



NEVADA STATE BOARD OF PHARMACY
OFFICE OF THE GENERAL COUNSEL
WRITER'S DIRECT DIAL: (775) 850-1440 • E-MAIL: PEDWARDS@PHARMACY.NV.GOV • FAX: (775) 850-1441

January 3, 2019

CERTIFIED U.S. MAIL AND ELECTRONIC MAIL

Lan Thi Tran Nguyen
1 N. Palm St.
La Habra, CA 90631

9171 9690 0935 0157 4988 18

RE: Notice Regarding Petition for Reconsideration and Hearing

Dear Ms. Tran Nguyen:

As you are aware, on December 6, 2018, the Nevada State Board of Pharmacy ("Board") held a hearing on your *Renewal Application – Pharmacist* and denied the application. The Board denied your application based on your history of discipline in California, which is a valid basis for denying an application pursuant to several provisions of NRS 639.210.

You were made aware of the Board's decision to deny your application at the December 6, 2018 hearing, as well as your right under NRS 639.139 to petition the Board for reconsideration of your application. We discussed both the denial and your right to petition for reconsideration after the hearing. We have corresponded about that matter. I am sending you this additional written notice out of an abundance of caution.

You exercised your right to petition the Board for reconsideration on December 7, 2018, by email. The Board also received a hardcopy of your email on December 17, 2018. The Board's Executive Secretary granted your petition and scheduled your hearing for January 16, 2019.

You supplemented your petition on or about December 21, 2018, in which you also requested that the Board either reschedule your hearing until a date after January 18, 2019, when you are scheduled to return from traveling, or to provide you with a written decision. On December 28, 2018, Board Staff informed you that it had granted your request to reschedule your hearing. I provided you the option of appearing at either the Board's March 2019 or April 2019 board meeting.

Finally, on January 3, 2019, I received your email requesting that the Board forego a hearing where you can appear in person. You asked instead that the Board consider your petition at its January 16-17, 2019 board meeting. To accommodate your request, Board Staff added your

petition as an item on the agenda for its January meeting. Board Staff also mailed you a written notice informing you that the Board will hear your petition on January 16, 2019, at 1:30 PM.

There is an additional item, however, that requires your attention. NRS 241.033 and NRS 241.034 give you the right to receive notice of your hearing "at least 21 working days before the hearing." Your January 3, 2019 email, and the notice the Board mailed by certified mail to you the same day, does not provide you sufficient notice under those statutes. The Board can proceed with your hearing on January 16, 2019, only if you write me to indicate that you waive your right to 21 days' notice of the hearing. Otherwise, the Board will be unable to consider your petition. It will have to reschedule the hearing until the Board's March 6, 2018 meeting.

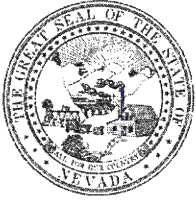
Unless I receive a written response from you, the Board will not be able to hear your petition on January 16 as explained in the previous paragraph. Contact me if you have questions.

Best regards,

A handwritten signature in cursive script, appearing to read "S. Paul Edwards".

S. Paul Edwards
General Counsel
Nevada State Board of Pharmacy

Cc: David Wuest, R. Ph., Executive Secretary of the Nevada Board of Pharmacy; Yen Long, Pharm.D., Deputy Executive Secretary of the Nevada Board of Pharmacy



Nevada State Board of Pharmacy

431 W. PLUMB LANE • RENO, NEVADA 89509
(775) 850-1440 • 1-800-964-2081 • FAX (775) 850-1444
E-mail: pharmacy@pharmacy.nv.gov • Website: bac.nv.gov

January 3, 2019

Lan Thi Tran Nguyen
1 N Palm St
La Habra, CA 90631

Dear Ms. Tran Nguyen:

We are in receipt of your request for reconsideration of the denial of your renewal application.

Your hearing has been scheduled for the following:

Wednesday, January 16, 2019
1:30 pm or soon thereafter
Hilton Garden Inn
7830 S Las Vegas Blvd
Las Vegas, Nevada

Pursuant to NRS 241.033 and 241.034, please be advised that the hearing is a public meeting, and the Board may, without further notice, take administrative action against you if the Board determines that such administrative action is warranted after considering your character, alleged misconduct, professional competence, or physical or mental health. The Board at its discretion may go into closed session to consider your character, alleged misconduct, professional competence, or physical or mental health. You may attend any closed session, have an attorney or other representative of your choosing present during any closed session, and present written evidence, provide testimony, and present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health during any closed session.

If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Candy M. Nally".

Candy M. Nally
Licensing Specialist

9171 9690 0935 0157 4988 01

Paul Edwards

From: Lan Nguyen <n...@...com>
Sent: Thursday, January 3, 2019 8:45 AM
To: Paul Edwards
Subject: Re: NV license renewal- additional proofs

Dear Mr. Edwards,

Would you present all of my writing documents for reconsideration on the Board meeting on Jan 16-17, and have them put their decision in writing, then mail their decision to my address because it would be better in writing to avoid confusion. So far, I presented all of my grievances and rationale for their denial via mail and email for them to review and reconsideration plus my budget shortage.

Your consideration is appreciated.

Best regards,
Lan Nguyen
Jan 2, 2019

On Fri, Dec 28, 2018 at 7:45 AM Paul Edwards <pedwards@pharmacy.nv.gov> wrote:

Ms. Nguyen,

The Board received your emails. Per your December 21, 2018 letter, the Board will remove your request for reconsideration from its January 16-17, 2019 meeting agenda. It will reschedule your appearance for either March 6-7, 2019 in Reno, or April 10-11, 2019 in Las Vegas. Let me know what meeting you would like to attend.

Best regards,

S. Paul Edwards, Esq.

General Counsel

Nevada State Board of Pharmacy

431 W. Plumb Lane

Reno, NV 89509

(775) 850-1440 (phone)

(775) 850-1444 (fax)



E-mail: pedwards@pharmacy.nv.gov

Web page: bop.nv.gov

NOT LEGAL ADVICE: This information is provided as a courtesy on behalf of the Nevada State Board of Pharmacy. This information does not constitute legal advice and does not override the specific provisions of Nevada law as applied to a particular set of facts.

CONFIDENTIALITY NOTICE: This message and any accompanying documents are intended only for the use of the individual or entity to which they are addressed. They may contain information that is proprietary, privileged, confidential or exempt from disclosure under applicable Federal or State law. If the reader of this message is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, using, sharing or copying this communication or its contents. If you have received this email in error, please notify the sender immediately and destroy the original transmission. Thank you.

From: Lan Nguyen <lan@pharmacy.nv.gov>
Sent: Saturday, December 22, 2018 5:22 AM
To: David Wuest <dwuest@pharmacy.nv.gov>; Paul Edwards <pedwards@pharmacy.nv.gov>; lan trannguyen <lan@pharmacy.nv.gov>
Subject: NV license renewal- additional proofs

Lan Thi Tran Nguyen

1000 N. Palm Street

La Habra, CA 90631

Tel: (714) 962-1111

Email: lan@pharmacy.nv.gov

December 21, 2018

Nevada Board of Pharmacy

431 W. Plumb Lane

Reno, Nevada 89509

Tel: (775)850-1440

In Re: Additional request for reconsideration of Nevada Pharmacist License Renewal

To: Mr. Dave Wuest, Director of Nevada Board of Pharmacy

Cc: Mr. S. Paul Edwards, General Counsel

Dear Sirs,

As per your phone instructions this morning, I would like to present the adverse arrangements that inflict my emotional, mental, and financial hardship status as the follows:

- 1) NV Board request my appearance on Jan 16-18 in Las Vegas to hear the Board decision for reconsideration when I will be overseas and come back on Jan 18, 2019 (see my flight scheduled attached). I requested for the written decision to be mailed to me to the above address or rescheduled to a later date when I return to the US.
- 2) Mr. Wuest denied refunding the amount of \$860 which was the renewal license fee if the Board decided not to grant my renewal. Mr. Wuest's rationale that the \$860 was charged for my appearance before the Board on Dec 6, 2018. It is non-refundable due to the fine print at the bottom of the renewal application. This is against my will to renew my license in reply to the mail solicitation letter of Ms. Lisa Hedaria, director of finance, whom I provided my felony conviction in writing to explain my license voluntarily surrendered status with the CA Board of pharmacy. After reviewing my NV license status, she provided the required \$860 fee for renewal and stated so long as I mailed the renewed application, money order for the requested fee, and completing the continuing education CE required in the indicated time of the letter then it would be fine (attachment previous mailed to the Board to indicate that I renewed on time).

Ms. Hedaria was well informed of my financial difficulty status, and I would not send the renewal money if my renewal being denied. Then, I called the Board and was informed that I had to appear for the Board to grant the renewal with the Board meeting schedule where I was out of the country. So far, I was not required to do anything but appearance. The forfeiture of my \$860 for the arrangement of my appearance before the board was irrational, unexpected, unagreeable to me because I would definitely disagree to appear on Dec 6, 2018, before the NV Board for being humiliated, disrespected, irrationally outlawed the US laws and regulation, and I would not renew my NV license due to my financial hardship. Furthermore, I also financially suffered for the flight cost on the top of the renewal amount. I need to have my renewal fee back! Because the Board breached the contract, not me.

- 3) The CA Board of pharmacy will accept my licensure transferring because only my CA license was surrendered. So far, NABP confirmed that NV Board required license transfer applicants to maintain their license by original NAPLEX examination. I passed the NABP exam and shall not retake the exam plus my NV license had been in active status since 1988, although I had never practiced pharmacy in Nevada. In contrast to the issue raised by the Board that I required to work in NV for my NV license to be renewed.

- 4) I wish that Mr. Edwards would reply to my phone or email promptly. In addition, I prefer the answer in writing to avoid confusion.

Your consideration to grant my NV license renewal is appreciated.

Respectfully submitted,

Lan Thi Tran Nguyen



Lan Nguyen <nguyenfiftyfive@gmail.com>

Applying for the reconsideration of renewal NV pharmacist license denial

2 messages

Lan Nguyen <n>
To: pedwards@pharmacy.nv.gov, lan trannguyen <

Fri, Dec 7, 2018 at 8:28 AM

Lan Thi Tran Nguyen

N. Palm Street

La Habra, CA 90631

Tel: (

Email:

December 6, 2018

Nevada Board of Pharmacy

431 W. Plumb Lane

Reno, Nevada 89509

Tel: (775)850-1440

DEC 17 2018

In Re: Application for reconsideration of Nevada Pharmacist License Renewal

First, I would like to express my gratitude for being given the opportunity to meet with the Nevada Board of Pharmacy for the renewal of my Nevada pharmacist license on December 6, 2018. Nevertheless, my renewal was denied for the following reasons:

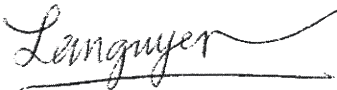
1. My renewal was over 5 years window time frame for renewal when I renewed it on time, and I received no notice of tardiness from Nevada renewal personnel (proof showing proper date attached)
2. If it was renewed where I would work in California or Nevada after having my license renewal, I replied to have my license transferred from Nevada to California because I was instructed by CA renewal staff that my license was canceled, for I had either to retake the CA pharmacist examination or transfer the result of passing NAPLEX to California plus passing the CA law exam to qualify for CA pharmacist application. For this rational denial, I would work in CA because of insufficient fund relocate to Nevada but to serve Nevada or any other state residents through MTM (Medication Therapy Management which I had the strong background to work 24 years in hospital as a clinical consultant), Telepharmacy, Telemedicine, Telehealth, and home health care. Furthermore, I would keep my NV status active and deal with CA pharmacist license later. The application of section NRS 639-134 (Registration of Pharmacist without examination; reciprocity) cannot be applied to my NV license renewal.
3. What I would do to prevent my past mistake from happening. I would learn more from the Script letter of the CA board, learning how to comply with the new regulation and practice valuable techniques of compliance to prevent current/future of the drug abuse or misuse. Moreover, I would focus on areas that required clinical skills to serve to utilize my strong clinical background (hospital working experience)
4. My past mistake was selling a large amount of Pseudo-ephedrine which would be harmful to the community; therefore my promise to pay back, and contribute to the community with or without pay as a volunteer (pushing wheelchair for patients, the waste of individual skill of contribution) was meaningless. This concerned issue was discriminated, prejudiced, refused to give the second chance to the felon who committed a severe mistake "once", and already served her sentence for that mistake besides the loss of career, family relationship, reputation, and assets. In addition to committing suicide, post-traumatic

depression, and anxiety residual. This intimidation was unfair, overwhelming, damaged, and worsened my mental health compared to CA Board's request of retaking the examination. This disrespectful humiliation reflected the accusation and conviction of my past mistake that deeply evoked my emotional distress for being nobody, untrustworthy, non-resilience, and triggering the suicidal attempt (this is the end of the world). So far, the punishment of denial my license renewal failed to warrant and safeguard the public safety. Because I would spend the time to review the pharmacy textbook, retake the NAPLEX exam, learn and update the laws of each state, and become a new license in California and Nevada instead of going through the harsh accusation of having high potential to harm the community in the future if holding the active license.

Second, it takes me ten years to learn and atone for my mistake and forgive others for theirs because no one is perfect. The United State of American is the best-civilized nation, the land of opportunity, the place to fulfill desires of dreamers, to support civil rights and human rights regardless of race, nature of origins, to treat people fairly, respectfully, and with dignity.

Third, I would like to have the Board reconsider my argument to practice more in the individual medication profile instead of dispensing drugs, new evidence of compliance, and the updating with the new trends in pharmacy application of advanced technology that has been proven to serve better for public health via medication therapy consultant, reaching out to patient care at home or at remote location, focusing on prevent care, improving individual quality of life.

Respectfully submitted,



Lan Thi Tran Nguyen

Enclosure:

- Proof of compliance to renewal date timeframe
- Copy of NAPLEX innovations to accelerate nation wise pharmacist licensure mobility
- Updating of Centers for Medicare and Medicaid Service (CMS) to promote MTM (Medication Therapy Management), Telepharmacy, Telemedicine, Telehealth, and Home Health Care.

Innovations in Pharmacist Licensure Mobility Accelerate

July 17, 2018

Topics: Pharmacist Licensure

Boards of Pharmacy, NABP Continue 114-Year Partnership of Facilitating License Transfer While Keeping Patients Safe

As other professions move to establish mechanisms for license portability such as legislature-approved compacts, the National Association of Boards of Pharmacy® (NABP®) and its member licensing boards of pharmacy are enhancing their long-established Electronic Licensure Transfer Program® (e-LTP™), which provides license mobility and portability for pharmacists in all United States jurisdictions. The e-LTP process, which currently allows for same-day processing of licensure transfer requests, will be supplemented with new components to support evolving pharmacy practices while maintaining a high level of public protection and patient access to quality pharmacy care.

"We are truly excited to work with our member boards as we continue to find innovative ways to enhance our existing reciprocity system and support the future of pharmacy practice," says NABP President Susan Ksiazek, RPh, DPh. NABP's active member boards of pharmacy include all 50 states plus the District of Columbia and the three US territories of Guam, Puerto Rico, and the Virgin Islands.

Included in the e-LTP process is licensure verification through the NABP Clearinghouse, an essential component of ensuring that pharmacists seeking the authority to practice in multiple states hold a license in good standing. "The Clearinghouse contains vital disciplinary information that, when combined with NABP's national database of education, competence, and licensure information, provides the boards of pharmacy with a robust tool as they make licensure transfer decisions," states Ksiazek. "When protecting patients is foremost in your mind, all of this information is key to determining if a licensure candidate meets the qualifications to practice in your state."

While the current licensure transfer system offers 100% mobility for pharmacists across all 54 US jurisdictions, accounting for the transfer of more than 164,500 pharmacists' licenses over the last 10 years, the proposed enhancements to the e-LTP will focus on the rapidly changing practice and regulatory challenges posed by remote practice models and telepharmacy. The member boards of pharmacy and NABP recognize the importance of seeking additional methods of licensure mobility in the e-LTP process to enhance patient access to pharmacists whose licenses have been verified and validated. As such, at the Association's 114th Annual Meeting held in May 2018, members passed a resolution supporting NABP's efforts to expand the e-LTP while maintaining boards of pharmacy jurisdiction to preserve the needed authority to protect the public health.

NABP is the independent, international, and impartial Association that assists its state member boards and jurisdictions for the purpose of protecting the public health.

RECENT NEWS

- **Member Boards Express Concern Over Conditions of Bureau of Justice Assistance Grants, Impact on State PMPs***November 21, 2018*
- **Social Media Sites: The New Wild West for Illegal Online Pharmacies***October 1, 2018*
- **Interview With a Board Executive Director***August 10, 2018*
- **NABP's Verified-Accredited Wholesale Distributors® (VAWD®) Program: Protecting the Prescription Drug Supply Chain***August 9, 2018*
- **NABP Joins the Coalition for a Secure and Transparent Internet***July 26, 2018*

2 attachments**Nevada1.pdf**
120K**Nevada2.pdf**
142K

Lan Nguyen <
To: Nhu Tran <

>, Thu Dang <

>, Chinh T <

Mon, Dec 10, 2018 at 9:21 AM
>, Tam

[Quoted text hidden]

Virus-free. www.avast.com

2 attachments**Nevada1.pdf**
120K**Nevada2.pdf**
142K



user ID for NABP: n...
 Password: ...

Ms. Lan Thi Tran Nguyen
 NABP e-Profile ID: 1360233

TERMS OF SERVICE

Welcome to the National Association of Boards of Pharmacy® (NABP®) e-Profile registration Web pages. NABP Web site services, including the e-Profile registration services, are the initial NABP services that facilitate your request for an NABP product or additional NABP services, such as meeting registrations, examination registrations, and licensure-related services (collectively, "Services"). NABP sincerely thanks you for your interest in the Association and our programs and Services.

By creating or maintaining an e-Profile, you agree to these terms.

Occasionally, additional terms or requirements may apply to certain Services. These additional terms or requirements will be available or published with the applicable Services. By using the applicable Services, you agree to the additional terms or requirements.

E-PROFILE TERMS

Upon creating your e-Profile, you will receive an e-Profile ID. The e-Profile ID is used to identify you when you request or use NABP programs or Services or when NABP provides Services to you.

The information needed to create and maintain your e-Profile helps to:

- Accurately identify you
- Ensure that any data that you previously provided to NABP, such as a name or a license number, is correctly maintained in your e-Profile
- Keep your e-Profile updated
- Minimize multiple requests for the same data
- Process your requests for Services
- Streamline the licensure or certification process, by assisting pharmacy regulators, such as a state board of pharmacy, or participating pharmacy certification organizations, if you request NABP Services related to licensure or certification.

It is very important that you provide and regularly maintain accurate information in your e-Profile. If you request Services related to licensure or certification, NABP will use your e-Profile data to deliver these Services and will provide e-Profile data to your pharmacy licensing agency(s), or participating pharmacy certification organization(s).

By providing and maintaining your e-Profile data, you affirm that the information entered is accurate, current, complete, and truthful. You agree to promptly update the information in your e-Profile if the information changes. If you wish to change certain e-Profile data, such as your name, you may be required to contact NABP customer service and provide additional information before your e-Profile data can be changed.



Services, it will be requested at that time.

PRIVACY

The NABP Privacy Policy describes how NABP utilizes your information and protects your privacy. Please review the [Privacy Policy](https://nabp.pharmacy/policies/privacy-policy/). (<https://nabp.pharmacy/policies/privacy-policy/>).

By using the Services, you agree that the terms of the Privacy Policy apply to NABP's use of your information.

TERMS OF USE FOR WEBSITE

The NABP Terms of Use describe the terms and conditions governing your use the NABP Web site. Please review the Terms of Use statement.

By using the Services, you agree to the [Terms of Use](https://nabp.pharmacy/policies/terms-of-use/) (<https://nabp.pharmacy/policies/terms-of-use/>) for Website.

CPE MONITOR®

The continuing pharmacy education (CPE) Monitor program are Services to streamline the collection, maintenance, and reporting of CPE credits in the interest of continuing professional development and public health protection.

Please click [here](https://nabp.pharmacy/cpe-monitor-service/) (<https://nabp.pharmacy/cpe-monitor-service/>) for detailed information about the CPE Monitor program.

In order to continue to receive credit for ACPE-accredited CPE, you are also required to register for CPE Monitor Services.

If you do not create an e-Profile and register for CPE Monitor Services:

- You will not be able to earn Accreditation Council for Pharmacy Education (ACPE)-accredited CPE from ACPE-accredited continuing pharmacy education providers (Providers); and
- NABP's report of CPE information to the boards of pharmacy and pharmacy certification organizations will not contain official records of the CPE that you have completed through such recognized Providers.

If you would like NABP to maintain your non-ACPE-accredited CPE activities or credits, you may purchase a subscription from NABP. The subscription Services permit you to upload non-ACPE-accredited CPE activities and credits that may be recognized by the boards of pharmacy or pharmacy certification organizations for purposes of licensure or certification renewal.

Because information that you enter to establish your e-Profile and register for CPE Monitor will be available to the board(s) of pharmacy where you are licensed or registered and may be used by NABP to report CPE information to these board(s) of pharmacy, or participating pharmacy certification organization(s) in a form and manner acceptable to such board(s) or organization(s), it is very important that you provide accurate information, and that you regularly maintain your e-Profile and CPE Monitor data.

By providing and maintaining this data, you affirm that the information entered is accurate, current, complete, and truthful. You agree to promptly update the information in your e-Profile and your CPE Monitor data if the information changes. If NABP has questions about the information in your e-Profile or CPE Monitor data, we may contact you.

By using the CPE Monitor Services, you agree to the CPE Monitor Terms.

☐ *By clicking this box I confirm my acceptance and agreement with these Terms of Service.



3/1

Copyright©2018 National Association of Boards of Pharmacy® (NABP®)

[FAQs \(https://nabp.pharmacy/help/\)](https://nabp.pharmacy/help/) | [Terms and Conditions \(https://nabp.pharmacy/policies/eprofile-terms/\)](https://nabp.pharmacy/policies/eprofile-terms/) | [Terms of Use \(https://nabp.pharmacy/policies/terms-of-use/\)](https://nabp.pharmacy/policies/terms-of-use/) | [Privacy Policy \(https://nabp.pharmacy/policies/privacy-policy/\)](https://nabp.pharmacy/policies/privacy-policy/)

From: Tran Nguyen, Lan Thi
N. Palm Street
La Habra, CA 90631

July 2, 2018

To: Ms. Lisa J. Hedaria, Director of Finance/ Technology
Nevada State Board of Pharmacy
431 W. Plumb Lane
Reno, NV 98509
(775) 850-1440

Dear Madame,

As per your instruction on my specific license renewal status, I would like to provide the explanation for my criminal conviction was selling over the daily limit of the cold medicine namely Claritin-D, leading to the felony conviction for distribution of a listed chemical (Pseudo-ephedrine) knowing and having a reasonable cause to believe it will be used to manufacture methamphetamine in violation of 21 U.S.C § 841 (c) (2) as charged with 1 count indictment.

I have attached the filled renewal form and the money order of \$860.00 in this envelope for you to review and process my order.

Your consideration to expedite my renewal is gratefully appreciated.

Respectfully submitted,



Tran-Nguyen, Lan Thi

DO NOT FOLD OR STAPLE ABOVE THIS LINE.

Nevada State Board of Pharmacy – Renewal Application - PHARMACIST

431 W Plumb Lane • Reno, NV 89509 • bap.nv.gov

For the period of November 1, 2013 to October 31, 2019

MONEY ORDER ONLY (NO BUSINESS or PERSONAL CHECKS, NO CASH)
\$860.00 (MUST be postmarked by 10/31/2018)

LICENSE: 09833

IAN THI TRAN-NGUYEN

1 N PALM ST

LA HABRA, CA 90631

Please make any changes to name or address next to the old information

RENEW BY MAIL

1. Complete ALL sections on this form
2. Sign and date this form
3. Send MO with this form (do NOT staple)
4. Mail original form payment to address above
5. NO COPIES
6. NO SIGNATURE STAMPS ACCEPTED

**MUST BE POSTMARKED BY 10/31/2018
OR WILL BE PERMANENTLY EXPIRED**

Section 1: Since your last renewal or recent licensure have you: (Please fill in completely)

Yes No

- Been diagnosed or treated for any mental illness, including alcohol or substance abuse, or
Physical condition that would impair your ability to perform the essential functions of your license?..... ☐ ☒
1. Been charged, arrested or convicted of a felony or misdemeanor in any state?..... ☒ ☐
2. Been the subject of a board citation or an administrative action whether completed or pending in any state?..... ☐ ☒
3. Had your license subjected to any discipline for violation of pharmacy or drug laws in any state?..... ☒ ☐

If you marked YES to any of the numbered questions (1-3) above, include the following information & letter of explanation:

Board Administrative Action:	State	Date	Case #:
<u>License cancellation</u>	<u>CA</u>	<u>6/3/2012</u>	<u>SAER 09-00115-CJC</u>
Criminal Action:	State	Date:	Case #:
<u>Sentence</u>	<u>CA</u>	<u>06/03/2011</u>	<u>09-00115-CJC ORANGE</u>
	County	Court	
		<u>US Central District</u>	

Section 2:

Yes No

- Are you the subject of a court order for the support of a child?..... ☐ ☒
- If you marked YES to the question above, are you in compliance with the court order?..... ☐ ☒

Section 3: (Fees apply to either status)

By signing below, you certify that you have completed ALL required CE Hours due for the 13/19 Renewal period.
(Dated from Nov. 1, 11 – Oct. 31, 17, 1.25hrs per mo.) The exemption period is 2yrs after graduation only.

OR you may check the box for Inactive if you did NOT complete CE.

Inactive - ☐ By checking this box you certify that you are NOT practicing in NV and do not wish to comply with the CE requirements of NV and would like your license changed to inactive status. Before re-activating your license it will be necessary to submit an application and to become compliant with current CE requirements (NAC 639 219). See reverse of insert for more information.

Section 4: NON-DISCIPLINARY STATE-MANDATED QUESTIONS

1. Though it is NOT required to have, SB21 requires the Board to ask if you have a Nevada State Business license and if you do, please provide the #:
09833 Leave blank if non-applicable

2. Have you ever served in the military, either active, reserve or retired? Yes ☐ No ☒ Branch: _____

Military Occupation/Specialty: _____

Dates of Service: _____

Section 5: It is a violation of Nevada law to falsify this application and sanctions will be imposed for misrepresentation. I hereby certify that I have read this application. I certify that all statements made are true and correct. I attest to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices. I understand that Nevada law requires a licensed pharmacist who, in their professional or occupational capacity, comes to know or has reasonable cause to believe, a child has been abused/neglected, to report the abuse/neglect to an agency which provides child welfare services or to a local law enforcement agency.

Original Signature: L. Nguyen

Date: 02/02/2018



Nevada State Board of Pharmacy

431 W PLUMB LANE • RENO, NEVADA 89509
(775) 850-1440 • 1-800-364-2061 • FAX (775) 850-1444
E-mail: pharmacy@pharmacy.nv.gov • Website: bcb.nv.gov

May 11, 2018

TRAN-NGUYEN LAN THI

Lic #9833

N PALM ST

LA HABRA, CALIFORNIA 90631

Dear Pharmacist:

This letter is to remind you that your pharmacist's license with Nevada expired on October 31, 2013. We are providing you this opportunity to bring your license current prior to the permanent expiration date of October 2018. Should you decide to forgo renewing, the license will permanently expire. As of today's date, you have incurred late fees of \$320, bringing the total due to renew to \$860.00.

If your Nevada pharmacist's license was obtained through NAPLEX then once the license is brought into an active status you will gain the option of seeking licensure in other states without having to re-take the NAPLEX. In addition you will then have the option to choose inactive status, in which you will no longer be obligated to abide by Nevada's continuing education requirements.

Often pharmacists contact the board office years later requesting reinstatement due to future job prospects only to be told they are no longer eligible to renew the license and therefore must re-take the NAPLEX to get licensed in another state. The disappointment is palpable from the loss suffered at either having to sit for that exam again or the missed job opportunity. The practice of pharmacy is a time-honored profession and the ability to practice that profession is a privilege not to be taken lightly.

If you would like to bring your license current in Nevada then you may either e-mail your request to us at lhedaria@pharmacy.nv.gov, providing your name and license number above and we will e-mail the form to you or you may fax this letter with a note to fax back the form along with your fax number or, if you cannot receive it either of those methods you may call the board office, asking for my Director of Finance Lisa, at 775-850-1440 to request the form be mailed to you.

Sincerely,

Larry L. Pinson
Executive Secretary

*7/2/2018 - called Lisa to inquire the ^{renewal} form emailed to me and buy a cashier check for \$860 to mail back to her attention and address on the form.
- She said I can use my Naplex transfer license to apply for the CA license which was cancelled.*

7/2/2018

Gmail - NV RPh Renewal form



Lan Nguyen

NV RPh Renewal form

3 messages

Lisa J. Hedaria <lhedaria@pharmacy.nv.gov>
To: "ng"

Mon, Jul 2, 2018 at 10:31 AM

Your form is attached and must be mailed back with a Money Order by the deadline or the form becomes invalid and the license is permanently expired.

Lisa J. Hedaria, Director of Finance/Technology

Nevada State Board of Pharmacy

431 W Plumb Ln

Reno, NV 89509

775-850-1440



This information is provided as a courtesy on behalf of the Nevada State Board of Pharmacy. This information does not constitute legal advice and does not override the specific provisions of Nevada law as applied to a particular set of facts.

2013.TRAN-NGUYEN, L renewal.pdf
212K

Lan Nguyen <
To: "Lisa J. Hedaria" <lhedaria@pharmacy.nv.gov>

Mon, Jul 2, 2018 at 12:16 PM

Please, review my filled form to see if it is renewable before I mail it in with the required fee before mailing.

Thanks,

Lan Nguyen

[Quoted text hidden]

Renew Nevada licence.pdf
75K

7/2/2018

Gmail - NV RPh Renewal form

Lisa J. Hedaria <lhedaria@pharmacy.nv.gov>
To: Lan Nguyen <n

Mon, Jul 2, 2018 at 12:38 PM

You will need to provide a written explanation for the criminal information you listed. As long as you include that with your Money Order and form then you should be fine.

Lisa J. Hedaria, Director of Finance/Technology

Nevada State Board of Pharmacy

431 W Plumb Ln

Reno, NV 89509

775-850-1440



This information is provided as a courtesy on behalf of the Nevada State Board of Pharmacy. This information does not constitute legal advice and does not override the specific provisions of Nevada law as applied to a particular set of facts.

From: Lan Nguyen [mailto:] m]
Sent: Monday, July 02, 2018 12:16 PM
To: Lisa J. Hedaria <lhedaria@pharmacy.nv.gov>
Subject: Re: NV RPh Renewal form

[Quoted text hidden]



Nevada State Board of Pharmacy

431 W. PLUMB LANE • RENO, NEVADA 89509
(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444
E-mail: pharmacy@pharmacy.nv.gov • Website: bop.nv.gov

NEVADA STATE BOARD OF PHARMACY 2018 – Board Meeting Schedule

NV Board phone # (775) 850-1441

Board Meeting Date	Application Deadline Date	Location
January 10-11	December 15	Las Vegas
March 7-8	February 5	Reno
April 11-12	March 12	Las Vegas
June 6-7	May 7	Reno
July 18-19	June 18	Las Vegas
September 5-6	August 6	Reno
October 10-11	September 10	Las Vegas
December 5-6	November 5	Reno

Wed / Thurs

Time? 2 days or 1 day meeting

Please note this schedule may be altered by the board at a previous meeting.

If you have any questions, please contact the Reno office at (775)850-1440.

NO 13 / call

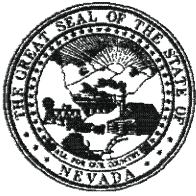
LAS VEGAS LOCATION

Hilton Garden Inn 7830
S. Las Vegas Blvd, Las Vegas
NV.

RENO LOCATION

Hyatt Place 1790 E
1790 E. Plumb Lane
Reno, NV 89502
(775) 826-2500

*Hyatt Place
Tahoe Ave*



Nevada State Board of Pharmacy

431 W. PLUMB LANE • RENO, NEVADA 89509
(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444
E-mail: pharmacy@pharmacy.nv.gov • Website: bop.nv.gov

July 19, 2018

Lan Thi Tran-Nguyen
N Palm St
La Habra, CA 90631

Dear Ms. Tran-Nguyen:

After review of the information you have provided with regards to your 2013-2019 renewal by Larry Pinson, it has been determined you will be required to personally appear before the board at a regularly scheduled board meeting for their consideration to approve or deny your renewal for a pharmacist license

Please see the enclosed schedule for the board meetings in 2018. Please contact me by the deadline date to schedule the required appearance.

If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Candy M. Nally".

Candy M. Nally
Licensing Specialist

enclosure

Lan Thi Tran Nguyen
: N. Palm Street
La Habra, CA 90631
Tel: (
Email: r

December 21, 2018

Nevada Board of Pharmacy
431 W. Plumb Lane
Reno, Nevada 89509
Tel: (775)850-1440

In Re: Additional request for reconsideration of Nevada Pharmacist License Renewal

To: Mr. Dave Wuest, Director of Nevada Board of Pharmacy
Cc: Mr. S. Paul Edwards, General Counsel

Dear Sirs,

As per your phone instructions this morning, I would like to present the adverse arrangements that inflict my emotional, mental, and financial hardship status as the follows:

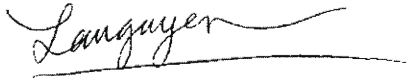
- 1) NV Board request my appearance on Jan 16-18 in Las Vegas to hear the Board decision for reconsideration when I will be overseas and come back on Jan 18, 2019 (see my flight scheduled attached). I requested for the written decision to be mailed to me to the above address or rescheduled to a later date when I return to the US.
- 2) Mr. Wuest denied refunding the amount of \$860 which was the renewal license fee if the Board decided not to grant my renewal. Mr. Wuest's rationale that the \$860 was charged for my appearance before the Board on Dec 6, 2018. It is non-refundable due to the fine print at the bottom of the renewal application. This is against my will to renew my license in reply to the mail solicitation letter of Ms. Lisa Hedaria, director of finance, whom I provided my felony conviction in writing to explain my license voluntarily surrendered status with the CA Board of pharmacy. After reviewing my NV license status, she provided the required \$860 fee for renewal and stated so long as I mailed the renewed application, money order for the requested fee, and completing the continuing education CE required in the indicated time of the letter then it would be fine (attachment previous mailed to the Board to indicate that I renewed on time). Ms. Hedaria was well informed of my financial difficulty status, and I would not send the renewal money if my renewal being denied. Then, I called the Board and was informed that I had to appear for the Board to grant the renewal with the Board meeting schedule where I was out of the country. So far, I was not required to do anything but appearance. The forfeiture of my \$860 for the arrangement of my appearance before the board was irrational, unexpected, unagreeable to me because I would definitely disagree to appear on Dec 6, 2018, before the NV

Board for being humiliated, disrespected, irrationally outlawed the US laws and regulation, and I would not renew my NV license due to my financial hardship. Furthermore, I also financially suffered for the flight cost on the top of the renewal amount. I need to have my renewal fee back! Because the Board breached the contract, not me.

- 3) The CA Board of pharmacy will accept my licensure transferring because only my CA license was surrendered. So far, NABP confirmed that NV Board required license transfer applicants to maintain their license by original NAPLEX examination. I passed the NABP exam and shall not retake the exam plus my NV license had been in active status since 1988, although I had never practiced pharmacy in Nevada. In contrast to the issue raised by the Board that I required to work in NV for my NV license to be renewed.
- 4) I wish that Mr. Edwards would reply to my phone or email promptly. In addition, I prefer the answer in writing to avoid confusion.

Your consideration to grant my NV license renewal is appreciated.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lan Nguyen", is written over a horizontal line.

Lan Thi Tran Nguyen



Lan Nguyen <

l.com>

SmartFares - Your Reservation Has Been Confirmed

1 message

confirmation@travelerhelpdesk.com <confirmation@travelerhelpdesk.com>
 Reply-To: customerservice@travelerhelpdesk.com
 To: nguyennfiftyfive@gmail.com

Xiamen Airline

for Vietnam Traveling

Tue, Nov 27, 2018 at 6:48 PM

Dear Lan Thi Tran Nguyen,
 Your reservation is confirmed and tickets have been issued.

SmartFares Reservation Code: **TWEXO7**

Airline Confirmation Code(s):

Traveler(s): Lan Thi Tran Nguyen Ticket Number(s): Document 7317205370256

Itinerary:

Depart
 ①

LOS ANGELES INTL, LOS ANGELES CA(LAX) to GAOQI INTL, XIAMEN(XMN)
 Xiamen Airlines # 858 DEPART 12/31/2018 11:55 PM ARRIVE 01/02/2019 09:15 AM

Return
 ②

GAOQI INTL, XIAMEN(XMN) to TAN SON NHAT, HO CHI MINH CITY(SGN)
 Xiamen Airlines # 8005 DEPART 01/02/2019 07:40 PM ARRIVE 01/02/2019 10:00 PM

TAN SON NHAT, HO CHI MINH CITY(SGN) to GAOQI INTL, XIAMEN(XMN)
 Xiamen Airlines # 8006 DEPART 01/18/2019 07:55 AM ARRIVE 01/18/2019 11:55 AM

GAOQI INTL, XIAMEN(XMN) to LOS ANGELES INTL, LOS ANGELES CA(LAX)
 Xiamen Airlines # 857 DEPART 01/18/2019 06:00 PM ARRIVE 01/18/2019 06:00 PM

*Additional baggage fees may apply: Xiamen Airlines

Seat Information: Please Click Here

Checking-in/Boarding Passes:

- The airline has issued an e-ticket therefore you can get your boarding pass at the airport on the day of departure either by providing your e-ticket number(s) or by showing a federally issued identification e.g. Passport or a Driver's License.
- You can also print your Boarding Pass(es) 24 hours prior to departure from the Airline's Website by using the Airline Confirmation Code(s) above.
- We recommend arriving at the airport 2.5 hours prior to departure for international flights and 1.5 hours prior to departure for domestic flights.
- As the traveler, you are responsible for all necessary travel documents and making sure that all are current (Passports, Visas, Driver's License). Please visit TSA for any questions regarding this, as well as information on check in procedures and airport security.
- Travel insurance is important - you never know what can happen. Call us toll free at 877-251-8433 to purchase travel insurance coverage if you have not done so already.

Changes and Cancellations:

- Airline tickets are non-refundable, non-changeable and non-cancellable. In certain cases, an airline may allow a ticket to be changed for a fee, plus the increased cost of the new ticket.
- Changes: Call us Toll Free at 877-250-9512. If you are outside the US/Canada please call +1 858-256-7278 to make any kind of changes in the itinerary. Fees will apply due to airline penalties, fare differences, and other factors in order to change the itinerary.
- Cancellations: Call us Toll Free at 877-250-9512. If you are outside the US/Canada please call +1 858-256-7278. Your booking should be cancelled at least 3 hours prior to the scheduled departure time of your flight. Cancellations can only be processed over the phone.

Schedule Changes:

- It is strongly suggested to contact the airline 24 hours prior to your departure to reconfirm your flights, seats and baggage restrictions.



Lan Nguyen

Renewal for pharmacy license/ changing location inquiry

6 messages

Lan Nguyen

Mon, Nov 26, 2018 at 10:11 AM

To: phystatus@dca.ca.gov, picstatus@dca.ca.gov, lan trannguyen

Hello,

I'm a PIC for Du Pharmacy whose pharmacist license was canceled in 2013.

I'de to have the information to about the renewal status of the Du pharmacy in Garden Grove and the change in location requirement along with PIC change.

Lan Nguyen <nguyenfiftyfive@gmail.com>

Mon, Nov 26, 2018 at 10:14 AM

To: phystatus@dca.ca.gov, picstatus@dca.ca.gov

My cell number and Email address:

Your consideration is gratefully appreciated.

Best,

Lan Nguyen

[Quoted text hidden]

Phystatus@DCA <Phystatus@dca.ca.gov>

Tue, Nov 27, 2018 at 2:17 PM

To: Lan Nguyen

The board does not have an active license for Du Pharmacy, therefore, you will not be able to renew or move this pharmacy as there is not an existing license for this pharmacy.



Suelynn Yee, Staff Service Analyst
California State Board of Pharmacy
(916) 574-7945 | FAX (916) 574-8618 | www.pharmacy.ca.gov

Be Aware and Take Care: Talk to your Pharmacist!**From:** Lan Nguyen <

>

Sent: Monday, November 26, 2018 10:11 AM**To:** Phystatus@DCA <Phystatus@dca.ca.gov>; Picstatus@DCA <picstatus@dca.ca.gov>; lan trannguyen <nguyenfiftyfive@gmail.com>**Subject:** Renewal for pharmacy license/ changing location inquiry

Hello,

I'm a PIC for Du Pharmacy whose pharmacist license was canceled in 2013.

12/21/2018

Gmail - Renewal for pharmacy license/ changing location inquiry

I'de to have the information to about the renewal status of the Du pharmacy in Garden Grove and the change in location requirement along with PIC change.

Baltazar, Lupe@DCA <Lupe.Baltazar@dca.ca.gov>

Fri, Dec 14, 2018 at 3:22 PM

To: " " <">

Hello Ms. Nguyen,

Since you voluntarily surrendered your pharmacist license and the pharmacy license was revoked in 2013, you cannot renew either license.

For both licenses, you will have to submit a new applications and meet current licensure requirements.

You can find the applications at the following link:

<https://www.pharmacy.ca.gov/applicants/index.shtml>

Thank you.

Lupe



Lupe Baltazar, Administrative Case Analyst
California State Board of Pharmacy
(916) 574-7921 | FAX (916) 574-8614 | www.pharmacy.ca.gov

Be Aware and Take Care: Talk to your Pharmacist!

On Mon, Nov 26, 2018 at 10:11 AM Lan Nguyen

il.com> wrote:

Hello.

I'm a PIC for Du Pharmacy whose pharmacist license was canceled in 2013.

I'de to have the information to about the renewal status of the Du pharmacy in Garden Grove and the change in location requirement along with PIC change.

image001.png

4K

12/21/2018

Gmail - Renewal for pharmacy license/ changing location inquiry



Lan Nguyen
To: Lupe.Baltazar@dca.ca.gov

Fri, Dec 14, 2018 at 4:28 PM

Thank you for your help!
Lan Nguyen
[Quoted text hidden]

Lan Nguyen <[redacted]>
To: pedwards@pharmacy.nv.gov, lan trannguyen <

Wed, Dec 19, 2018 at 12:55 PM

Hello Mr.Edward,
I'm forwarding the latest information in regard to my pharmacist license and pharmacy renewal with the CA board of pharmacy for which they confirm to start a new application. According to **NRS 639.139 Denial of application: Procedure for reconsideration**, I would receive the NV Board reply in 30 days starting from Dec 6, 2018. My concern about the NV board reconsideration as the follows:
1) What steps should I take to get my NV license, or it will be automatically mailed to my address.
2) If the NV Board affirmed their denial of my NV license renewal, will the renewal fee of \$960 mailed to the Board on July 2, 2018, be refunded to me because I'm currently in financial hardship and need the money to pay for the NAPLEX exam.
Your consideration is gratefully appreciated.
Best regard,
Lan Nguyen
12/19/18
[Quoted text hidden]

Shirley Hunting

From: David Wuest
Sent: Monday, December 24, 2018 8:59 AM
To: Lisa J. Hedaria; Shirley Hunting; Yen Long; Brett Kandt
Cc: Paul Edwards
Subject: Fw: NV license renewal- additional proofs
Attachments: NV added rationale renewal.pdf

From: Lan Nguyen <[redacted]@l.com>
Sent: Saturday, December 22, 2018 5:21:49 AM
To: David Wuest; Paul Edwards; lan trannguyen
Subject: NV license renewal- additional proofs

Lan Thi Tran Nguyen
0 N. Palm Street
La Habra, CA 90631
Tel:
Email:

December 21, 2018

Nevada Board of Pharmacy
431 W. Plumb Lane
Reno, Nevada 89509
Tel: (775)850-1440

In Re: Additional request for reconsideration of Nevada Pharmacist License Renewal

To: Mr. Dave Wuest, Director of Nevada Board of Pharmacy
Cc: Mr. S. Paul Edwards, General Counsel

Dear Sirs,

As per your phone instructions this morning, I would like to present the adverse arrangements that inflict my emotional, mental, and financial hardship status as the follows:

- 1) NV Board request my appearance on Jan 16-18 in Las Vegas to hear the Board decision for reconsideration when I will be overseas and come back on Jan 18, 2019 (see my flight scheduled attached). I requested for the written decision to be mailed to me to the above address or rescheduled to a later date when I return to the US.
- 2) Mr. Wuest denied refunding the amount of \$860 which was the renewal license fee if the Board decided not to grant my renewal. Mr. Wuest's rationale that the \$860 was charged for my appearance before the Board on Dec 6, 2018. It is non-refundable due to the fine print at the bottom of the renewal application. This is against my will to renew my license in reply to the mail solicitation letter of Ms. Lisa Hedaria, director of finance, whom I provided my felony conviction in writing to explain my license

voluntarily surrendered status with the CA Board of pharmacy. After reviewing my NV license status, she provided the required \$860 fee for renewal and stated so long as I mailed the renewed application, money order for the requested fee, and completing the continuing education CE required in the indicated time of the letter then it would be fine (attachment previous mailed to the Board to indicate that I renewed on time).

Ms. Hedaria was well informed of my financial difficulty status, and I would not send the renewal money if my renewal being denied. Then, I called the Board and was informed that I had to appear for the Board to grant the renewal with the Board meeting schedule where I was out of the country. So far, I was not required to do anything but appearance. The forfeiture of my \$860 for the arrangement of my appearance before the board was irrational, unexpected, unagreeable to me because I would definitely disagree to appear on Dec 6, 2018, before the NV Board for being humiliated, disrespected, irrationally outlawed the US laws and regulation, and I would not renew my NV license due to my financial hardship. Furthermore, I also financially suffered for the flight cost on the top of the renewal amount. I need to have my renewal fee back! Because the Board breached the contract, not me.

3) The CA Board of pharmacy will accept my licensure transferring because only my CA license was surrendered. So far, NABP confirmed that NV Board required license transfer applicants to maintain their license by original NAPLEX examination. I passed the NABP exam and shall not retake the exam plus my NV license had been in active status since 1988, although I had never practiced pharmacy in Nevada. In contrast to the issue raised by the Board that I required to work in NV for my NV license to be renewed.

4) I wish that Mr. Edwards would reply to my phone or email promptly. In addition, I prefer the answer in writing to avoid confusion.

Your consideration to grant my NV license renewal is appreciated.

Respectfully submitted,

Lan Thi Tran Nguyen

Paul Edwards

From: Lan Nguyen <nguyenfiftyfive@gmail.com>
Sent: Saturday, December 22, 2018 5:22 AM
To: David Wuest; Paul Edwards; lan trannguyen
Subject: NV license renewal- additional proofs
Attachments: NV added rationale rewal.pdf

Lan Thi Tran Nguyen
1 N. Palm Street
La Habra, CA 90631
Tel: (:
Email: nguyenfiftyfive@gmail.com

December 21, 2018

Nevada Board of Pharmacy
431 W. Plumb Lane
Reno, Nevada 89509
Tel: (775)850-1440

In Re: Additional request for reconsideration of Nevada Pharmacist License Renewal

To: Mr. Dave Wuest, Director of Nevada Board of Pharmacy
Cc: Mr. S. Paul Edwards, General Counsel

Dear Sirs,

As per your phone instructions this morning, I would like to present the adverse arrangements that inflict my emotional, mental, and financial hardship status as the follows:

- 1) NV Board request my appearance on Jan 16-18 in Las Vegas to hear the Board decision for reconsideration when I will be overseas and come back on Jan 18, 2019 (see my flight scheduled attached). I requested for the written decision to be mailed to me to the above address or rescheduled to a later date when I return to the US.
 - 2) Mr. Wuest denied refunding the amount of \$860 which was the renewal license fee if the Board decided not to grant my renewal. Mr. Wuest's rationale that the \$860 was charged for my appearance before the Board on Dec 6, 2018. It is non-refundable due to the fine print at the bottom of the renewal application. This is against my will to renew my license in reply to the mail solicitation letter of Ms. Lisa Hedaria, director of finance, whom I provided my felony conviction in writing to explain my license voluntarily surrendered status with the CA Board of pharmacy. After reviewing my NV license status, she provided the required \$860 fee for renewal and stated so long as I mailed the renewed application, money order for the requested fee, and completing the continuing education CE required in the indicated time of the letter then it would be fine (attachment previous mailed to the Board to indicate that I renewed on time).
- Ms. Hedaria was well informed of my financial difficulty status, and I would not send the renewal money if my renewal being denied. Then, I called the Board and was informed that I had to appear for the Board to grant the renewal with the Board meeting schedule where I was out of the country. So far, I was not required to do

anything but appearance. The forfeiture of my \$860 for the arrangement of my appearance before the board was irrational, unexpected, unagreeable to me because I would definitely disagree to appear on Dec 6, 2018, before the NV Board for being humiliated, disrespected, irrationally outlawed the US laws and regulation, and I would not renew my NV license due to my financial hardship. Furthermore, I also financially suffered for the flight cost on the top of the renewal amount. I need to have my renewal fee back! Because the Board breached the contract, not me.

3) The CA Board of pharmacy will accept my licensure transferring because only my CA license was surrendered. So far, NABP confirmed that NV Board required license transfer applicants to maintain their license by original NAPLEX examination. I passed the NABP exam and shall not retake the exam plus my NV license had been in active status since 1988, although I had never practiced pharmacy in Nevada. In contrast to the issue raised by the Board that I required to work in NV for my NV license to be renewed.

4) I wish that Mr. Edwards would reply to my phone or email promptly. In addition, I prefer the answer in writing to avoid confusion.

Your consideration to grant my NV license renewal is appreciated.

Respectfully submitted,

Lan Thi Tran Nguyen

Pharmacy Board

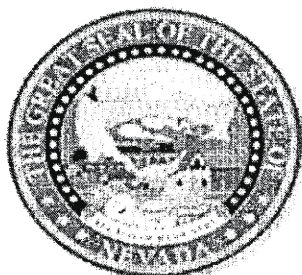
From: Paul Edwards
Sent: Thursday, December 27, 2018 4:46 PM
To: Lan Nguyen
Cc: David Wuest; Pharmacy Board; Shirley Hunting; Brett Kandt
Subject: RE: NV license renewal- additional proofs

Ms. Nguyen,

The Board received your emails. Per your December 21, 2018 letter, the Board will remove your request for reconsideration from its January 16-17, 2019 meeting agenda. It will reschedule your appearance for either March 6-7, 2019 in Reno, or April 10-11, 2019 in Las Vegas. Let me know what meeting you would like to attend.

Best regards,

S. Paul Edwards, Esq.
General Counsel
Nevada State Board of Pharmacy
431 W. Plumb Lane
Reno, NV 89509
(775) 850-1440 (phone)
(775) 850-1444 (fax)
E-mail: pedwards@pharmacy.nv.gov
Web page: bop.nv.gov



NOT LEGAL ADVICE: This information is provided as a courtesy on behalf of the Nevada State Board of Pharmacy. This information does not constitute legal advice and does not override the specific provisions of Nevada law as applied to a particular set of facts.

CONFIDENTIALITY NOTICE: This message and any accompanying documents are intended only for the use of the individual or entity to which they are addressed. They may contain information that is proprietary, privileged, confidential or exempt from disclosure under applicable Federal or State law. If the reader of this message is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, using, sharing or copying this communication or its contents. If you have received this email in error, please notify the sender immediately and destroy the original transmission. Thank you.

From: Lan Nguyen <>
Sent: Saturday, December 22, 2018 5:22 AM
To: David Wuest <dwuest@pharmacy.nv.gov>; Paul Edwards <pedwards@pharmacy.nv.gov>; lan trannguyen <>
Subject: NV license renewal- additional proofs

Lan Thi Tran Nguyen
0 N. Palm Street
La Habra, CA 90631
Tel:
Email:

December 21, 2018

Nevada Board of Pharmacy
431 W. Plumb Lane
Reno, Nevada 89509
Tel: (775)850-1440

In Re: Additional request for reconsideration of Nevada Pharmacist License Renewal

To: Mr. Dave Wuest, Director of Nevada Board of Pharmacy
Cc: Mr. S. Paul Edwards, General Counsel

Dear Sirs,

As per your phone instructions this morning, I would like to present the adverse arrangements that inflict my emotional, mental, and financial hardship status as the follows:

- 1) NV Board request my appearance on Jan 16-18 in Las Vegas to hear the Board decision for reconsideration when I will be overseas and come back on Jan 18, 2019 (see my flight scheduled attached). I requested for the written decision to be mailed to me to the above address or rescheduled to a later date when I return to the US.
- 2) Mr. Wuest denied refunding the amount of \$860 which was the renewal license fee if the Board decided not to grant my renewal. Mr. Wuest's rationale that the \$860 was charged for my appearance before the Board on Dec 6, 2018. It is non-refundable due to the fine print at the bottom of the renewal application. This is against my will to renew my license in reply to the mail solicitation letter of Ms. Lisa Hedaria, director of finance, whom I provided my felony conviction in writing to explain my license voluntarily surrendered status with the CA Board of pharmacy. After reviewing my NV license status, she provided the required \$860 fee for renewal and stated so long as I mailed the renewed application, money order for the requested fee, and completing the continuing education CE required in the indicated time of the letter then it would be fine (attachment previous mailed to the Board to indicate that I renewed on time).

Ms. Hedaria was well informed of my financial difficulty status, and I would not send the renewal money if my renewal being denied. Then, I called the Board and was informed that I had to appear for the Board to grant the renewal with the Board meeting schedule where I was out of the country. So far, I was not required to do anything but appearance. The forfeiture of my \$860 for the arrangement of my appearance before the board was irrational, unexpected, unagreeable to me because I would definitely disagree to appear on Dec 6, 2018, before the NV Board for being humiliated, disrespected, irrationally outlawed the US laws and regulation, and I would not renew my NV license due to my financial hardship. Furthermore, I also financially suffered for the flight cost on the top of the renewal amount. I need to have my renewal fee back! Because the Board breached the contract, not me.

- 3) The CA Board of pharmacy will accept my licensure transferring because only my CA license was surrendered. So far, NABP confirmed that NV Board required license transfer applicants to maintain their license by original NAPLEX examination. I passed the NABP exam and shall not retake the exam plus my NV license had been in active status since 1988, although I had never practiced pharmacy in Nevada. In contrast to the issue raised by the Board that I required to work in NV for my NV license to be renewed.

- 4) I wish that Mr. Edwards would reply to my phone or email promptly. In addition, I prefer the answer in writing to avoid confusion.

Your consideration to grant my NV license renewal is appreciated.

Respectfully submitted,

Lan Thi Tran Nguyen

DO NOT FOLD OR STAPLE ABOVE THIS LINE

Nevada State Board of Pharmacy – Renewal Application - PHARMACIST

431 W Plumb Lane • Reno, NV 89509 • bop.nv.gov

For the period of November 1, 2013 to October 31, 2019

MONEY ORDER ONLY (NO BUSINESS or PERSONAL CHECKS, NO CASH)
\$860.00 (MUST be postmarked by 10/31/2018)

860

LICENSE: 09833

LAN THI TRAN-NGUYEN

N PALM ST

LA HABRA, CA 90631

Please make any changes to name or address next to the old information

RENEW BY MAIL

1. Complete ALL sections on this form
2. Sign and date this form
3. Send MO with this form (do NOT staple)
4. Mail money order payment to address above
5. NO COPIES
6. NO SIGNATURE STAMPS ACCEPTED

MUST BE POSTMARKED BY 10/31/2018
OR WILL BE PERMANENTLY EXPIRED

Section 1: Since your last renewal or recent licensure have you: (Please fill in completely)						Yes	No
Been diagnosed or treated for any mental illness, including alcohol or substance abuse, or Physical condition that would impair your ability to perform the essential functions of your license?.....						<input type="checkbox"/>	<input checked="" type="checkbox"/>
1. Been charged, arrested or convicted of a felony or misdemeanor in any state?						<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Been the subject of a board citation or an administrative action whether completed or pending in any state?.....						<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Had your license subjected to any discipline for violation of pharmacy or drug laws in any state?.....						<input checked="" type="checkbox"/>	<input type="checkbox"/>
If you marked YES to any of the numbered questions in 3. above, provide the following information: A letter or explanation							
Board Administrative Action:		State	Date	Case #			
License cancellation		CA	6/3/2012	SACR 09-00115-CJC			
Criminal Action:	State	Date	Case #	County	Court		
Sentence	CA	06/03/2011	09-00115-CJC	ORANGE	US Central District		
Section 2:						Yes	No
Are you the subject of a court order for the support of a child?.....						<input type="checkbox"/>	<input checked="" type="checkbox"/>
If you marked YES to the question above, are you in compliance with the court order?.....						<input type="checkbox"/>	<input type="checkbox"/>
Section 3: (Fees apply to either status)							
By signing below, you certify that you have completed ALL required CE Hours due for the 13/19 Renewal period. (Dated from Nov. 1, 11 – Oct. 31, 17 125hrs per mo.). The exemption period is 2yrs after graduation only. <u>OR you may check the box for inactive if you did NOT complete CE.</u>							
Inactive: <input type="checkbox"/> By checking this box you certify that you are NOT practicing in NV and do not wish to comply with the CE requirements of NV and would like your license changed to inactive status. Before re-activating your license it will be necessary to submit an application and to become compliant with current CE requirements (NAC 639.219). See reverse of insert for more information.							
Section 4: NON-DISCIPLINARY / STATE-MANDATED QUESTIONS							
1. Though it is NOT required to have SS21 requires the Board to ask if you have a Nevada State Business License and if you do, please provide the #. <u>09253</u> Leave blank if non-applicable							
2. Have you ever served in the military, either active, reserve or retired? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Branch: _____							
Military Occupation/Specialty: _____				Dates of Service: _____			
Section 5: It is a violation of Nevada law to falsify this application and sanctions will be imposed for misrepresentation. I hereby certify that I have read this application. I certify that all statements made are true and correct. I attest to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices. I understand that Nevada law requires a licensed pharmacist who, in their professional or occupational capacity, comes to know or has reasonable cause to believe, a child has been abused/neglected, to report the abuse/neglect to an agency which provides child welfare services or to a local law enforcement agency.							
Original Signature: <u>LAN THI TRAN-NGUYEN</u>						Date: <u>07/02/2012</u>	

From: Tran Nguyen, Lan Thi
N. Palm Street
La Habra, CA 90631

July 2, 2018

To: Ms. Lisa J. Hedaria, Director of Finance/ Technology
Nevada State Board of Pharmacy
431 W. Plumb Lane
Reno, NV 98509
(775) 850-1440

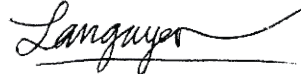
Dear Madame,

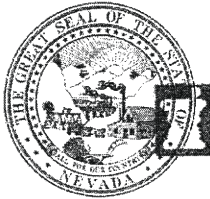
As per your instruction on my specific license renewal status, I would like to provide the explanation for my criminal conviction was selling over the daily limit of the cold medicine namely Claritin-D, leading to the felony conviction for distribution of a listed chemical (Pseudo-ephedrine) knowing and having a reasonable cause to believe it will be used to manufacture methamphetamine in violation of 21 U.S.C § 841 (c) (2) as charged with 1 count indictment.

I have attached the filled renewal form and the money order of \$860.00 in this envelope for you to review and process my order.

Your consideration to expedite my renewal is gratefully appreciated.

Respectfully submitted,


Tran-Nguyen, Lan Thi



Nevada State Board of Pharmacy

BE AWARE AND TAKE CARE:
Talk to your pharmacist!
CALIFORNIA STATE BOARD OF PHARMACY

431 W. FLUMB LANE • RENO, NEVADA 89509
(775) 850-1440 • 1-800-364-2081 • FAX (775) 850-1444
E-mail: pharmacy@chamacy.nv.gov • Website: cop.nv.gov

BOARD OF PHARMACY

Licensee Name: TRAN-NGUYEN LAN THI
License Type: REGISTERED PHARMACIST
License Number: 43129
License Status: CANCELLED Definition
Voluntary Surrender Definition
Expiration Date: August 21, 2013
Issue Date: March 06, 1990
Address: 1400 W WHITTIER AVE
City: BREA
State: CA
Zip: 92821
County: ORANGE
Actions: Yes

Related Licenses/Registrations/Permits

Number	Name	Type	Status
49001	DU PHARMACY	RETAIL PHARMACY	REVOKED

Public Disclosure

Administrative Disciplinary Actions

Current web site information on Board of Pharmacy disciplinary actions only goes as far back as *January 1998* following the effective date of the disciplinary penalty.

Disciplinary actions rendered by the Board and penalties imposed become operative on the effective date of the action except in situations where the licensee obtains a court-ordered stay through the appeal process. This may occur after the publication of the information on this website.

To obtain information prior to January 1998 or for information on specific discipline listed submit a written request to the *State Board of Pharmacy, 1625 N. Market Blvd, Suite N219, Sacramento, CA 95834, Attention Public Records Desk.*

Case Number: AC200900372700
Description of Action: BY STIPULATION: THE LICENSE IS VOLUNTARILY SURRENDERED.
Effective Date of Action: August 21, 2013

Public documents relating to this action are available here:
<http://www.pharmacy.ca.gov/enforcement/fy0910/ac093727>

This information is updated Monday through Friday - Last updated: JUL-11-2018

Disclaimer

All information provided by the Department of Consumer Affairs on this web page, and on its other web pages and internet sites, is made available to provide immediate access for the convenience of interested persons. While the Department believes the information to be reliable, human or mechanical error remains a possibility, as does delay in the posting or updating of information. Therefore, the Department makes no guarantee as to the accuracy, completeness, timeliness, currency, or correct sequencing of the information. Neither the Department, nor any of the sources of the information, shall be responsible for any errors or omissions, or for the use or results obtained from the use of this information. Other specific cautionary notices may be included on other web pages maintained by the Department. All access to and use of this web page and any other web page or internet site of the Department is governed by the Disclaimers and Conditions for Access and Use as set forth at California Department of Consumer Affairs' Disclaimer Information and Use Information.

Back

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

In the Matter of the Accusation Against:

IAN THI TRAN NGUYEN
Main Street
Susanville, CA 96130

Pharmacist License No. RPH 43129

And

DU PHARMACY
10042 Lampson Ave
Garden Grove, CA 92840

Pharmacy License No. PHY 49001

Respondent.

Case No. 3727

OAH No. 2010110837

Also Pertaining To

Citation No. CI 2010 48444
OAH No. 2011090607

Citation No. CI 2009 43894
OAH No. 2011090383, and

Citation No. CI 2010 47822
OAH No. 2011090603

DECISION AND ORDER

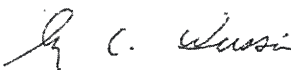
The attached Stipulated Surrender and Revocation of Licenses and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on August 21, 2013.

It is so ORDERED on July 22, 2013.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



STANLEY C. WEISSER
Board President

1 KAMALA D. HARRIS
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 DESIREE I. KELLOGG
Deputy Attorney General
4 State Bar No. 126461
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2996
7 Facsimile: (619) 645-2061
Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

12 **J. AN THI TRAN NGUYEN**
13 **North Palm Street**
14 **La Habra, CA 90631**

15 **Pharmacist License No. RPH 43129**

16 **DU PHARMACY**
17 **10042 Lampson Ave**
Garden Grove, CA 92840

18 **Pharmacy License No. PHY 49001**

19
20 Respondents.

Case No. 3727

OAH No. 2010110837

**STIPULATED SURRENDER AND
REVOCATION OF LICENSES AND
ORDER**

Also Pertaining To

Citation No. CI 2010 48444

OAH No. 2011090607

Citation No. CI 2009 43894

OAH No. 2011090383, and

Citation No. CI 2010 47822

OAH No. 2011090603

21
22
23 In the interest of a prompt and speedy settlement of this matter, consistent with the public
24 interest and the responsibility of the Board of Pharmacy, Department of Consumer Affairs, the
25 parties hereby agree to the following Stipulated Surrender and Revocation of Licenses and Order
26 to submit to the Board for approval and adoption as the final disposition of the Accusation in this
27 case, and of Citation No. CI 2010 48444, Citation No. CI 2009 43894 and Citation No. CI 2010
28 47822, also issued to Respondents.

1 PARTIES

2 1. Virginia Herold (Complainant), Executive Officer of the Board of Pharmacy, brought
3 this action solely in her official capacity and is represented in this matter by Kamala D. Harris,
4 Attorney General of the State of California, by Desiree I. Kellogg, Deputy Attorney General.

5 2. Both Respondents, Lan Thi Tran Nguyen (Respondent Tran Nguyen) and Lan Thi
6 Tran Nguyen dba Du Pharmacy (Respondent Du Pharmacy), are represented in this proceeding
7 by attorney Miranda McCroskey, of Law Office of Miranda McCroskey, 1432 Edinger Avenue,
8 Suite 240, Tustin, California 92780 (telephone (714) 389-2257).

9 3. On or about March 6, 1990, the Board of Pharmacy issued Pharmacist License No.
10 RPH 43129 to Respondent Tran Nguyen. The Pharmacist License was in full force and effect at
11 all times relevant to the charges brought in Accusation No. 3727. The Pharmacist License was
12 suspended by the Board of Pharmacy on December 30, 2011.

13 4. On or about March 24, 2008, the Board of Pharmacy issued Pharmacy License No.
14 PHY 49001 to Respondent Du Pharmacy. The Pharmacy License was in full force and effect at
15 all times relevant to the charges brought in Accusation No. 3727. The Pharmacy License was
16 cancelled by the Board of Pharmacy on July 15, 2011.¹

17 ACCUSATION AND CITATIONS

18 5. Accusation No. 3727 was filed before the Board of Pharmacy (Board), Department of
19 Consumer Affairs, and is currently pending against Respondents. The Accusation and all other
20 statutorily required documents were properly served on Respondents on November 2, 2010.
21 Respondents timely filed their Notice(s) of Defense contesting the Accusation. A copy of
22 Accusation No. 3727 is attached as Exhibit A and incorporated by reference.

23 6. On April 8, 2011, Citation No. CI 2010 47822, with a fine of \$1,475,000.00, was
24 issued to Respondent Tran Nguyen. Respondent timely appealed the Citation. A copy of Citation
25 No. CI 2010 47822 is attached as Exhibit B and incorporated herein by reference.

26
27
28 ¹ Pursuant to Business and Professions Code section 4300.1, the cancellation of the license
does not deprive the Board of jurisdiction to proceed with disciplinary action against the
pharmacy license.

1 7. On April 8, 2011, Citation No. CI 2009 43894, with a fine of \$1,475,000.00, was
2 issued to Respondent Du Pharmacy. Respondent timely appealed the Citation. A copy of
3 Citation No. CI 2009 43894 is attached as Exhibit C and incorporated herein by reference.

4 8. On June 9, 2011, Citation No. CI 2010 48444, with a fine of \$500.00, was issued to
5 Respondent Tran-Nguyen. Respondent timely appealed the Citation. A copy of Citation No. CI
6 2010 48444 is attached as Exhibit D and incorporated herein by reference.

7 ADVISEMENT AND WAIVERS

8 9. Respondents have carefully read, fully discussed with counsel, and understand the
9 allegations in Accusation No. 3727, and in each of the above listed Citations (No. CI 2010 47822,
10 CI 2009 43894 and CI 2010 48444). Respondents have also carefully read, fully discussed with
11 counsel, and understand the effects of this Stipulated Surrender and Revocation of Licenses and
12 Order.

13 10. Respondents are fully aware of their legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation and any pending citation(s); the right to
15 confront and cross-examine the witnesses against them; the right to present evidence and to
16 testify on their own behalf; the right to the issuance of subpoenas to compel the attendance of
17 witnesses and the production of documents; the right to reconsideration and court review of an
18 adverse decision; and all other rights accorded by the California Administrative Procedure Act
19 and other applicable laws.

20 11. Respondents voluntarily, knowingly, and intelligently waive and give up each and
21 every right set forth above. Respondents withdraw their notice(s) of appeal or other requests for
22 hearing on the above citations, and agree that those citations are final as modified below.

23 CULPABILITY

24 12. Respondents admit the truth of each and every charge and allegation in Accusation
25 No. 3727, and agree that cause exists for discipline. Respondent Tran Nguyen hereby surrenders
26 her Pharmacist License No. RPH 43129 for the Board's formal acceptance. Respondent Du
27 Pharmacy hereby agrees to the revocation of its Pharmacy License No. PHY 49001 by the Board.

28

1 13. Respondents understand that by signing this stipulation they enable the Board to issue
2 an order accepting the surrender of, or imposing revocation on, their respective licenses without
3 further process or opportunity to be heard.

4 CONTINGENCY

5 14. This stipulation shall be subject to approval by the Board of Pharmacy. Respondents
6 understand and agree that counsel for Complainant and the staff of the Board of Pharmacy may
7 communicate directly with the Board regarding this stipulation and surrender, without notice to or
8 participation by Respondents or their counsel. By signing the stipulation, Respondents
9 understand and agree that they may not withdraw their agreement or seek to rescind the
10 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
11 stipulation as its Decision and Order, the Stipulated Surrender and Revocation and Disciplinary
12 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
13 action between the parties, and the Board shall not be disqualified from further action by having
14 considered this matter.

15 15. The parties understand and agree that facsimile copies of this Stipulated Surrender
16 and Revocation of Licenses and Order, including facsimile signatures thereto, shall have the same
17 force and effect as the originals.

18 16. This Stipulated Surrender and Revocation of Licenses and Order is intended by the
19 parties to be an integrated writing representing the complete, final, and exclusive embodiment of
20 their agreement. It supersedes any and all prior or contemporaneous agreements, understandings,
21 discussions, negotiations, and commitments (written or oral). This Stipulated Surrender and
22 Revocation of Licenses and Order may not be altered, amended, modified, supplemented, or
23 otherwise changed except by a writing executed by an authorized representative of each of the
24 parties.

25 17. In consideration of the foregoing admissions and stipulations, the parties agree that
26 the Board may, without further notice or formal proceeding, issue and enter the following Order
27 Modifying Citations and (two) Disciplinary Orders as to each of the two Respondents:
28

1 4. Respondent Tran Nguyen may not apply, reapply, or petition for any licensure or
2 registration of the Board for three (3) years from the effective date of the Board's Decision and
3 Order.

4 5. If Respondent Tran Nguyen ever files an application for licensure or a petition for
5 reinstatement in the State of California, the Board shall treat it as a new application for licensure.
6 Respondent Tran Nguyen must comply with all the laws, regulations and procedures for licensure
7 in effect at the time the application or petition is filed, and all of the charges and allegations
8 contained in Accusation No. 3727 shall be deemed to be true, correct and admitted by Respondent
9 Tran Nguyen when the Board determines whether to grant or deny the application.

10 6. If Respondent Tran Nguyen ever applies for licensure or petitions for reinstatement in
11 the State of California, Tran Nguyen shall pay the agency its costs of investigation and
12 enforcement in the amount of \$27,443.00 (\$15,560.00 in prosecutorial costs and \$11,883.00 in
13 investigative costs) and \$40,000.00 payable to the Board as a civil penalty, prior to issuance of a
14 new or reinstated license. Respondent Tran Nguyen understands and agrees that the
15 aforementioned civil penalty is an administrative fine pursuant to 11 U.S.C. §523(a)(7), and is
16 non-dischargeable in bankruptcy. Respondent further understands and agrees that the filing of
17 bankruptcy by Respondent shall not relieve Respondent of the obligation to pay the balance of
18 this amount to the Board.

19 7. If Respondent Tran Nguyen should ever apply or reapply for a new license or
20 certification, or petition for reinstatement of a license, by any other health care licensing agency
21 in the State of California, all of the charges and allegations contained in Accusation No. 3727
22 shall be deemed to be true, correct, and admitted by Respondent Tran Nguyen for the purpose of
23 any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

24 **DISCIPLINARY ORDER AS TO RESPONDENT DU PHARMACY**

25 IT IS HEREBY ORDERED that Pharmacy License No. PHY 49001, issued to
26 Respondent Du Pharmacy, is revoked by the Board of Pharmacy.

27 1. The revocation of Respondent Du Pharmacy's license by the Board shall constitute
28 the imposition of discipline against Respondent Du Pharmacy. This stipulation constitutes a

1 record of the discipline and shall become a part of Respondent Du Pharmacy's license history
2 with the Board of Pharmacy.

3 2. Respondent Du Pharmacy shall lose any and all remaining rights and privileges as a
4 Pharmacy in California as of the effective date of the Board's Decision and Order.

5 3. Respondent Du Pharmacy shall cause to be delivered to the Board its pocket
6 license(s) and, if one or more was issued, its wall certificate(s), on or before the effective date of
7 the Decision and Order.

8 4. Respondent Du Pharmacy may not apply, reapply, or petition for any licensure or
9 registration of the Board for three (3) years from the effective date of the Decision and Order.

10 5. If Respondent Du Pharmacy ever applies for licensure or petitions for reinstatement
11 in the State of California, the Board shall treat it as a petition for reinstatement. Respondent Du
12 Pharmacy must comply with all laws, regulations and procedures for licensure in effect at the
13 time the application or petition is filed, and all of the charges in Accusation No. 3727 shall be
14 deemed to be true, correct and admitted by Respondent Du Pharmacy when the Board determines
15 whether to grant or deny the petition.

16 6. If Respondent ever applies for licensure or petitions for reinstatement in the State of
17 California, Respondent shall pay the Board, on the basis of joint and several liability, any part of
18 the \$27,433.00 in costs of investigation and enforcement of this case and the civil penalty in the
19 amount of \$40,000.00, made payable by Respondent Tran Nguyen by the Disciplinary Order
20 above, that has/have not yet been paid to the Board or otherwise discharged by Respondent Tran
21 Nguyen pursuant to the Disciplinary Order above, prior to issuance to Respondent Du Pharmacy
22 of a reinstated license.

23 7. If Respondent Du Pharmacy ever applies for a license or certification, or petitions for
24 reinstatement of a license, by any other health care licensing agency in the State of California, all
25 of the charges in Accusation No. 3727 shall be deemed to be true, correct, and admitted by
26 Respondent Du Pharmacy for the purpose of any Statement of Issues or any other proceeding
27 seeking to deny or restrict licensure.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ENDORSEMENT

The foregoing Stipulated Surrender and Revocation of Licenses and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: 5/1/13

Respectfully submitted,

KAMALA D. HARRIS
~~Attorney General of California~~
JAMES M. LEDAKIS
Supervising Deputy Attorney General

DESIREE I. KELLOGG
Deputy Attorney General
Attorneys for Complainant

SD2010701042/80752140.doc

Exhibit A

Accusation No. 3727

1 EDMUND G. BROWN JR.
Attorney General of California
2 LINDA K. SCHNEIDER
Supervising Deputy Attorney General
3 DESIREE I. KELLOGG
Deputy Attorney General
4 State Bar No. 126461
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2996
7 Facsimile: (619) 645-2061
Attorneys for Complainant

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

11
12 In the Matter of the Accusation Against:

Case No. 3727

13 **LAN THI TRAN NGUYEN**
North Palm Street
14 **La Habra, CA 90631**

ACCUSATION

15 **Pharmacist License No. RPH 43129**

16 **DU PHARMACY**
10042 Lampson Ave
17 **Garden Grove, CA 92840**

18 **Permit No. PHY 49001**

19 Respondents.
20

21 Complainant alleges:

22 **PARTIES**

23 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
24 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

25 2. On or about March 6, 1990, the Board of Pharmacy issued Pharmacist License
26 Number RPH 43129 to Lan Thi Tran Nguyen (Respondent). The Pharmacist License was in full
27 force and effect at all times relevant to the charges brought herein and will expire on July 31,
28 2011, unless renewed.

3. On or about March 24, 2008, the Board of Pharmacy issued Permit No. PHY 49001 to Lan Thi Tran Nguyen to do business as Du Pharmacy (Respondent). Permit No. PHY 49001 was in full force and effect at all times relevant to the charges brought herein and will expire on March 1, 2011. Lan Thi Tran Nguyen is and at all times has been the individual licensed owner and pharmacist-in-charge of Du Pharmacy since March 24, 2008.

JURISDICTION

4. This Accusation is brought before the Board of Pharmacy (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 4300(a) of the Code states that “[e]very license issued may be suspended or revoked.”

6. Section 118, subdivision (b), of the Code provides that the suspension, expiration, surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY AND REGULATORY PROVISIONS

7. Section 482 of the Code states:

Each board under the provisions of this code shall develop criteria to evaluate the rehabilitation of a person when:

- (a) Considering the denial of a license by the board under Section 480; or
- (b) Considering the suspension or revocation of a license under Section 490.

Each board shall take into account all competent evidence of rehabilitation furnished by the applicant or licensee.

8. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

9. Section 493 of the Code states:

1 Notwithstanding any other provision of law, in a proceeding conducted by a
2 board within the department pursuant to law to deny an application for a license or
3 to suspend or revoke a license or otherwise take disciplinary action against a person
4 who holds a license, upon the ground that the applicant or the licensee has been
5 convicted of a crime substantially related to the qualifications, functions, and duties
6 of the licensee in question, the record of conviction of the crime shall be conclusive
7 evidence of the fact that the conviction occurred, but only of that fact, and the board
8 may inquire into the circumstances surrounding the commission of the crime in
9 order to fix the degree of discipline or to determine if the conviction is substantially
10 related to the qualifications, functions, and duties of the licensee in question.

11 As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,'
12 and 'registration.'

13 10. Section 4032 of the Code states:

14 'License' means and includes any license, permit, registration, certificate, or
15 exemption issued by the board and includes the process of applying for and renewing
16 the same.

17 11. Section 4113(c) states:

18 The pharmacist-in-charge shall be responsible for a pharmacy's compliance
19 with all state and federal laws and regulations pertaining to the practice of pharmacy.

20 12. Section 4301 of the Code states:

21 The board shall take action against any holder of a license who is guilty
22 of unprofessional conduct or whose license has been procured by fraud or
23 misrepresentation or issued by mistake. Unprofessional conduct shall include, but is
24 not limited to, any of the following:

25

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

28

(l) The conviction of a crime substantially related to the qualifications,
functions, and duties of a licensee under this chapter. The record of conviction of a
violation of Chapter 13 (commencing with Section 801) of Title 21 of the United
States Code regulating controlled substances or of a violation of the statutes of this
state regulating controlled substances or dangerous drugs shall be conclusive
evidence of unprofessional conduct. In all other cases, the record of conviction shall
be conclusive evidence only of the fact that the conviction occurred. The board may
inquire into the circumstances surrounding the commission of the crime, in order to
fix the degree of discipline or, in the case of a conviction not involving controlled
substances or dangerous drugs, to determine if the conviction is of an offense
substantially related to the qualifications, functions, and duties of a licensee under this
chapter. A plea of guilty or a conviction following a plea of nolo contendere is
deemed to be a conviction within the meaning of this provision. The board may take
action when the time for appeal has elapsed or the judgment of conviction has been

1 affirmed on appeal or when an order granting probation is made suspending the
2 imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the
3 Penal Code allowing the person to withdraw his or her plea of guilty and to enter a
4 plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation,
5 information or indictment.

6

7 (o) Violating or attempting to violate, directly or indirectly, or assisting
8 in or abetting the violation of or conspiring to violate any provision or term of this
9 chapter or of the applicable federal and state laws and regulations governing
10 pharmacy, including regulations established by the board or by any other state or
11 federal regulatory agency.

12 ...

13 13. Section 4307 of the Code states:

14 (a) any person who has been denied a license or whose license has been revoked
15 or is under suspension or who has filed to renew his or her license while it was under
16 suspension, or who has been a manger, administrator, owner, member, officer,
17 director, associate, or partner of any partnership, corporation, firm, or association
18 whose application for a license has been denied or revoked, is under suspension or
19 has been placed on probation, and while acting as the manger, administrator, owner,
20 member, officer, director, associate, or partner had knowledge of or knowingly
21 participated in any conduct for which the license was denied, revoked, suspended or
22 placed on probation, shall be prohibited from serving as a manger, administrator,
23 owner, member, officer, director, associate, or partner of a licensee as follows:

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

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

(b) 'Manager, administrator, owner, member, officer, director, associate or
partner,' as used in this section and Section 4308, may refer to a pharmacist or to any
other person who serves in that capacity in or for a licensee.

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

14. Title 16, California Code of Regulations, section 1769 states:

....

1 (b) When considering the suspension or revocation of a facility or a
2 personal license on the ground that the licensee or the registrant has been convicted of
a crime, the board, in evaluating the rehabilitation of such person and his present
eligibility for a license will consider the following criteria:

3 (1) Nature and severity of the act(s) or offenses(s).

4 (2) Total criminal record.

5 (3) The time that has elapsed since commission of the act(s) or offense(s).

6 (4) Whether the licensee has complied with all terms of parole, probation,
7 restitution or any other sanctions lawfully imposed against the licensee.

8 (5) Evidence, if any, of rehabilitation submitted by the licensee.

9 15. Title 16, California Code of Regulations, section 1770 states:

10 For the purpose of denial, suspension, or revocation of a personal or
11 facility license pursuant to Division 1.5 (commencing with Section 475) of the
Business and Professions Code, a crime or act shall be considered substantially
12 related to the qualifications, functions or duties of a licensee or registrant if to a
substantial degree it evidences present or potential unfitness of a licensee or registrant
13 to perform the functions authorized by his license or registration in a manner
consistent with the public health, safety, or welfare.

14 COST RECOVERY

15 16. Section 125.3 of the Code states, in pertinent part, that the Board may request the
16 administrative law judge to direct a licentiate found to have committed a violation or violations of
17 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
18 enforcement of the case.

19 DRUGS

20 17. Pseudoephedrine is a listed I chemical as defined by title 21, United States Code,
21 Section 802(34) ("the term 'listed I chemical' means a chemical specified by regulation of the
22 Attorney General as a chemical that is used in manufacturing a controlled substance in violation
23 of this subchapter and is important to the manufacture of the controlled substances, and such term
24 includes...(K) Pseudoephedrine, its salts, optical isomers, and salts of optical isomers").

25 18. Methamphetamine is a schedule II controlled substance as designated by Health and
26 Safety Code section 11055(d)(2), and is a dangerous drug pursuant to Business and Professions
27 Code section 4022.
28

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(February 5, 2010 Conviction for Sale of Chemical to be Used to Manufacture Controlled**
3 **Substance on May 13, 2009)**

4 19. Respondents are subject to disciplinary action under sections 490 and 4301(l) of the
5 Code in that Respondent Lan Thi Tran Nguyen was convicted of a crime that is substantially
6 related to the qualifications, duties and functions of a pharmacist. The circumstances are as
7 follows:

8 a. On or about February 5, 2010, in a criminal proceeding entitled *United States v.*
9 *Lan Thi Tran Nguyen*, in United States District Court for the Central District of California, case
10 number 09-115-CJC, a jury rendered a verdict against Respondent and found her guilty of
11 distribution of pseudoephedrine, knowing or having reasonable cause to believe that the
12 pseudoephedrine would be used to manufacture a controlled substance, namely methamphetamine
13 in violation of Title 21, United States Code, section 841(c)(2). Her sentencing hearing date is
14 scheduled for January 31, 2011.

15 b. The facts that led to the conviction were that Respondent worked as the
16 pharmacist in charge and owned Respondent Du Pharmacy in Garden Grove, California in April
17 and May 2009. On or about April 28, 2009, the Drug Enforcement Administration and local
18 police executed a probation search of the hotel room of a confidential informant. In his hotel
19 room, law enforcement officials found 144 "blister packs" of pseudoephedrine and a business
20 card for "Du Pharmacy." The informant agreed to cooperate with law enforcement agents and
21 stated that he obtained the pseudoephedrine from Respondent Du Pharmacy.

22 c. On May 13, 2009, the informant conducted an undercover buy of
23 pseudoephedrine. Respondent sold the informant 9 cardboard cases, each containing 24
24 individually wrapped blister packs of products containing pseudoephedrine. Each blister pack
25 contained 10 pills, each pill consisted of a 240 milligram dosage. In sum, Respondent sold the
26 informant 2,160 pills of pseudoephedrine, totaling 518.4 grams. Respondent knew that
27 pseudoephedrine could be used to make methamphetamine and that there are limits to the amount
28 of pseudoephedrine that can be sold in a single transaction. For example, when law enforcement

1 officials searched Respondent's pharmacy, they found an Internet printout with passages
2 highlighted describing how pseudoephedrine could be used to make methamphetamine.
3 Additionally, Respondent received a training entitled "Pseudoephedrine Learner's Guide" while
4 working at CVS Pharmacy in 2006. This training discussed how pseudoephedrine could be used
5 to make methamphetamine and that customers were limited to purchasing certain amounts of
6 pseudoephedrine per day and per month. Respondent also admitted to law enforcement officials
7 that she ordered cases of OHM brand cold medication containing pseudoephedrine from a
8 wholesaler on a daily basis.

9 SECOND CAUSE FOR DISCIPLINE

10 (Unprofessional Conduct-Violating Laws Regulating Controlled Substances)

11 20. Respondents are subject to disciplinary action under section 4301(j) of the Code for
12 violations of the California Uniform Controlled Substances Act, including Health and Safety
13 Code section 11100(g)(3), which limits the amount of pseudoephedrine that can be sold in a
14 single transaction, as is more fully described in paragraph 19 above.

15 THIRD CAUSE FOR DISCIPLINE

16 (Unprofessional Conduct-Violations of the Chapter)

17 21. Respondents are subject to disciplinary action under Code section 4301(o) for
18 violations of the Pharmacy Act in that Respondent Lan Thi Tran Nguyen sold more than three
19 packages of a product she knew to contain pseudoephedrine and more than 9 grams of
20 pseudoephedrine in a single transaction in violation of Health and Safety Code section
21 11100(g)(3), as is more fully described in paragraph 19 above.

22 PRAYER

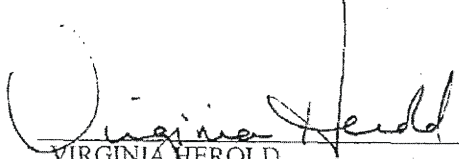
23 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
24 and that following the hearing, the Board of Pharmacy issue a decision:

- 25 1. Revoking or suspending Pharmacist License Number RPH 43129, issued to Lan Thi
26 Tran Nguyen;
- 27 2. Revoking or suspending Permit No. PHY 49001 issued to Du Pharmacy;

1 2. Ordering Lan Thi Tran Nguyen and Du Pharmacy to pay the Board of Pharmacy the
2 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
3 Professions Code section 125.3;

4 3. Taking such other and further action as deemed necessary and proper.

6
7 DATED: 10/29/10


VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

11 SD2010701042
12 70304813.doc

Exhibit B

Citation No. 2010 47822

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

CITATION AND FINE

Citation Number CI 2010 47822	Name, License No. LAN THI TRAN-NGUYEN , RPH 43129.
---	--

JURISDICTION: Bus. & Prof. Code § 4005; CCR, title 16, § 1775; Bus. & Prof. Code § 4113 subd. (c)

VIOLATION CODE SECTION	OFFENSE	AMOUNT OF FINE
Bus. & Prof. Code § 4067 subd. (a)	Internet; Dispensing Dangerous Drugs or Devices without Prescription; No person shall dispense or furnish, or cause to be furnished dangerous drugs...on the internet...without a prescription issued pursuant to a good faith examination	\$1,475,000.00

CONDUCT:

Dispensing Internet Prescriptions - Lan Tran-Nguyen was not in compliance with Business and Professions Code section 4067, subdivision (a), which prohibits furnishing or dispensing controlled substances via the Internet without a good faith prior exam. Specifically, from 08/21/09 to 10/02/09, Lan Tran-Nguyen furnished a total of 59 prescriptions issued via the Internet, which were without a good faith prior exam while she was working at Du Pharmacy located at 10042 Lampson Ave., Garden Grove, CA. Violation of pharmacy law. The prescriptions included:

Patient Name	City	Medication	Dr's Name	City	State	Rx Date/Time
jm	Elk Grove	Soma	Kareem Tannous	Freeport	NY	
rv	Harbor City	Soma	Samson Orusa	Clarksville	TN	
am	Sacramento	Soma	Kareem Tannous	Freeport	NY	
gr	Huntington	Soma	Samson Orusa	Clarksville	TN	
iw	Lancaster	Ultram	Kareem Tannous	Freeport	NY	
gl	Vallejo	Soma	Jack Olin	Boca Raton	FL	
ay	Coalinga	Fioricet	James Frede	Wailuku	HI	0:26:25
dm	Azusa	Soma	Joseph Kamaka III	Wailuku	HI	2:36:00
mr	Concord	Soma	Samson Orusa	Clarksville	TN	
sb	Monterey	Soma	Joseph Kamaka III	Wailuku	HI	
fa	Gardena	Soma	James Frede	Wailuku	HI	1:56:48
cj	Castaic	Soma	Samson Orusa	Clarksville	TN	23:09:43
ko	Portola Hills	Fioricet	Laura Garabedian	Glen Oaks	NY	23:43:24
dh	Lakeport	Soma	Kareem Tannous	Freeport	NY	0:38:26
mp	Tulare	Soma	Joseph Kamaka III	Wailuku	HI	0:05:32
mg	Nevada City	Soma	Samson Orusa	Clarksville	TN	2:31:58
jk	Canyon Country	Soma	Samson Orusa	Clarksville	TN	
gg	El Segundo	Soma	Kareem Tannous	Freeport	NY	3:29:03
jr	Westlake	Ultram	Kareem	Freeport	NY	1:55:07

	Village		Tannous			
bp	Van Nuys	Soma	Howard Strassberg	Brooksville	NY	5:08:25
jl	West Covina	Soma	Samson Orusa	Clarksville	TN	1:00:38
ro	Carmel Valley	Soma	Gloria Fong	Delaware	DE	
gm	Santa Barbara	Soma	Leland Hilburg	Tarzana	CA	0:21:49
ac	Paradise	Ultram	Kareem Tannous	Freeport	NY	
gb	San Bernardino	Soma	Samson Orusa	Clarksville	TN	3:52:14
dg	Hemet	Fioricet	Samson Orusa	Clarksville	TN	0:35:14
mk	Portola Hills	Soma	Terrill Brown	Visalia	CA	5:12:27
mh	Hacienda Height	Soma	Samuel Neil Grief	Chicago	IL	
ar	Orville	Soma	Jack Olin	Boca Raton	FL	3:43:49
jm	Murrieta	Soma	Samuel Neil Grief	Chicago	IL	
vg	Santa Fe Springs	Soma	Howard Strassberg	Old Brooksville	NY	5:00:39
jp	Thermal	Ultram	Samson Orusa	Clarksville	TN	01:01:25
ts	Sacramento	Soma	Howard Strassberg	Old Brooksville	NY	
kr	Quincy	Soma	Samson Orusa	Clarksville	TN	1:29:02
jb	Willows	Soma	Kareem Tannous	Freeport	NY	5:19:41
mm	Oceano	Soma	Kareem Tannous	Freeport	NY	
ch	Oroville	Soma	Kareem Tannous	Freeport	NY	12:11:04
gb	Torrance	Soma	Charles Myers	Mishawaka	IN	
jk	Concord	Ultram	Irving Harper III	Kihel	HI	0:31:46
gh	Fresno	Soma	Samson Orusa	Clarksville	TN	22:50:47
pp	Roseville	Soma	Elaina George	Atlanta	GA	3:29:12
ar	Mountainview	Soma	Samson Orusa	Clarksville	TN	
te	Truckee	Soma	Bob Thompson	West Frankfurt	IL	5:23:22
jw	Stockton	Soma	Gloria Fong	Delaware	DE	3:55:23
dw	Concord	Soma	James Frede	Wailuku	HI	
ml	San Jose	Ultram	Howard Strassberg	Old Brooksville	NY	22:27:37
hc	Van Nuys	Soma	Kareem Tannous	Freeport	NY	
dk	Stockton	Soma	Samson Orusa	Clarksville	TN	
jz	Mill Valley	Fioricet	Samson Orusa	Clarksville	TN	
jd	Glendora	Soma	Gloria Fong	Newark	DE	0:28:02
gr	Lomita	Soma	Samuel Neil Grief	Chicago	IL	
ml	Mercede	Soma	Samuel Neil Grief	Chicago	IL	
pp	Fresno	Soma	Samson Orusa	Clarksville	TN	
kg	Pacheco	Soma	Laura Garabedian	Glen Oaks	NY	
wb	Tracy	Soma	James Frede	Wailuku	HI	
es	Corning	Soma	Samuel Neil Grief	Chicago	IL	
as	Temecula	Soma	Charles Myers	Mishawaka	IN	
ja	Napa	Soma	Samuel Neil Grief	Chicago	IL	

CITATION ISSUED ON: April 8, 2011

TOTAL AMOUNT OF FINE(S): \$1,475,000.00

PAYMENT OF FINE(S) DUE BY: May 8, 2011

Exhibit C

Citation No. 2009 43894

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

Citation Number CI 2009 43894	Name, License No. DU PHARMACY, PHY 49001
---	--

JURISDICTION: Bus. & Prof. Code § 4005; CCR, title 16, § 1775; Bus. & Prof. Code § 4301, subd. (o)

VIOLATION CODE SECTION	OFFENSE	AMOUNT OF FINE
Bus. & Prof. Code § 4067 subd. (a)	Internet; Dispensing Dangerous Drugs or Devices without Prescription; No person shall dispense or furnish, or cause to be furnished dangerous drugs...on the internet...without a prescription issued pursuant to a good faith examination	\$1,475,000.00

CONDUCT:

Dispensing Internet Prescriptions Du Pharmacy was not in compliance with Business and Professions Code section 4067, subdivision (a), which prohibits furnishing or dispensing dangerous drugs via the Internet without a good faith prior exam. Specifically, from 08/21/09 to 10/02/09, Du Pharmacy, located at 10042 Lampson Ave., Garden Grove, CA, furnished total of 59 prescriptions issued via the Internet, which were without a good faith prior exam, and written by in and out-of-state prescribers. Violation of pharmacy law. The prescriptions included:

Patient Name	City	Medication	Dr's Name	City	State	Rx Date/Time
jm	Elk Grove	Soma	Kareem Tannous	Freeport	NY	
rv	Harbor City	Soma	Samson Orusa	Clarksville	TN	
am	Sacramento	Soma	Kareem Tannous	Freeport	NY	
gr	Huntington	Soma	Samson Orusa	Clarksville	TN	
jw	Lancaster	Ultram	Kareem Tannous	Freeport	NY	
gl	Vallejo	Soma	Jack Olin	Boca Raton	FL	
ay	Coalinga	Fioricet	James Frede	Wailuku	HI	0:26:25
dm	Azusa	Soma	Joseph Kamaka III	Wailuku	HI	2:36:00
mr	Concord	Soma	Samson Orusa	Clarksville	TN	
sb	Monterey	Soma	Joseph Kamaka III	Wailuku	HI	
fa	Gardena	Soma	James Frede	Wailuku	HI	1:56:48
cj	Castaic	Soma	Samson Orusa	Clarksville	TN	23:09:43
ko	Portola Hills	Fioricet	Laura Garabedian	Glen Oaks	NY	23:43:24
dh	Lakeport	Soma	Kareem Tannous	Freeport	NY	0:38:25
mp	Tulare	Soma	Joseph Kamaka III	Wailuku	HI	0:05:32
mg	Nevada City	Soma	Samson Orusa	Clarksville	TN	2:31:58
jk	Canyon Country	Soma	Samson Orusa	Clarksville	TN	
gg	El Segundo	Soma	Kareem	Freeport	NY	3:29:03

			Tannous			
ir	Westlake Village	Ultram	Kareem Tannous	Freeport	NY	1:55:07
bp	Van Nuys	Soma	Howard Strassberg	Brooksville	NY	5:08:25
jl	West Covina	Soma	Samson Orusa	Clarksville	TN	1:00:38
rc	Carmel Valley	Soma	Gloria Fong	Delaware	DE	
gm	Santa Barbara	Soma	Leland Hilburg	Tarzana	CA	0:21:49
ac	Paradise	Ultram	Kareem Tannous	Freeport	NY	
gb	San Bernardino	Soma	Samson Orusa	Clarksville	TN	3:52:14
dq	Hemet	Floriet	Samson Orusa	Clarksville	TN	0:35:14
mk	Portola Hills	Soma	Terrill Brown	Visalia	CA	5:12:27
mh	Hacienda Height	Soma	Samuel Neil Grief	Chicago	IL	
ar	Orville	Soma	Jack Olin	Boca Raton	FL	3:43:49
jm	Murrieta	Soma	Samuel Neil Grief	Chicago	IL	
vg	Santa Fe Springs	Soma	Howard Strassberg	Old Brooksville	NY	5:00:39
jp	Thermal	Ultram	Samson Orusa	Clarksville	TN	01:01:25
ts	Sacramento	Soma	Howard Strassberg	Old Brooksville	NY	
kr	Quincy	Soma	Samson Orusa	Clarksville	TN	1:29:02
io	Willows	Soma	Kareem Tannous	Freeport	NY	5:19:41
mm	Oceano	Soma	Kareem Tannous	Freeport	NY	
ch	Oroville	Soma	Kareem Tannous	Freeport	NY	12:11:04
gb	Torrance	Soma	Charles Myers	Mishawaka	IN	
jk	Concord	Ultram	Irving Harper III	Kihei	HI	0:31:46
gh	Fresno	Soma	Samson Orusa	Clarksville	TN	22:50:47
pe	Roseville	Soma	Elaina George	Atlanta	GA	3:29:12
a-	Mountainview	Soma	Samson Orusa	Clarksville	TN	
te	Truckee	Soma	Bob Thompson	West Frankfurt	IL	5:23:22
jw	Stockton	Soma	Gloria Fong	Delaware	DE	3:55:25
dw	Concord	Soma	James Frede	Wailuku	HI	
ml	San Jose	Ultram	Howard Strassberg	Old Brooksville	NY	22:27:37
hc	Van Nuys	Soma	Kareem Tannous	Freeport	NY	
dk	Stockton	Soma	Samson Orusa	Clarksville	TN	
jz	Mill Valley	Floriet	Samson Orusa	Clarksville	TN	
jd	Glendora	Soma	Gloria Fong	Newark	DE	0:28:02
gr	Lomita	Soma	Samuel Neil Grief	Chicago	IL	
ml	Mercede	Soma	Samuel Neil Grief	Chicago	IL	
pp	Fresno	Soma	Samson Orusa	Clarksville	TN	
kg	Pacheco	Soma	Laura Garabedian	Glen Oaks	NY	
wb	Tracy	Soma	James Frede	Wailuku	HI	
es	Corning	Soma	Samuel Neil Grief	Chicago	IL	
as	Temecula	Soma	Charles Myers	Mishawaka	IN	
ja	Napa	Soma	Samuel Neil Grief	Chicago	IL	

CITATION ISSUED ON: April 8, 2011

TOTAL AMOUNT OF FINE(S): \$1,475,000.00

PAYMENT OF FINE(S) DUE BY: May 8, 2011

Exhibit D

Citation No. 2010 48444

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

CITATION AND FINE

Citation Number	Name, License No
CI 2010 48444	LAN THI TRAN-NGUYEN , RPH 43129

JURISDICTION: Bus. & Prof. Code § 4005; CCR, title 16, § 1775;

VIOLATION CODE SECTION	OFFENSE	AMT OF FINE
Bus. & Prof. Code § 4306.5/CCR, Title 16, § 1764/Civil Code § 56.10 subd. (a) et seq.	Misuse of education, etc. by pharmacist outside course of practice of pharmacy as Unprofessional Conduct /Unauthorized disclosure of prescription and medical information	\$500.00

CONDUCT:

Unauthorized Disclosure and Maintenance of Patient Specific Records- Pharmacist Lan Thi Tran-Nguyen was not in compliance with the Business and Professions Code Section 4306.5 which states unprofessional conduct for a pharmacist includes any of the following: acts or omissions that involve, in whole or in part the inappropriate exercise of his or her education, training, or experience as a pharmacist, whether or the act or omission arises in the course of the practice of pharmacy or the ownership, management, administrations, or operation of a pharmacy or other entity licensed by the board and as it relates to the California Code of Regulations 1764 that states no pharmacist shall exhibit or reveal the contents of any prescription with any person other than the patient or his or her authorized representative and Civil Code 56.10(a) that states no provider of health care shall disclose medical information regarding a patient without first obtaining authorization. Specifically between May 2010 to October 2010 while working at Pharmerica located at 11205 Knott Avenue, Suite C in Cypress, pharmacist Lan Thi Tran-Nguyen acted unprofessionally when she accessed, obtained, and removed unauthorized copies of highly confidential patient specific records including prescriptions, from Pharmerica in Cypress even after RPH Nguyen signed the Statement of Confidentiality "HIPAA Privacy & Security" form on 5/20/10 that stated, "If my employment with PharMerica ends, whether voluntarily or involuntarily, I hereby agree not to use or disclose any Health Information to anyone for any reason". This is a violation of pharmacy law.

CITATION ISSUED ON: June 09, 2011	TOTAL AMOUNT OF FINE(S): \$500.00
PAYMENT OF FINE(S) DUE BY: July 09, 2011	