. Such documents represent the filing of allegations by the Attorney General's Office. They do not represent a finding of misconduct until the matter is adjudicated by the Board. Contact the Board/Committee directly to obtain a copy of such documents.

Division

Division Home
Consumer Protection
Licensing Boards
File a Complaint
Adoptions & Rule
Proposals
Internship
Opportunities

Department

OAG Home
Contact OAG
FAQ OAG
OAG News
Services A to Z
Employment

State

NJ Home
Services A-Z
Departments/Agencies
FAQs

Legal

Legal Statement
Privacy Notice
Accessibility
Statement



RSS

Sign up for New Jersey Division of Consumer Affairs RSS feeds to get the latest information. You can select any category that you are interested in and any time the website is updated you will receive a notification.

[More information about RSS feeds.](#)

**STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
SHORT FORM STANDING**

MILLERS OF WYCKOFF, INC.
6085010000

I, the Treasurer of the State of New Jersey, do hereby certify that the above-named New Jersey Domestic For-Profit Corporation was registered by this office on January 02, 1957.

As of the date of this certificate, said business continues as an active business in good standing in the State of New Jersey, and its Annual Reports are current.

I further certify that the registered agent and office are:

DAVID MILLER
678 WYCKOFF AVE
WYCKOFF, NJ 07481



*IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed
my Official Seal at Trenton, this
13th day of September, 2018*

A handwritten signature in black ink, appearing to read 'Elizabeth Maher Muoio'.

Elizabeth Maher Muoio
State Treasurer

Certificate Number : 6091219667

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

DEA REGISTRATION NUMBER	THIS REGISTRATION EXPIRES	FEE PAID
BM4899615	01-31-2020	\$731
SCHEDULES	BUSINESS ACTIVITY	ISSUE DATE
2,2N, 3,3N,4,5,	RETAIL PHARMACY-COLLECTOR	12-05-2016
MILLERS OF WYCKOFF INC 678 WYCKOFF AVE WYCKOFF, NJ 07481-0000		

CONTROLLED SUBSTANCE REGISTRATION CERTIFICATE
UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON D.C. 20537

Sections 304 and 1008 (21 USC 824 and 858) of the Controlled Substances Act of 1970, as amended, provide that the Attorney General may revoke or suspend a registration to manufacture, distribute, dispense, import or export a controlled substance.

THIS CERTIFICATE IS NOT TRANSFERABLE ON CHANGE OF OWNERSHIP, CONTROL, LOCATION, OR BUSINESS ACTIVITY, AND IT IS NOT VALID AFTER THE EXPIRATION DATE.

CONTROLLED SUBSTANCE REGISTRATION CERTIFICATE
UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON D.C. 20537

DEA REGISTRATION NUMBER	THIS REGISTRATION EXPIRES	FEE PAID
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MILLERS OF WYCKOFF INC 678 WYCKOFF AVE WYCKOFF, NJ 07481-0000		

m DEA-223 (9/2016)

Sections 304 and 1008 (21 USC 824 and 858) of the Controlled Substances Act of 1970, as amended, provide that the Attorney General may revoke or suspend a registration to manufacture, distribute, dispense, import or export a controlled substance.

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT
COPY OF THE CERTIFICATE OF INCORPORATION OF "YOURLIFERX, INC.",
FILED IN THIS OFFICE ON THE TWENTIETH DAY OF DECEMBER, A.D.
2017, AT 12:40 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE
NEW CASTLE COUNTY RECORDER OF DEEDS.



6671413 8100
SR# 20177685999

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JB", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Jeffrey W. Bullock, Secretary of State

Authentication: 203800773
Date: 12-20-17



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
Board of Pharmacy
124 Halsey Street, 6th Floor, Newark NJ 07102



GURBIR S. GREWAL
Attorney General

PAUL R. RODRIGUEZ
Acting Director

Mailing Address:
P.O. Box 46018
Newark, NJ 07101
(973) 604-6450

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

August 30, 2018

David Miller, RPIC
Millers of Wyckoff Pharmacy
678 Wyckoff Avenue
Wyckoff, New Jersey 07481


Re: Inspection #8-2498-17-160
Date of Inspection: 3/1/17

Dear Mr. Miller:

After affording you an opportunity to discuss the above-referenced matter with the New Jersey State Board of Pharmacy on August 22, 2018, the Board has decided to remove citation N.J.A.C.13:39-11.16(a) and mitigate citation N.J.A.C.13:39-11.24(a)10 to a Warning.

Please complete the attached **Certification** form and submit **\$1,000.00** for fines incurred to the Board within 15 days receipt of this letter.

NEW JERSEY STATE BOARD OF PHARMACY

By: 
Anthony Rubinaccio, RPh
Executive Director

AR/rh
(8/17)

CERTIFICATION

I, DAVID MILLER, hereby acknowledge that I have read and reviewed the Board's letter dated August 30, 2018 regarding allegations of violations of the Board's enabling act and/or regulations.

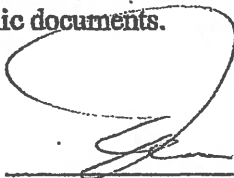
Please Check One:

☒ I acknowledge the conduct which has been charged and agree to:

Cease and desist from engaging in the conduct alleged and pay a penalty in the amount of \$1,000.00 (to be paid upon signing of this Certification).

I am also aware that the action taken against me by the Board herein is a matter of public record, and that the Board's letter and this Certification are public documents.

Dated: 9/4/18



 (Signature)
DAVID MILLER

 (Print Name)

Ref: David Miller, RPIC
 Millers of Wyckoff Pharmacy
 678 Wyckoff Avenue
 Wyckoff, NJ 07481
 (28RS00529600)
 Inspection #8-2498-17-160

AR/rh
 (8/17)

ATTACHMENT A

Millers of Wyckoff Pharmacy – 678 Wyckoff Avenue, Wyckoff, New Jersey 07481
 Pharmacist-In-Charge: David Miller
 Bureau File #8-2498-17-160, Period: 3/1/17
 Reference: Board of Pharmacy inspection conducted per N.J.S.A.45:1-18 and N.J.S.A.45:14-48(a)11&12, and a memorandum, dated February 6, 2017 from Anthony Rubinaccio, Executive Director, Board of Pharmacy, to Edward Tumminello, Chief, Enforcement Bureau, requesting an inspection for the subject pharmacy in connection with an application for a Remodeling.

Details

CITE	DESCRIPTION	FINE
N.J.A.C.13:39-11.24(a)10	When test result indicated that the cleanroom did not meet the standards established, the pharmacy failed to immediately cease using the cleanroom that was out of compliance until such time that the cleanroom met the requisite standards.	Warning
N.J.A.C.13:39-11A.9(g)	During the compounding of hormonal products, the pharmacy failed to adhere to standards establish by the Occupational Safety and Health Administration (OSHA): Specifically, most commonly compounded non-sterile preparation are hormonal related products, in the dosage forms of capsules, creams and ointments. Hazardous Active Pharmaceutical Ingredients (API), such as Progesterone and Testosterone, as well as batch prepared hormonal products, were observed to be stored in the active inventory along with non-hazardous API's.	\$1,000.00
TOTAL:	\$1,000.00	

11C

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: PETNET Solutions, Inc.

Physical Address: 26563 Corporate Ave., STE 102

Mailing Address: Same as above

City: Hayward State: CA Zip Code: 94545

Telephone: (510) 732-7134 Fax: (510) 732-7601

Toll Free Number: (800) 738-0389 (Required per NAC 639.708)

E-mail: robert.kwan@petnetsolutions.com Website: N/A

Managing Pharmacist: Robert Kwan License Number: RPH 60608 (CA)

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.

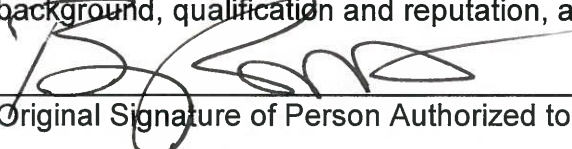
Within the last five (5) years:

- 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

Barry Scott, CEO

Print Name of Authorized Person

1/28/19

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: Tennessee

Parent Company if any: Siemens Molecular Imaging, Inc.

Mailing Address: 810 Innovation Drive

City: Knoxville State: TN Zip: 37932

Telephone: (865) 218-2000 Fax: (865) 218-3019

Contact Person: Melissa Leslie

For any corporation non publicly traded, disclose the following:

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

a)	Siemens Molecular Imaging, Inc.	810 Innovation Drive, Knoxville, TN 37932	100%
	Name	Address	

b) _____

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

c) _____
Name Address

d) _____

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

- 2) Provide the number of shares issued by the corporation. 1,000

- 3) What was the price paid per share? \$46,139.63

- 4) What date did the corporation actually receive the cash assets? 05/05/2005

- 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 11 pm ~~am~~ - 3:00 pm* Saturday _____ am _____ pm

Sunday _____ am _____ pm 24 Hours _____

A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number: NV20081331451

STATEMENT OF RESPONSIBILITY
FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

I, Barry Scott

Responsible Person of PETNET Solutions, 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

Barry Scott, CEO

Print Name of Authorized Person

1/28/19

Date

AFFIDAVIT for Out-of-State Pharmacy License

STATE OF California)
San Francisco) ss. COUNTY)

I, Robert Kwan, 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 Facility Manager for PETNET Solutions, 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, Robert Kwan, do hereby swear under penalty of perjury that the assertions of this affidavit are true.


 Name

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

 NOTARY PUBLIC

SEE ATTACHED CERTIFICATE
 DATE 1/22/19 NOTARY INITIALS SF

CALIFORNIA JURAT WITH AFFIANT STATEMENT**GOVERNMENT CODE § 8202**

- ☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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 San Francisco

Subscribed and sworn to (or affirmed) before me

on this 22 day of Jan, 2019,
 by Date Month Year

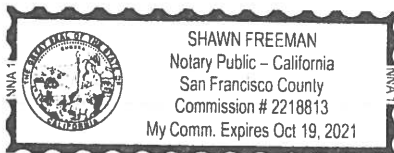
(1) Robert Kwan

(and (2) _____),

Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature Shawn Freeman
 Signature of Notary Public



Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____



Tre Hargett
Secretary of State

Division of Business Services

Department of State

State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

MELISSA LESLIE
MELISSA LESLIE
810 INNOVATION DRIVE
KNOXVILLE, TN 37932

January 11, 2019

Request Type: Certificate of Existence/Authorization
Request #: 0302084

Issuance Date: 01/11/2019
Copies Requested: 1

Document Receipt

Receipt #: 004454146 Filing Fee: \$20.00
Payment-Credit Card - State Payment Center - CC #: 3747609120 \$20.00

Regarding: PETNET SOLUTIONS, INC.

Filing Type: For-profit Corporation - Domestic

Control #: 396310

Formation/Qualification Date: 09/27/2000

Date Formed: 09/27/2000

Status: Active

Formation Locale: TENNESSEE

Duration Term: Perpetual

Inactive Date:

Business County: KNOX COUNTY

CERTIFICATE OF EXISTENCE

I, Tre Hargett, Secretary of State of the State of Tennessee, do hereby certify that effective as of the issuance date noted above

PETNET SOLUTIONS, INC.

* is a Corporation duly incorporated under the law of this State with a date of incorporation and duration as given above;

* has paid all fees, interest, taxes and penalties owed to this State (as reflected in the records of the Secretary of State and the Department of Revenue) which affect the existence/authorization of the business;

* has filed the most recent annual report required with this office;

* has appointed a registered agent and registered office in this State;

* has not filed Articles of Dissolution or Articles of Termination. A decree of judicial dissolution has not been filed.

Tre Hargett
Secretary of State

Processed By: Cert Web User

Verification #: 031389939



BOARD OF PHARMACY

ISSUANCE DATE
JULY 23, 2018
EXPIRATION DATE
JULY 1, 2019
CURRENT DATE / TIME
JANUARY 28, 2019
8:43:11 AM

LICENSING DETAILS FOR: PHY 55702

NAME: PETNET SOLUTIONS INC DBA PETNET PHARMACEUTICAL
LICENSE TYPE: PHARMACY (COMMUNITY)
LICENSE STATUS: CLEAR

ADDRESS
28563 CORPORATE AVE STE 102
HAYWARD CA 94545
ALAMEDA COUNTY

LICENSE RELATIONSHIPS

NAME: PETNET PHARMACEUTICAL
LICENSE/REGISTRATION TYPE: STERILE COMPOUNDING PHARMACY
LICENSE NUMBER: 101146 PRIMARY STATUS: CLEAR

ADDRESS :
26663 CORPORATE AVE STE 102
HAYWARD CA 94545
ALAMEDA COUNTY

NAME: KYWAN ROBERT ANDREW
LICENSE/REGISTRATION TYPE: REGISTERED PHARMACIST
LICENSE NUMBER: 60608 PRIMARY STATUS: CLEAR

ADDRESS :
3801 MIRANDA AVE DRC BLDG 102
RM 125
PALO ALTO CA 94304
SANTA CLARA COUNTY

BOARD OF PHARMACY LICENSING DETAILS FOR: PHY 55702

NAME: PETNET SOLUTIONS INC DBA PETNET PHARMACEUTICAL

LICENSE TYPE: PHARMACY (COMMUNITY)

LICENSE STATUS: CLEAR

ADDRESS

26563 CORPORATE AVE STE 102

HAYWARD CA 94545

ALAMEDA COUNTY

ISSUANCE DATE

JULY 23, 2018

EXPIRATION DATE

JULY 1, 2019

CURRENT DATE / TIME

JANUARY 28, 2019

6:43:11 AM

LICENSE RELATIONSHIPS

NAME: PETNET PHARMACEUTICAL

LICENSE/REGISTRATION TYPE: STERILE
COMPOUNDING PHARMACY

LICENSE NUMBER: 101146 **PRIMARY STATUS:**
CLEAR

NAME: KWAN, ROBERT ANDREW

LICENSE/REGISTRATION TYPE: REGISTERED
PHARMACIST

LICENSE NUMBER: 60608 **PRIMARY STATUS:**
CLEAR

ADDRESS :

26563 CORPORATE AVE STE 102

HAYWARD CA 94545

ALAMEDA COUNTY

ADDRESS :

3801 MIRANDA AVE DRC BLDG 102

RM 125

PALO ALTO CA 94304

SANTA CLARA COUNTY



Board of Pharmacy



Retail Pharmacy Permit

LICENSE NO. PHY 55702

ISSUE DATE JULY 23, 2018

PETNET SOLUTIONS INC DBA PETNET PHARMACEUTICAL

26563 CORPORATE AVE STE 102
HAYWARD CA 94545

The above is licensed with the State Board of Pharmacy as a Corporation.

CORPORATION

PHARMACIST IN CHARGE

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

PLACE RENEWAL LICENSE HERE

VALID UNTIL JULY 01, 2019

RECEIPT NUMBER 00612760

This original license must be kept for the life of the license and posted in public view.

In accordance with the provisions of Chapter 9 of Division 2 of the Business and Professions Code, the business named above is hereby licensed at the above address, 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 when there is change of ownership, location, corporate officer, director, shareholder (more than 10 percent share change), administrator or pharmacist-in-charge.

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

----- POST IN PUBLIC VIEW -----

PETNET Solutions

Voluntary Surrender of Non-Resident Permits

PETNET Site	State	Surrender Date	Reason
Albany, NY	NH	11/05/18	Inactivity – lack of demand for our services in New Hampshire from this site
Palo Alto, CA	CA	08/28/18	Discontinuance of Business
Philadelphia	WV	06/19/18	Inactive – License is considered inactive until the site gets a WV-licensed RPh
Hackensack, NJ	MD	03/29/18	This facility lost its MD-licensed pharmacist/PIC. There was not another MD-licensed pharmacist on staff to take over as PIC nor was there enough time for another RPh to become MD-licensed before the active permit expired.
Knoxville, TN	KY	11/04/17	Inactive – License is considered inactive until the site gets a KY-licensed RPh
Overland Park, KS	TN	09/07/17	Inactivity – lack of demand for our services in Tennessee from this site
Dallas, TX	LA	12/20/16	This facility lost its LA-licensed pharmacist/PIC. There was not another LA-licensed pharmacist on staff to take over as PIC nor was there enough time for another RPh to become LA-licensed before the active permit expired.
Knoxville, TN	VA	11/01/16	This facility lost its VA-licensed pharmacist/PIC. There was not another VA-licensed pharmacist on staff to take over as PIC nor was there enough time for another RPh to become VA-licensed before the active permit expired.
Cincinnati, OH	MI	10/19/16	Inactivity – lack of demand for our services in Michigan from this site
Palo Alto, CA	NV	09/23/16	Inactivity – lack of demand for our services in Nevada from this site
Phoenix, AZ	CO	07/06/16	Inactivity – lack of demand for our services in Colorado from this site
Albuquerque, NM	TX	06/15/16	Inactivity – lack of demand for our services in Texas from this site
Covington, LA	TX	05/06/16	Inactivity – lack of demand for our services in Texas from this site
Covington, LA	AL	08/10/15	This facility lost its AL-licensed pharmacist/PIC. There was not another AL-licensed pharmacist on staff to take over as PIC nor was there enough time for another RPh to become LA-licensed before the active permit expired.
Knoxville, TN	AL	10/07/14	Inactivity – lack of demand for our services in Alabama from this site
Knoxville, TN	WV	07/01/14	Inactivity – lack of demand for our services in West Virginia from this site

Explanation of Disciplinary Action, 2019

To Whom it May Concern:

This letter has been prepared to satisfy the requirement by the state Boards of Pharmacy that an explanation of disciplinary actions against the pharmacy corporation be provided as a pre-requisite and/or condition of licensure or license renewal for a pharmacy in those states. This letter includes the pertinent details of the eight actions that have been taken against PETNET and a brief description of some of the Corrective Actions launched by the corporation to address each action.

Pennsylvania Bureau of Enforcement and Investigation

Citation and fine in 2003 against the Philadelphia pharmacy for failure to notify the Pennsylvania Board of a Pharmacist-In-Charge (PIC) change. PETNET paid the fine and implemented internal changes to ensure that appropriate notifications are submitted to the appropriate state boards in a timely fashion.

Illinois Department of Financial and Professional Regulation

Disciplinary Action in 2005 against the Peoria pharmacy, including a fine and a formal reprimand of the pharmacy license, for failure to submit notification of closing when the nuclear pharmacy was shut down in 2003. PETNET paid the fine and implemented additional internal changes to ensure that appropriate notifications are submitted in a timely fashion.

Colorado Board of Pharmacy

Disciplinary Action in 2006 against the Aurora pharmacy, including a fine and three year probation, for the following: pharmacist had failed to sign seven prescription orders, legend items potassium carbonate and sterile water were on the premises prior to licensure, records of receipt for the above-named legend items were not available, the required employee list was not readily available, prescription orders were not maintained numerically, and an unsupervised non-pharmacist was occupying the compounding area.

PETNET launched a series of corrective actions to contain and address the deficiencies identified in these inspection findings and has also worked with the Colorado Board of pharmacy to develop and implement nuclear pharmacy rules in Colorado which allow calibration and maintenance of equipment in the Restricted Area under the supervision of an Authorized User on the RAM license.

Alabama Board of Pharmacy

Disciplinary Action in 2007 against all Alabama non-resident pharmacy permits held by PETNET, including a fine and three year probation, as a punitive response to the disclosure of the Colorado and Illinois disciplinary actions. PETNET paid the fine.

Vermont Board of Pharmacy

Disciplinary Action in 2008 against all Vermont non-resident pharmacy permits held by PETNET, including a fine, as a punitive response to the disclosure of the Colorado and Illinois, and Alabama disciplinary actions. PETNET paid the fine.

Colorado Board of Pharmacy

Disciplinary action and fine in 2011 against the Albuquerque pharmacy for failure to notify the Colorado Board of a PIC change within the required reporting time. PETNET paid the fine and has further refined processes related to new permit applications in order to prevent similar violations in the future.

New Jersey Board of Pharmacy

Disciplinary action and fine in 2016 against the Hackensack pharmacy for the following: failure to cease using primary engineering control for two instances of growth from environmental monitoring processes over the course of one year; shoe covers not put on at an acceptable distance from the compounding area; and PIC failed to complete didactic training in sterile compounding. PETNET paid the fine and implemented corrective actions.

Maine Board of Pharmacy

Fine in 2018 against the Woburn, Massachusetts pharmacy for failing to submit the PIC change application to the Maine Board no later than seven days after a change of PIC. Due to this change taking place immediately prior to the 2016/2017 Christmas and New Year holidays; the necessary PETNET staff was unavailable to sign the application within the required timeframe specified by the Agency. PETNET paid the fine.

PETNET Solutions, Inc. holds transparency and compliance matters in the highest position of importance, as this letter surely demonstrates. We welcome questions and comments about our compliance programs and history.

Respectfully,



Michael Nazerias
Vice President, Regulatory Affairs & Quality Assurance
PETNET Solutions, A Siemens Company

PROTHONOTARY
Commonwealth of Pennsylvania

2003 SEP 10 PM 2:46

Date: September 9, 2003

Department of State

Subject: Closure of Citation File
File No. 03-54-08851
Citation No. 05166
PET NET PHARMACEUTICALS, INC.

To: Deanna S. Walton
Prothonotary

From: Kendra A. Dannelley *KAD*
Complaints Office

Please be advised that this office is in receipt of a plea statement from the Respondent in the above matter. A copy is attached for your records. The Respondent has admitted to all charges and has tendered the appropriate form and amount of payment of the civil penalty. Consequently, this matter is considered closed and a hearing will not be necessary.

Please feel free to contact this office if you have any questions.

Attachment

cc: Mary-Jo Mullen, Director
Bureau of Enforcement and Investigation (w/attachment)
Sherylyn Gillespie

TRUE AND CORRECT COPY
CERTIFIED FROM THE RECORD
THIS 18th DAY OF Sept. A.D. 2008

Kelly J. Diller
PROTHONOTARY

Commonwealth of Pennsylvania

DEPARTMENT OF STATE
HARRISBURG, PA 17105

CITATION NO.

CITATION

05166

RESPONDENT FIRST NAME: PET NET PHARMACEUTICALS INC. MIDDLE NAME: LAST NAME: CASE NR: 03-54-06218

SEX: M DOB: AGE: FAC/IND-LIC. NR: PP4 15644L

RESIDENCE ADDRESS: 318-402 Industrial Drive CITY-TWP-BORO-COUNTY: North Wales STATE: PA ZIP CODE: 19454

CHARGE: 44 Pa Code Section 27.11(g) Failure to notify Board of Change in Pharmacist manager or operation of Pharmacy without pharmacist manager.

DATE: 08/19/03 TIME: 2:00 PM

STATUTE OF REGULATION: 44 Pa Code FACILITY ADDRESS: Pet Net Pharmaceuticals Inc.

SEC: 27.11(g) FINE: \$500.00 398-402 Industrial Drive

SEC: CITY-TWP-BORO-COUNTY: North Wales STATE: PA ZIP CODE: 19454

SEC: SEND PAYMENT TO: PENNSYLVANIA DEPT. OF STATE

ATTN: COMPLAINTS OFFICE CITATIONS

PO BOX 2649

HARRISBURG, PA 17105

TOTAL DUE: \$ 550.00

RECEIPT OF CITATION IS ACKNOWLEDGED SIGNATURE: [Signature] DATE ISSUED/FILED: 8/19/03

I VERIFY THAT THE FACTS SET FORTH IN THIS CITATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE OR INFORMATION AND BELIEF. THIS VERIFICATION IS MADE SUBJECT TO THE PENALTIES OF SECTION 4804 OF THE CRIMES CODE (18 PA.C.S. §2404) RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

INVESTIGATOR SIGNATURE: [Signature] REGION: Philadelphia

REMARKS: As per pharmacist in duty Tigran Smirnov is still employed by a company but in New York. New PIC should be given October 2002. William Thomas Thore III; therefore Pet Net has been in violation for several months.

READ THE REVERSE SIDE OF THIS CITATION FOR AN EXPLANATION OF YOUR RIGHTS AND OBLIGATIONS FOR SETTLEMENT OF THIS MATTER. YOU MUST ELECT AN OPTION AND FOLLOW THE APPROPRIATE DIRECTIONS WITHIN 10 DAYS TO AVOID FURTHER LEGAL ACTION AGAINST YOUR LICENSE.

SHOULD YOU ELECT TO DEMAND A HEARING ON THIS MATTER, FOLLOW THE INSTRUCTIONS ON THE REVERSE. YOUR HEARING DATE WILL BE 11-04-03 AT 9:00 A.M. ALL HEARINGS ARE HELD IN THE OFFICE OF HEARING EXAMINERS, 124 PINE ST., HARRISBURG, PA 17110

All hearings are held in the Office of Hearing Examiners 2601 North 3rd Street Harrisburg, PA 17110

SPOA-302 (6/95) RESPONDENT'S RETURN

05166



Illinois Department of Financial and Professional Regulation
Division of Professional Regulation

ROD R. BLAGOJEVICH
 Governor

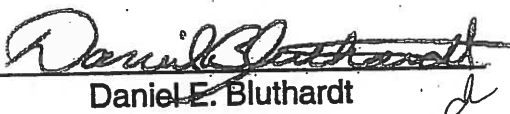
DEAN MARTINEZ
 Acting Secretary

DANIEL E. BLUTHARDT
 Acting Director
 Division of Professional Regulation

CERTIFICATION

I, Daniel E. Bluthardt, Acting Director of the Division of Professional Regulation, do hereby certify that I have been designated by the Secretary of the Department of Financial and Professional Regulation of the State of Illinois, as the keeper of its records and Seal. Such document(s) attached hereto are certified copies of the records maintained and kept by this Department in the regular course of business as of today's date.

IN WITNESS WHEREOF, I have set my hand and Seal of the Department of Financial and Professional Regulation at Springfield, Sangamon County, Illinois, this 15th day of December 2005.


 Daniel E. Bluthardt
 Acting Director
 Division of Professional Regulation



STATE OF ILLINOIS

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

ILLINOIS DEPARTMENT OF FINANCIAL AND)	
PROFESSIONAL REGULATION)	
of the State of Illinois,)	Complainant
)	
v.)	No. 2003-08762-2
P.E.T. NET PHARMACEUTICALS, INC.)	
License No. 64-013324,)	Respondent

CONSENT ORDER

The Illinois Department of Financial and Professional Regulation, Division of Professional Regulation (hereinafter "the Department") by Eileen Lewalski, its attorney, and P.E.T. Net Pharmaceuticals, Inc., Respondent, agree to the following:

STIPULATIONS

P.E.T. Net Pharmaceuticals, Inc. is licensed as a Division IV pharmacy in the State of Illinois, holding license No. 64-013324. At all times material to the matters set forth in this Consent Order, the Illinois Department of Financial and Professional Regulation or its predecessor, the Department of Professional Regulation of the State of Illinois had jurisdiction over the subject matter and parties to this Consent Order.

Information has come to the attention of the Department that the Respondent did not have a pharmacist-in-charge from May 2003 through October 2003. If these allegations were proven at a hearing to be true, then these allegations would constitute grounds for suspending or revoking Respondent's license as a pharmacy in the State of Illinois, on the authority of 68 Ill. Adm. Code (2003), Chapter VII, Subchapter b, Part 1330, Section 1330.94 (f) (1) and (2) pursuant to 225 ILCS (2003), 85/30 (a) (2).

As a result of these allegations, Division attorney, Eileen Lewalski, contacted the Respondent, represented by David Morehous, via telephone on February 24, 2005. Additionally, the Division attorney consulted with Olena Maleckyj-Popowycz, a member of the Illinois State Board of Pharmacy on February

25, 2005.

The Respondent neither admits nor denies the allegations. In mitigation, the Respondent asserts/has presented proof that the pharmacy ceased operations and closed the facility in May 2003 due to its inability to retain the services of a licensed nuclear pharmacist.

The Respondent has been advised of the right to have the pending allegations reduced to written charges, 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 Board or Director. The Respondent acknowledges that the Division attorney may be requested to communicate with the Board or Director in furtherance of the approval of this Consent Order.

The Respondent and the Department have agreed, in order to resolve this matter, that the Respondent be permitted to enter into a 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 Eileen Lewalski, its attorney, and P.E.T. Net Pharmaceuticals, Inc., Respondent, agree:

- A. The license of P.E.T. Net Pharmaceuticals, Inc., license No. 64-013324, to practice as a pharmacy in the State of Illinois is REPRIMANDED.
- B. Respondent must pay a Five Thousand Dollar (\$5,000) fine within thirty (30) days of the effective date of this Order. The fine is to be paid by personal check, cashiers check, or personal money order. Said check shall be made payable to:

Illinois Department of Financial and Professional Regulation
 Attention: Fiscal Section
 320 W. Washington, 3rd floor
 Springfield, IL 62786.

In the notation portion of the check, this case No. 2003-08762-2 and the license No. 64-013324 shall be reflected.

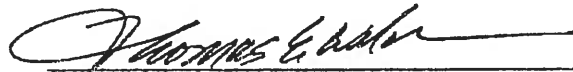
- C. If Respondent, P.E.T. Net Pharmaceuticals, Inc., fails to pay the aforementioned fine and the Department initiates a collection effort to retrieve the fine, Respondent shall be responsible for all costs and fees incurred by the Department in said collection effort.
- D. Any violation by Respondents of the terms and conditions of this Consent Order shall be grounds for the Department to immediately file a Complaint to revoke Respondent's license to practice as a pharmacy in the State of Illinois.
- E. This Consent Order shall become effective immediately after the Director of the Department approves it.

DIVISION OF PROFESSIONAL REGULATION
 of the State of Illinois

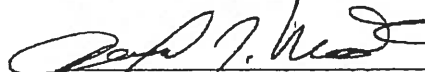
4/7/05
 DATE

By: 
 Eileen Lewalski
 Attorney for the Department

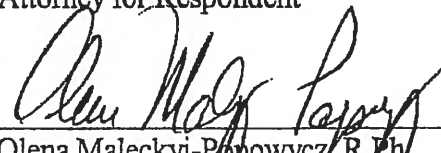
23 March 2005
 DATE


 P.E.T. Net Pharmaceuticals, Inc. by its designated
 Representative, Respondent

23 March, 2005
 DATE


 David L. Morehous
 Attorney for Respondent

4-4-05
 DATE


 Olena Maleckyj-Popowycz, R.Ph.
 Chairperson, Illinois Board of Pharmacy

THIS CONSENT ORDER IS APPROVED IN FULL:

DATED THIS 29th DAY OF April, 2005.

ILLINOIS DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION
OF THE STATE OF ILLINOIS
FERNANDO E. GRILLO, SECRETARY
DIVISION OF PROFESSIONAL REGULATION



DANIEL E. BLUTHARDT
ACTING DIRECTOR

STATE OF COLORADO

STATE BOARD OF PHARMACY

Susan L. Warren, Program Director

1560 Broadway, Suite 1310

Denver, Colorado 80202-5146

Phone (303) 894-7750

Fax (303) 894-7764

V/TDD: Dial 711 for Relay Colorado

www.dora.state.co.us/pharmacy

Department of Regulatory Agencies

Tambor Williams

Executive Director

Division of Registrations

Rosemary McCool

Director

Bill Owens
Governor

December 2, 2005

Petnet Pharmaceuticals

Thomas Ebach

810 Innovation Drive

Knoxville, TN 37932

Re: Complaint # 2005-2949**IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE REGISTRATION
FOR PETNET PHARMACEUTICALS, INC, REGISTRATION NO. 568, Respondent**

Dear Mr. Ebach:

Enclosed you will find a copy of the fully executed Stipulation and Final Agency Order in the above-mentioned matter.

The parameters include a fine of \$10,000.00 and 3 years probation.

The Board urges the respondent to review the terms of the Stipulation and Final Agency Order carefully. Please be advised that meeting the terms of the Stipulation and Final Agency Order is the responsibility of the respondent.

If you have any questions, or require additional information, please contact the Board's office.

Sincerely,

COLORADO STATE BOARD OF PHARMACY

Belinda Jones
Complaint Analyst

Enclosure

File

BEFORE THE STATE BOARD OF PHARMACY

STATE OF COLORADO

Case No. 2005-2949

STIPULATION AND FINAL AGENCY ORDER

**IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE
REGISTRATION FOR PETNET PHARMACEUTICALS, INC., REGISTRATION NO.
568**

Respondent.

IT IS HEREBY STIPULATED by and between the Colorado State Board of Pharmacy, ("the Board") and Petnet Pharmaceuticals, Inc., ("Respondent") as follows:

1. The Board has jurisdiction over the entity of Respondent and the subject matter of this Stipulation and Final Agency Order ("Stipulation and Order").
2. Respondent has been registered as a prescription drug outlet in the State of Colorado since August 9, 2004.
3. This Stipulation and Order is a full and final resolution of case number 2005-2949. This Stipulation and Order does not resolve any other cases, complaint or matters, known or unknown to the Board or Respondent, as of the effective date of this Stipulation and Order.
4. Respondent admits and the Board finds:
 - a. Respondent allowed at least seven prescription orders to be taken without a pharmacist's signature.
 - b. Respondent had prescription drugs, namely Potassium Carbonate and Sterile Water, in its possession before becoming registered with the Board.
 - c. Respondent did not have invoices detailing the receipt of prescription drugs readily available during a Board inspection.
 - d. Respondent did not have an employee list readily available during a Board inspection.
 - e. Respondent did not maintain prescription orders in a uniformly maintained and readily retrievable manner. Prescription orders were not filed sequentially pursuant to assigned serial numbers.

- f. Respondent had an employee occupying the compounding/dispensing areas of the premises without a licensed pharmacist on site.
5. By virtue of the facts in paragraph 4 above, Respondent admits, and the Board hereby finds, Respondent violated C.R.S. § § 12-22-116(5), 12-22-119(2), 12-22-120(1)(a), 12-22-125(1)(c) and (k), 12-22-121(1), 12-22-131(1)(a), and Rules 2.01.10(a) and (c), 3.00.50(a), 11.01.00, 11.02.00(a)(5), 11.04.10, 11.08.00(a),(b),(c),(d), 5.01.50(a) and 12.00.30 as specified below in paragraph 6.
6. The relevant statutory authority of the Board is as follows:

12-22-120. Registration of facilities. (1) All outlets with facilities in this state shall register with the board in one of the following classifications:

(a) Prescription drug outlet;

...

12-22-116. Licensure or registrations – applicability – applications – licensure requirements.

...

(5) No applicant shall exercise the privileges of licensure or registrations until the license or registration has been granted by the board.

...

12-22-119. Prescription drug outlet under charge of pharmacist.

...

(2) No prescription drug outlet shall commence business until it has made application for a registration and has received from the board a registration showing the name of the proprietor and the name of the manager...

12-22-121. Compounding – dispensing – sale of drugs and devices. (1) Except as otherwise provided in this section and part 3 of this article, no drug, controlled substance, as defined in section 12-22-303 (7), or device shall be sold, compounded, dispensed, given, received, or held in possession unless it is sold, compounded, dispensed, given, or received in accordance with this section.

12-22-125. Unprofessional conduct - grounds for discipline.

(1) The board may suspend, revoke, refuse to renew, or otherwise discipline any license or registration issued by it, after a hearing held in accordance with the provisions of this section, upon proof that the licensee or registrant:

(c) Has violated:

(I) Any of the provisions of this part 1, including but not limited to any acts in section 12-22-126;

(II) The lawful rules of the board; or

(III) Any state or federal law pertaining to drugs.

(k) Has failed to meet generally accepted standards of pharmacy practice;

12-22-131. Records. (1) (a) All records of receipt, distribution, or other disposal of prescription drugs or controlled substances shall be available to the board upon request for inspection, copying, verification, or any other purpose. Such records shall be retained for two years.

Rules of Professional Conduct.

2.01.10 Information to Appear on Each Order. The following information must appear on each written or oral order except as provided except as provided for chart orders:

- a. The name, initials, or license number of the pharmacist making the final evaluation as required by regulation 3.00.50;
- b. The date the order was compounded and dispensed; and
- c. In the case of a prescription order, the prescription order serial number.

3.00.50 Final evaluation. Each time a prescription drug or device is dispensed in a prescription drug outlet, a pharmacist shall make the final evaluation of the transaction. At the time of such final evaluation, the pharmacist shall take whatever action is necessary to ensure that the initial interpretation, container, label, and prescription drug or device dispensed, as well as all records relating to the transaction are complete, accurate, and appropriate.

(a). The record or records of each dispensing transaction shall bear the identity of the pharmacist making the final evaluation, and this pharmacist shall be held responsible and accountable for each dispensing transaction which bears this pharmacist's identity.

5.01.50 Security. In every prescription drug outlet, all compounding/dispensing areas shall comply with this regulation.

- a. When any compounding/dispensing area of a prescription drug outlet is occupied by any employee, a pharmacist must be physically present on the premises.

11.01.00 Records in General. All outlets registered and/or licensed by the Board shall maintain such records and inventories of prescription drugs as may be required by these regulations or any other state or federal law or regulation pertaining to such drugs. Such records shall be maintained on a current basis and shall be complete and accurate for all drugs which the outlet manufactures, receives, dispenses, distributes or otherwise disposes of in any other manner. Records and inventories of controlled substances shall be deemed to be "complete" only if each individual record and inventory contains all required information regarding each specific transaction, and if the set of records and inventories contains all information and documents required to be kept by state and federal laws, rules, and regulations. A record or inventory shall be deemed to be "accurate" only if it is a complete, true and factual statement regarding or reflecting each specific transaction. A set of records or inventories shall be deemed to be "accurate" only if they are complete, and when considered as a whole, they demonstrate that the controlled substances and/or the records and inventories pertaining thereto have been handled in compliance with all applicable laws or regulations and that all such controlled substances are properly accounted for.

All such records shall be retained for a period of at least two years after the date of any transaction relating to such record or inventory by any process providing an exact duplicate of the original order in a reproducible quality acceptable to the Board. Records shall be retained in a format that cannot be altered.

Records on an automated data processing system or subsequent storage of such records must be immediately retrievable (via monitor display or hard copy printout). Upon written Board approval, outlets capable of meeting the above standards may not be required to retain the original prescription order for non-controlled drugs.

11.02.00 Retrievability of Records. For the purposes of these regulations, records and inventories shall be deemed "readily retrievable" if they meet the following requirements:

For all Registered Prescription Drug Outlets:

- a. The following records shall be maintained on the premises of the prescription drug outlet at all times and shall be made available for inspection by the Board or its inspectors immediately upon request:

- (5) All lists as required by regulations 11.08.00 and 11.09.00.

11.04.10 A hard copy of every prescription order shall be readily retrievable and available for inspection for a period of two years from the date of any transaction relating to such prescription order unless the prescription drug outlet has received written Board approval to not retain the original prescription order for non-controlled drugs. Prescription orders will be deemed to be readily retrievable and available if they are filed according to the numerical sequence of the serial numbers assigned pursuant to 2.01.10. In addition to being filed in numerical sequence, three different prescription files shall be maintained: one file shall consist only of schedule II controlled substance prescription orders; the second file shall consist only of schedule III, IV and V controlled substance prescription orders; and the third file shall consist of all non-controlled substance prescription orders. Filing of prescription orders in any manner other than by numerical sequence will result in such prescription orders being deemed not readily retrievable and available.

11.08.00 List of Employees. Each prescription drug outlet shall keep and maintain on a current basis a list of every licensed pharmacist and intern who has practiced pharmacy in that outlet at any time during the previous two years, including all part-time or relief personnel. This list shall show, for each such person, the following information:

- a. The printed name of the person;
- b. The person's license number;
- c. A sample of his/her initials and signature and any other identifying mark as affixed to any record required by law or regulation; and
- d. The date upon which such person began practicing pharmacy in the prescription drug outlet.

12.00.30 Requirements For Nuclear Prescription Drug Outlets. A nuclear prescription drug outlet shall only be managed by a nuclear pharmacist. All personnel performing tasks in the preparation and distribution of radiopharmaceuticals shall be under the direct supervision of a nuclear pharmacist. A nuclear pharmacist shall be in attendance at all times that the nuclear prescription drug outlet is open for business and shall be responsible for all operations of the registered area.

DISPOSITION

7. **FINE:** Respondent shall hereby pay a fine of \$10,000, payable to the State of Colorado.
8. **PROBATION:** Respondent shall hereby be placed on probation for period of three (3) years commencing from the effective date of this Stipulation and Order.

Credit for the period of probation shall be given only for the periods of time in which Respondent is in complete compliance with all terms of this Stipulation and Order. Respondent acknowledges that its license is restricted by the probationary terms set forth in this Stipulation and Order.

9. OTHER TERMS:

- a. Throughout the term of Probation, Respondent shall attend any meeting with the Board upon 30 days notice if the Respondent resides in Colorado and 60 days notice if the Respondent resides out of state.
- b. Respondent shall comply fully with this Stipulation and Order.
- c. Respondent shall comply fully with the Colorado Pharmacy Laws, all Board rules and regulations, and any other State and Federal laws related to pharmacies and the practice of pharmacy.

ADVISEMENTS AND WAIVERS

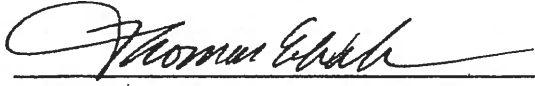
- 10. ADVISEMENT AND WAIVERS. Respondent is aware of and understands the right to receive a formal notice of hearing and charges and to have a formal disciplinary hearing pursuant to § 12-22-125.2(2)(a), C.R.S. (2005) and hereby waives those rights and requests that this Stipulation and Order be accepted by the Board with the same force and effect as an order entered into as a result of a formal disciplinary proceeding. Respondent further waives the right to appeal the Order entered herein.
- 11. This Stipulation and Order is entered into by Respondent voluntarily, after the opportunity to consult with counsel and with full understanding of the legal consequences of this Stipulation and Order.
- 12. Respondent acknowledges and agrees that any violation of this Stipulation and Order shall constitute a violation of a lawful Board Order and grounds for further proceedings pursuant to the Pharmaceuticals and Pharmacists Law and, if proven, may constitute a basis for further disciplinary action. In the event this matter is referred to hearing for violation of this Stipulation and Order, this Stipulation and Order shall be admissible as evidence. In the event an alleged violation of this Stipulation and Order is taken to hearing and the facts that constitute the violation are determined to be not proven, no disciplinary action shall be taken by the Board and this Stipulation and Order shall remain operative and in full force and effect. The pendency of any disciplinary action pursuant to this Stipulation and Order shall not affect the obligation of Respondent to comply with the terms of this Stipulation and Order.
- 13. INTEGRATION AND SEVERABILITY. This Stipulation and Order constitutes the entire agreement between Respondent and the Board. There are no other

promises expressed or implied. In the event that a provision is deemed unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of this Stipulation and Order shall be given full force and effect.

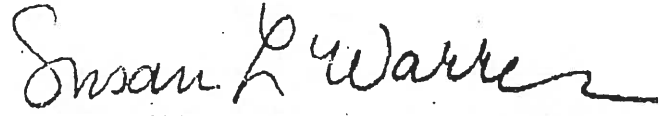
14. TERMINATION OF PROBATION. If, at the end of the three year period, Respondent has adhered to all terms and conditions of its probation, Respondent's probation shall be deemed completed and Respondent may request termination of probation. Request for termination of probation must be made in writing to the Board, and Respondent is solely responsible for establishing, through written and other documentation satisfactory to the Board, that he has satisfied all terms and conditions of its probation.
15. OTHER CONDITIONS. In the event this Stipulation and Order does not become an Order of the Board, it shall be void and Respondent shall not be bound by any provisions hereof or admissions herein.
16. PUBLIC RECORD. This Stipulation and Order is a public record in the custody of the Board at all times and shall be reported as required by law.
17. EFFECTIVE DATE. This Stipulation and Order shall become an Order of the Board when accepted by the Board and signed by an authorized Board member.

AGREED TO AND ACCEPTED BY:

RESPONDENT

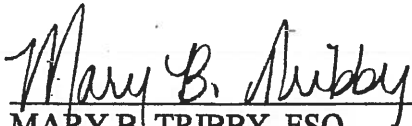

 NAME
810 Innovation Drive
 Address
Knoxville, TN 37932
 Address
865.218.2000
 Telephone Number

COLORADO STATE BOARD OF PHARMACY

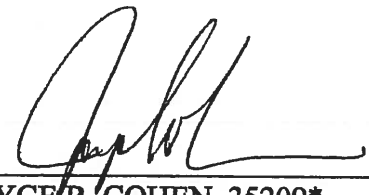
By: 
 SUSAN L. WARREN
 Program Director
 1560 Broadway, #1310
 Denver, CO 80202

Effective Date: This 3RD day
 of JANUARY, 2008.

APPROVED AS TO FORM:


 MARY B. TRIBBY, ESQ.
 Holland & Hart, LLP
 555 17th Street, Suite 3200
 Denver, CO 80202-3979
 303-295-8461

JOHN W. SUTHERS


 JOYCE R. COHEN, 35209*
 Assistant Attorney General
 Business and Licensing Section

Attorneys for the Colorado State
 Board of Pharmacy

1525 Sherman St., 5th Floor
 Denver, CO 80203
 303) 866-5453
 *Counsel of Record

ALABAMA

BOARD OF PHARMACY



HERB BOBO, R.Ph.
Secretary

10 Inverness Center Parkway
Suite 110
Birmingham, Alabama 35242

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Fax (205) 981-2330

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January 9, 2008

TO WHOM IT MAY CONCERN:

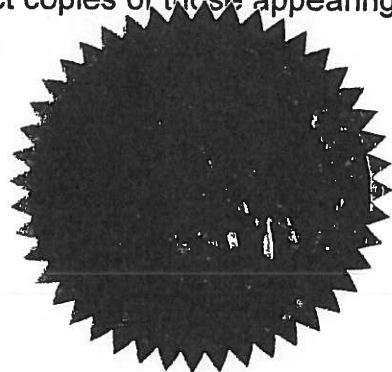
RE: **PETNET PHARMACEUTICALS, INC.**
ALABAMA PHARMACIES/PERMITS #111866;112062;112511;112082

This is to certify that the undersigned is the duly elected executive officer of the Alabama State Board of Pharmacy. I am in charge of the Board office and all records are made and kept under my direct supervision.

This is to, further, certify that the enclosed records are exact copies of those appearing on file regarding **PETNET PHARMACEUTICALS, INC..**

Herb Bobo

Herb Bobo, R.Ph.
Secretary



Subscribed and sworn before me this 9th day of JANUARY 2008, at Birmingham, Alabama,
County of Shelby.

Mitzi G. Ellenburg
Mitzi G. Ellenburg
Notary Public
State-at-Large

My commission expires:
August 10, 2010

IN THE MATTER OF:)	BEFORE THE ALABAMA STATE
)	
PETNET PHARMACEUTICALS, INC.)	BOARD OF PHARMACY
)	
Permit Numbers 111866, 112062)	
112511, 112082)	

SECOND AMENDED FINAL ORDER

On August 22, 2007 this cause came before the Alabama State Board of Pharmacy (hereinafter also referred to as the "Board"), on a Complaint against Petnet Pharmaceuticals, Inc. (hereinafter also referred to as the "Respondent"), and evidence having been adduced thereon, the Board has determined that the following Findings of Fact and Conclusions of Law are supported by the preponderant weight of evidence and law. Board Member Ms. Tammy Rogers did not attend the administrative hearing.

Agreement

Prior to the hearing the parties agreed to the following terms and acknowledged said agreement at the hearing:

1. Counts Two and Three of the Statement of Charges and Notice of Hearing to the Respondent dated June 7, 2007 shall be dismissed.
2. The Respondent stipulates for the purposes of this proceeding and this proceeding only that the Board would meet its required burden of proof. Based on that, there will be finding of guilt as to Count 1 of the Statement Of Charges and Notice of Hearing; and
3. The Respondent shall be placed on PROBATION through January 2, 2009 with the following conditions:
 - a. Throughout the term of Probation, the Respondent shall attend any meeting

with the Board upon 30 days notice if the Respondent resides in Alabama and 60 days notice if the Respondent resides out of state.

b. The Respondent shall comply fully with this Agreement and Order.

c. The Respondent shall comply fully with the Alabama Pharmacy Laws, all Board rules and regulations, and any other State and Federal laws related to pharmacy and the practice of pharmacy.

d. The Respondent shall comply fully with any and all provisions of the Colorado State Board of Pharmacy Stipulation and Final Order dated January 3, 2006.

4. The Respondent shall pay an administrative fine of One Thousand (\$1,000.00) Dollars

Findings of Fact

1. The Respondent is a corporation which owns non-resident pharmacies which were issued permit numbers 111866, 117062, 112511 and 112082.

2. The Respondent was notified of the charges, the Respondent attended the administrative hearing and was represented by counsel, Mr. James Andrew Lemons, Esq. Also attending from the Respondent corporation were Mr. Ken Breslow, Senior Regulatory Affairs Specialist and Mr. Doug Derry, Regulatory Affairs Specialist. (Board's Exhibit One)

3. The Respondent made no objection to the timeliness of the Notice of Hearing or the specificity of the Statement of Charges.

4. In 2006 the Respondent was disciplined by the Colorado Board of Pharmacy for multiple violations of the state practice act and Board rules. (Board's Exhibit One)

Conclusions of Law

1. The Alabama State Board of Pharmacy has jurisdiction of this cause pursuant to Code of Alabama (1975), § 34-23-34, § 34-23-92 (12) and § 41-22-12.
2. The Respondent was properly notified of the charges; the Respondent attended the administrative hearing and was represented by counsel at the hearing.
3. The Respondent made no objection to the timeliness of the Notice of Hearing.
4. The Respondent made no objection to the specificity of the Statement of Charges.
5. The Respondent's license to practice pharmacy in the state of Alabama is due to be placed on PROBATION and have disciplinary sanctions imposed in that it is guilty of violating Code of Alabama (1975), § 34-23-33 (2) based upon the Stipulation and Final Agency Order entered by the Colorado State Board of Pharmacy on May 3, 2006 based upon multiple violations.

ORDER

In accordance with the foregoing Agreement, Findings of Fact and Conclusions of Law, it is hereby ORDERED as follows:

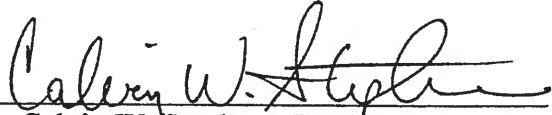
1. Counts Two and Three of the Statement of Charges and Notice of Hearing to Respondent dated June 7, 2007 are hereby DISMISSED; and
2. The Respondent's non-resident pharmacy permits in the State of Alabama are hereby placed on PROBATION through January 2, 2009; and
3. The Respondent is also ORDERED to pay to the Board an administrative fine of One Thousand (\$1,000.00) Dollars; said fine shall be paid within thirty (30) days of the date of this

ORDER and future applications for renewal shall not be granted unless said fine has been paid; and

4. The Respondent shall comply fully with any and all provisions of the Colorado State Board of Pharmacy Stipulation and Final Order dated January 3, 2006.

5. Any future violations of this Order, the Alabama Pharmacy Practice Act, the laws that regulate the sale and/or dispensing of prescription or legend drugs and/or narcotics or any Rule of the Alabama State Board of Pharmacy or the pharmacy law, the Colorado State Board of Pharmacy Stipulation and Final Order dated January 3, 2006 or rules of the Board of Pharmacy of another state may, upon hearing and proof thereof, result in further disciplinary sanctions.

DONE and ORDERED, this 10th day, September 2007.


Mr. Calvin W. Stephens, R. Ph., President
Alabama State Board of Pharmacy

Copies to:

Mr. James Andrew Lemons, Esq.
Mr. Herb Bobo, Executive Secretary
Mr. James S. Ward, Esq.
Mr. Vance L. Alexander, Esq.

IN THE MATTER OF:)

PETNET PHARMACEUTICALS, INC.)

Permit Nos. 111866, 117062,)
112511, 112082)

BEFORE THE ALABAMA STATE

BOARD OF PHARMACY

STATEMENT OF CHARGES AND NOTICE OF HEARING

TO: PETNET PHARMACEUTICALS, INC.
810 Innovation Drive
Knoxville, Tennessee 37932-2571

Pursuant to the provisions of Code of Alabama (1975), § 34-23-34 and § 34-23-92(12) 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 August 22, 2007 at 1:00 p.m., at the State Board of Pharmacy Conference Room, 10 Inverness Center, Suite 110, 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 PETNET PHARMACEUTICALS, INC. should not be revoked, suspended or placed on probation or a monetary penalty imposed in that it is alleged that PETNET PHARMACEUTICALS, INC. have been guilty of the following, to wit:

COUNT ONE

Violating Code of Alabama (1975), § 34-23-33(2) based upon the Stipulation and Final Agency Order entered by the Colorado State Board of Pharmacy on May 3, 2006 based upon multiple violations which are set forth in the said Order, the same being attached as Exhibit "A"; or

COUNT TWO

Violating Code of Alabama (1975), § 34-23-33(2) based upon a Consent Order entered by the Illinois Department of Financial and Professional Regulation as set forth in the letter attached hereto as Exhibit "B".

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:


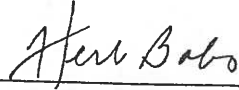
COUNT THREE

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 the allegations contained in any or all of 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 7th day of June, 2007.

ALABAMA STATE BOARD OF PHARMACY

By: Herb Bobo
Executive Director

National Life Building, North, FL2
Montpelier, VT 05620-3402

Tel: (802) 828-1505
Fax: (802) 828-2368

www.sec.state.vt.us



**State of Vermont
Office of the Secretary of State
Professional Regulation**

Deborah L. Markowitz
Secretary of State

William A. Dalton
Deputy Secretary

Christopher D. Winters
Director, Professional Regulation

I hereby certify that:

1. I am custodian of the records for the Office of Professional Regulation for the Office of the Secretary of State; and
2. The enclosed documents are true copies.

PETNET Solutions, Inc., APP-RX45-0208 – Stipulation and Consent Order

February 6, 2009

A handwritten signature in dark ink, appearing to read "Deborah L. Markowitz".

Secretary of State
Deborah L. Markowitz

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF PHARMACY

IN RE:

PETNET SOLUTIONS, INC.

)
)
)

Docket No. APP-RX45-0208

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Gregg Meyer, and Applicant, PETNET Solutions, Inc., who stipulate and agree as follows:

Board Authority

1. The Vermont Board of Pharmacy (the Board) has authority to issue warnings or reprimands; suspend, revoke, limit, or condition licenses; or prevent the renewal licenses and to deny licensure if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct, pursuant to 3 V.S.A. §§129, 129a; 26 V.S.A. Chapter 36 and the rules of the Board and the Vermont Office of Professional Regulation.

Statement of Facts

2. Applicant, PETNET Solutions, Inc. ("PETNET"), submitted an Application for Licensure to Conduct a (Non-Resident) Pharmacy, on or about August 28, 2007.
3. On or about October 16, 2007, Applicant mailed the Board an "Explanation of Disciplinary Action" as a follow up to its application and further provide certified copies of the disciplinary actions referred to in Applicant's "Explanation of Disciplinary Action."
4. The certified copies of relevant previous disciplinary actions taken against Applicant revealed the following:
 - a. On or about April 29, 2005, Applicant entered into a Stipulation and Consent Order with the State of Illinois. Applicant was charged with failure to have a pharmacist-in-charge during a specified time period. Applicant contended that the store was closed during that period, and that it failed to notify the Illinois Board of the closure. The Consent Order resulted in a formal reprimand of Applicant's license and a civil penalty.
 - b. On or about January 6, 2006, Applicant entered into a Stipulation and Consent Order with the State of Colorado. Applicant was charged with 1) taking prescription

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

orders without a pharmacist's signature, 2) possessing drugs – potassium carbonate and sterile water - without first becoming registered with the Board, 3) failing to have invoices detailing the receipt of prescription drugs readily available upon inspection, 4) failing to have an employee list readily available upon inspection, 5) failing to maintain prescription orders in a uniformly maintained and readily retrievable manner, and 6) having an employee occupying the dispensing area without a licensed pharmacist on site. This Consent Order resulted in a \$10,000 civil penalty and probation for a period of three years.

- c. On or about September 26, 2007, Applicant entered into a Consent Order with the State of Alabama. This Consent Order was based on the disciplinary action and conduct that occurred in the State of Colorado. The Alabama Consent Order resulted in a \$1,000 civil penalty and probation through January 2, 2009.

Charges

5. The acts, omissions and/or circumstances described above constitute unprofessional conduct pursuant to:
- (i) 3 V.S.A. § 129a(a)(3) (Whether or not the conduct at issue was committed within or outside the state, failing to comply with the provisions of state statutes or rules governing the practice of the profession shall constitute unprofessional conduct); and
 - (ii) Board of Pharmacy Rule 1.1.6 (Unprofessional Conduct means any disciplinary action in any jurisdiction by a licensing authority regulating the practice of a health-related profession).

Understandings

- 6. Disciplinary action in other jurisdictions, whether or not involving pharmaceutical practices, constitutes unprofessional conduct in the State of Vermont, warranting sanctions, even where, as in the present case, the conduct did not result in injury to any person, customer, or client.
- 7. The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the Board and that if the Board rejects any portion the entire Stipulation and Consent Order shall be null and void.
- 8. Applicant has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
- 9. This Stipulation and Consent Order is entered into voluntarily by Applicant after the opportunity to consult with legal counsel. Applicant has not been coerced by anyone into signing this Stipulation and Consent Order.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

10. Applicant is voluntarily waiving the right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
11. Applicant agrees that the State has sufficient evidence for the Board to find that Respondent has engaged in unprofessional conduct and that the Order set forth below may be entered by the Board.

WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

Based upon the above stipulation, it is **ORDERED AND ADJUDGED** as follows:

A. ~~Applicant has engaged in unprofessional conduct as set out above.~~

B. The Board of Pharmacy hereby **GRANTS** Applicant's license to conduct a non-resident pharmacy with **CONDITIONS** lasting two (2) years, and imposes an **ADMINISTRATIVE PENALTY of ONE THOUSAND DOLLARS (\$1,000.00)** on Applicant. This penalty shall be paid within thirty (30) days of the entry date of this Order.

C. The Conditions will commence with the date of entry of this Stipulation and Consent Order. The conditions are as follows:

1) Applicant must report any disciplinary action occurring in another jurisdiction to the Vermont Board of Pharmacy within thirty (30) days of its occurrence.

D. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

E. This Stipulation and Consent Order will remain part of Applicant's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

F. A violation of this order may be unprofessional conduct and grounds for further disciplinary action.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 10/20/08

By:

Gregg Meyer
State Prosecuting Attorney

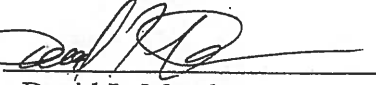
STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

APPLICANT
PETNET Solutions, Inc.

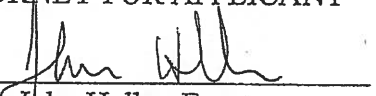
Dated: 17 October 2008

By: 
David L. Morehous
Secretary
PETNET Solutions, Inc.

APPROVED AS TO FORM:

Dated: 10/20/08


ATTORNEY FOR APPLICANT

By: 
John Hollar, Esq.
Downs Rachlin Martin PLLC
PO Box 1072
Montpelier, VT 05601-1072

APPROVED AND SO ORDERED:

VERMONT BOARD OF PHARMACY

Dated: 10/22/08

By: 
Chairperson

Date of Entry: 10/23/08

App rx.petnet.stip

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107



Dora
Department of Regulatory Agencies

Division of Registrations
Rosemary McCool
Director

State Board of Pharmacy
Wendy Anderson
Program Director

Bill Ritter, Jr.
Governor

Barbara J. Kelley
Executive
Director

January 4, 2011

PetNet Solutions, Inc.
Attn: Victor Calónico, Rph
1201 Camino de Salud NE, Ste G292
Albuquerque, NM 87106

RE: Stipulation and Final Agency Order
Case #2011-1149

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING
THE NON-RESIDENT PRESCRIPTION DRUG OUTLET REGISTRATION
OF PETNET SOLUTIONS, INC., REGISTRATION NO. OSP 5886

Dear Mr. Calónico:

Enclosed you will find a copy of the fully executed Stipulation and Final Agency Order (Stip/FAO) in the above mentioned matter, which became effective December 30, 2010.

If you have any questions, or require additional information, please contact the Board's office.

Respectfully,

FOR THE COLORADO BOARD OF PHARMACY

Linda Acosta
Complaint Analyst
Enclosure

cc: Jazell Carter, Licensing Specialist, Office of Licensing
File

BEFORE THE STATE BOARD OF PHARMACY**STATE OF COLORADO****Case No. 2011-001149**

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE NON-RESIDENT PRESCRIPTION DRUG OUTLET REGISTRATION OF PETNET SOLUTIONS, INC., REGISTRATION NO. OSP 5886,

RESPONDENT.

IT IS HEREBY STIPULATED by and between the Colorado State Board of Pharmacy ("Board") and PetNet Solutions, Inc. ("Respondent") to resolve all matters pertaining to Colorado State Board of Pharmacy Case Number 2011-001149 as follows:

1. The Board has jurisdiction over Respondent, its registration as a non-resident prescription drug outlet, and the subject matter of this Stipulation and Final Agency Order pursuant to the provisions of title 12, article 22, C.R.S., otherwise known as the Pharmaceuticals and Pharmacists Act.
2. Respondent has been registered as a non-resident prescription drug outlet in the State of Colorado at all times relevant to this disciplinary action.
3. Respondent admits to these findings and hereby waives any further proof in this proceeding before the Board regarding the following facts.
4. Respondent's address of record with the Board and current location is 1201 Camino De Salud NE, Ste. G300, Albuquerque, NM 87106.
5. Respondent failed to timely submit to the Board an application detailing a change in pharmacist manager and fee. In this instance, 116 days transpired between May 7, 2010, the date the previous pharmacist manager ceased the position, and September 1, 2010, the date the application and fee were received.
6. On or about October 5, 2010, the Board initiated a complaint against Respondent because of the delay of 116 days in submitting an application detailing a change in pharmacist manager and fee.
7. Respondent admits that the conduct described above constitutes a violation of section 12-22-125(1)(c) and 12-22-130(4)(a), C.R.S., and Regulation 5.00.70(b) and that such conduct provides grounds for disciplinary action against Respondent:



12-22-125. Unprofessional conduct – grounds for discipline.

(1) The board may suspend, revoke, refuse to renew, or otherwise discipline any license or registration issued by it, after a hearing held in accordance with the provisions of this section, upon proof that the licensee or registrant:

(c) Has violated:

(I) Any of the provisions of this part 1, including but not limited to any acts in section 12-22-126;

(II) The lawful rules of the board; or

(III) Any state or federal law pertaining to drugs.

12-22-130. Nonresident prescription drug outlet - registration.

(4) (a) The board may deny, revoke, or suspend a nonresident prescription drug outlet registration for failure to comply with any provision of this section or with any reasonable rule promulgated by the board.

Regulation 5.00.70. Change in Pharmacist Manager.

b. The registration of any in-state and non-resident prescription drug outlet shall become void if the pharmacist manager in whose name the registration was issued ceases to be engaged as the manager, and the owner shall close the outlet unless such owner has employed a pharmacist manager and, within fourteen days after termination of the former manager's employment, has made application to transfer the registration to the new pharmacist manager and has paid the transfer fee therefor.

DISPOSITION

\$5,000.00 Fine with Surcharge and Terms

8. **Fine with Surcharge.** Pursuant to section 12-22-125.2(5), C.R.S., Respondent shall pay a fine of Five Thousand Dollars and No Cents (\$5,000.00). Respondent understands and acknowledges that, pursuant to section 24-34-108, C.R.S., the Executive Director of the Department of Regulatory Agencies shall impose an additional surcharge of 10% of this fine. Respondent shall therefore pay a total amount of Five Thousand Five Hundred Dollars and No Cents (\$5,500.00). The total amount shall be payable to the State of Colorado and shall be remitted in one lump sum to be included when Respondent submits this signed Final Agency Order to the Board.

9. **Compliance.** Respondent shall submit all future applications to the Board detailing changes in pharmacist manager and fees within fourteen (14) days of the previous pharmacist manager ceasing the position.
10. **Acknowledgments.** The undersigned authorized agent for Respondent has read this Stipulation and Final Agency Order in its entirety and acknowledges, whether or not Respondent has consulted with legal counsel, that Respondent understands its legal consequences and agrees that none of its terms or conditions are unconscionable.
11. **Advisements and Waivers.** Respondent enters into this Stipulation and Final Agency Order freely and voluntarily, whether or not it has consulted with legal counsel. The undersigned authorized agent for Respondent acknowledges Respondent's understanding that it has the following rights:
- a. To have formal notice of hearing and charges served upon it;
 - b. To respond to said formal notice of charges;
 - c. To have a formal disciplinary hearing pursuant to section 12-22-125, C.R.S.; and
 - d. To appeal this Board order.
- Respondent freely **waives** these rights, and acknowledges that such waiver is made voluntarily in consideration for the Board's limiting the action taken against it to the sanctions imposed herein.
12. **Violations.** Time is of the essence to this Stipulation and Final Agency Order. It is the responsibility of Respondent to take all appropriate steps to comply fully with this Stipulation and Final Agency Order. Respondent acknowledges and agrees that any violation of this Stipulation and Final Agency Order may be sanctioned as provided under section 12-22-125.2(4), C.R.S., and may be sufficient grounds for additional discipline, including but not limited to revocation of its registration. The pendency of any suspension or disciplinary action arising out of an alleged violation of this Stipulation and Final Agency Order shall not affect the obligation of Respondent to comply with all terms and conditions of this Stipulation and Final Agency Order.
13. **Integration and Severability.** Upon execution by all parties, this Stipulation and Final Agency Order shall represent the entire and final agreement of and between the parties. In the event any provision of this Stipulation and Final Agency Order is deemed invalid or unenforceable by a court of law, it shall be severed and the remaining provisions of this Stipulation and Final Agency Order shall be given full force and effect.
14. **Public Record.** Upon execution by all parties, this Stipulation and Final Agency Order shall be a public record, maintained in the custody of the Board.

15. **Effective Date.** This Stipulation and Final Agency Order shall become effective upon signature of a Board member or representative.

ACCEPTED AND AGREED BY

[Signature]
Authorized Agent of Respondent Pharmacy

Dated: Dec 9, 2010

Subscribed and sworn to before me in the County of Knox, State of TN, this 9th day of December, 2010 by Ian Turner, in his/her capacity as an authorized agent of PetNet Solutions, Inc.



MY COMMISSION EXPIRES
September 2, 2014

[Signature]
Notary Public

My commission expires: 9/2/14

FINAL AGENCY ORDER

WHEREFORE, the within Stipulation and Final Agency Order is approved, accepted, and hereby made an order of the Board.

DONE AND EFFECTIVE THIS 30 DAY OF December, 2010.

State Board of Pharmacy

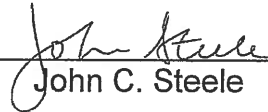
BY: [Signature]
Susan S. Martin
Acting Program Director

[Signature]

CERTIFICATE OF MAILING

This is to certify that I have mailed the within **STIPULATION AND FINAL AGENCY ORDER** to all parties herein by depositing copies of same in the United States mail, first class postage prepaid, at Denver, Colorado, this 26th day of November, 2010, addressed as follows:

PetNet Solutions, Inc.
Attn: Victor Calónico, RPH
1201 Camino de Salud NE, Ste. G292
Albuquerque, NM 87106


John C. Steele

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within **STIPULATION AND FINAL AGENCY ORDER** upon all parties herein by depositing copies of same in the United States mail, postage prepaid, at Denver, Colorado this 4th day of January, 2011, addressed as follows:

PetNet Solutions, Inc.
Attn: Victor Calónico, RPH
1201 Camino de Salud NE, Ste. G300
Albuquerque, NM 87106

David Morehous, Esq.
Siemens Medical Solutions USA, Inc.
810 Innovation Dr.
Knoxville, TN 37932


Agent of the Board



11D

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.

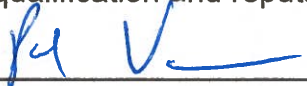
Within the last five (5) years:

- 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?

	<u>4045 E. Bell Road, Suite 157</u>
a) <u>AleraCare Holdings, LLC</u>	<u>Phoenix, AZ 85032</u>
Name	Address
b) _____	Address
Name	Address
c) _____	Address
Name	Address
d) _____	Address
Name	Address
 - 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 <u>7:30</u> am <u>5:30</u> pm	Saturday <u>9:00</u> am <u>1:00</u> pm
Sunday <u>closed</u> 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
 Attorney General
 2 (Firm State Bar No. 14000)

3 JEANNE M. GALVIN
 Assistant Attorney General
 4 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.

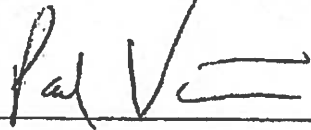
12 10. If a court of competent jurisdiction rules that any part of this Consent
13 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
14 shall remain in full force and effect.

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.

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.

16 10. Finally, Respondent noted that the program was ceased immediately after
17 the inspection was completed. All compounded stock was returned to Vasco Rx and in its
18 place is a more traditional process whereby prescriptions are verbally transferred to
19 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
Assistant Attorney General
23 1275 W. Washington Street, SGD/LES
Phoenix, Arizona 85007
24 Attorney for the Board

25
26 #5039394

**HAWAII BOARD OF PHARMACY
SETTLEMENT AGREEMENT**

2017 APR 26 A 9:50
2017 MAY 18 P 3:26
DEPT. OF COMMERCE
AND CONSUMER AFFAIRS
HEARINGS OFFICE
MER AFFAIRS

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.

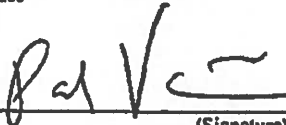
7. No Reliance on Representations by RICO. Other than the matters specifically stated in this Settlement Agreement, neither RICO nor anyone acting on its behalf has made any representation of fact, opinion, or promise to Respondent to induce entry into this Settlement Agreement, and Respondent is not 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.

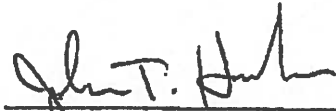
IN WITNESS WHEREOF, the parties have signed this Settlement Agreement on the date(s) set forth below.

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

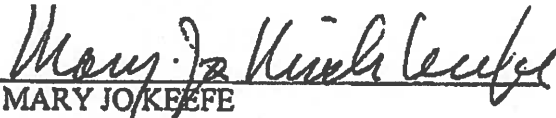
APPROVED AND SO ORDERED:
BOARD OF PHARMACY
STATE OF HAWAII


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

1 M Z
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
 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 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.

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.

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

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.

25

26

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
21 Phoenix, Arizona 85004

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

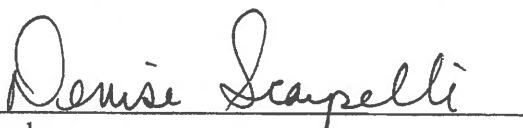
10/4/17
DATE


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

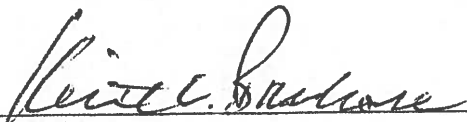
13. Nothing in this Order shall preclude the Prosecution Division for the Commonwealth from filing charges or the Board from imposing disciplinary or corrective measures for violations or facts not contained in this Consent Agreement;

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.

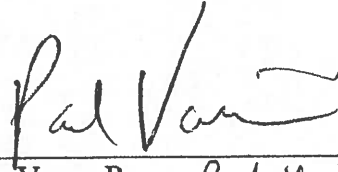
VERIFICATION OF FACTS AND STATEMENTS

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

EXHIBIT 1

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 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

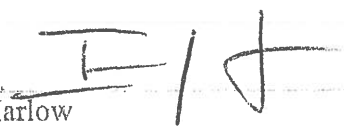
Docket No: 1603-54-17

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**

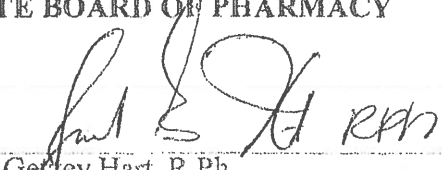

Ian J. Harlow
Commissioner

For the Commonwealth:

For the 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

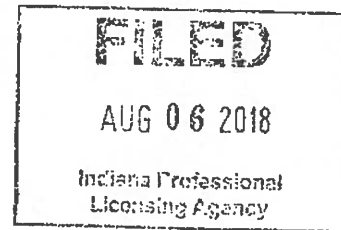
Joseph McHale, Esquire
Stradley Ronon Stevens & Young, LLP
30 Valley Stream Parkway
Malvern, PA 19355-1481

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:

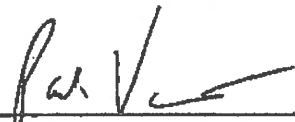
Indiana Office of the Attorney General
Attn: Teresa Henson
302 West Washington Street, 5th Floor

Indianapolis, IN 46204

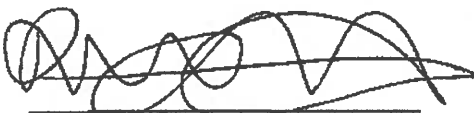
8. Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a Final Order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

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) 574-8818
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.

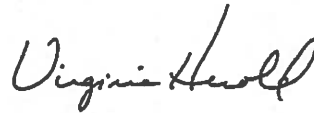
Page two
VASCO RX
CI 2018 81580

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 stylized "H".

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, reading "Virginia Herold".

Virginia Herold
Executive Officer
Board of Pharmacy

Attachments

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

C 01

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
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 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", written in a cursive style.

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
 Phone (916) 574-7900
 Fax (916) 574-8818
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**