

NEVADA STATE BOARD OF PHARMACY
431 W Plumb Lane Reno, NV 89509 (775) 850-1440

APPLICATION BY RECIPROCATION AS A PHARMACIST

If you are requesting licensure by reciprocation (i.e. you have a current pharmacist license from another state and wish to transfer license information and only need to take the Nevada MPJE), complete this application:

Total Fee: \$330.00 (non-refundable, money order or cashier's check only, no cash)

Money Order or Cashier's Check made payable to: Nevada State Board of Pharmacy

Complete Name (no abbreviations):

First: CHOON Middle: WHAN Last: KIM

Mailing Address: 8777 W. MAULE AVE UNIT #2020

City: LAS VEGAS State: NV Zip Code: 89148

Telephone: _____ E-mail Address: _____

Date of Birth: _____ Place of Birth: SEOUL, SOUTH KOREA

Social Security Number: _____ Sex: M or F

Original State of Licensure you are reciprocating from must be active and issued by exam;

State: MA Date of Issuance: 7/25/2007

College of Pharmacy Information

Graduation Date: 05/18/2007
(mm/dd/yy)

Degree Received: PharmD BS in Pharmacy Other (check one)

Name of Pharmacy School: Massachusetts College of Pharmacy, Boston

Location of School: Boston, MA 179 LONGWOOD AVE 02115

If you are a **foreign graduate** you must attach a copy of your FPGE certificate to THIS APPLICATION.
You also need to complete the college of pharmacy information

Board Use Only

Received: 2-21-17 Amount: \$330.00 Entity #: 95849

Laws _____ MPJE 7/23

Other states where you are (or were) licensed as a pharmacist or print none

State	Lic #	Is the license active?	State	Lic #	Is the license active?
<u>HI</u>	<u>PH-2707</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	_____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>
_____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>

**Attach separate sheet if needed

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"/> Yes <input checked="" type="checkbox"/> No	
1. Been charged, arrested or convicted of a felony or misdemeanor in <u>any</u> state?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Been the subject of an administrative action whether completed or pending in <u>any</u> state?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Had your license subjected to any discipline for violation of pharmacy or drug laws in <u>any</u> state?.... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If you marked YES to any of the numbered questions (1-3) above, please include the following information and provide an expiration or documents:	

Board Administrative Action:	State	Date:	Case #:		
		/ /			
Criminal Action:	State	Date:	Case #:	County	Court
		/ /			

FEDERALLY MANDATED REQUIREMENTS

In response to Federally mandated requirements, the Nevada Legislature and Attorney General require that we include this questions as part of all applications.

4. Are you the subject of a court order for the support of a child?.....Yes No
4a. If you marked Yes, to the question 4, are you in compliance with the court order?.....Yes No

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

No liability of any sort or kind shall attach to the said Nevada State Board of Pharmacy, it's members, servants or employees because or by reason of the use of the authorization.

Chew. Fu
 Original Signature, no copies or stamps accepted

2-14-2017
 Date

Paul Edwards

From: Jonathan Chan
Sent: Monday, February 27, 2017 1:35 PM
To: Paul Edwards
Subject: Fraudulent concern

Hello Paul,

My name is Jonathan Chan, and I am a registered pharmacist in the state of Massachusetts. My Massachusetts license number is PH26578. I'm writing to express my concern from a text message and conversation I had today with a former classmate from Massachusetts College of Pharmacy at Boston, MA. The classmate's name is Choon Kim, and he often goes by the nickname "John". He is approximately 40 years old.

A week ago (2/20/17) he had text messaged stating he was applying for Nevada licensure to take the MPJE, and asked if it were okay if he used my name as a reference. I told him I do not mind helping him out, however I told him I was not sure I am what they are looking for, because we have no work experience with each other. I told him it is fine, if they want to know how we went to Massachusetts College of Pharmacy together.

Today (2/27/17), he writes me back and says:

"Hey Jon I read the instructions and it says I just need to be acquainted with you. I honestly don't think they need the application because they already approved me to take the exam, but I think I accidentally printed your name where it said signature by my photo. But again it's not that important since I think it was supposed to be a copy. I hope you're not upset bra. It was an honest mistake. You can call me if you have questions 808-386-9060. I think it was just to verify what I look like"

He later calls me today (2/27/17) and tells me he actually forged my signature, and looked me up online, and added my Massachusetts pharmacy license number, city, and state.

I am very concerned if this is true, knowing someone used my name fraudulently. Is it possible he is trying to transfer my Massachusetts license to Nevada, under his identity?

Please let me know if you need any information. My phone number is

Jonathan Chan

Voucher as to moral character. NOTE : A licensed pharmacist in good standing in a state where you are licensed by examination, license transfer, or practiced under legal conditions, must complete and sign this voucher and affix his or her signature to the form on the back of your photographs for identification.

DATE: Feb 23, 2017

To The Nevada State Board of Pharmacy

I hereby certify that I am a licensed pharmacist in good standing in the State of MA, my license number being PH26578. I further certify that I am personally acquainted with Dr. Choon Kim for 10 months (~~year~~) and that to the best of my knowledge and belief he or she is of good moral character and has not been involved in any activities that would violate state practice laws or regulations, so as to render him/her unfit to practice pharmacy. I hereby recommend him/her worthy to practice in the state of Nevada.

Remarks: _____

Name: Jonathan Chan

Address: Weston, MA 02493 State: MA

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Total Fee: \$330.00 (non-refundable, money order or cashier's check only, no cash)

Money Order or Cashier's Check made payable to: Nevada State Board of Pharmacy

Complete Name (no abbreviations):

First: YOUNG Ju Middle: _____ Last: WOO

Mailing Address: 13876 Kemy Ln

City: San Diego State: CA Zip Code: 92130

Telephone: _____ E-mail Address: _____

Date of Birth: _____ Place of Birth: Suwon, Korea

Social Security Number: _____ Sex: M or F

Original State of Licensure you are reciprocating from must be active and issued by exam;

State: CA Date of Issuance: 11/8/2004

College of Pharmacy Information

Graduation Date: 05/03/2016
(mm/dd/yy)

Degree Received: PharmD BS in Pharmacy Other (check one)

Name of Pharmacy School: University of Florida

Location of School: Gainesville, Florida

If you are a **foreign graduate** you must attach a copy of your FPGE certificate to THIS APPLICATION.
You also need to complete the college of pharmacy information

Board Use Only

Received: 12-14-16 Amount: \$330.00 Entity #: _____

Laws _____ MPJE _____

Other states where you are (or were) licensed as a pharmacist or print "none"

State	Lic #	Is the license active?	State	Lic #	Is the license active?
CA	56562	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>

**Attach separate sheet if needed

	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 <u>any</u> state?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Been the subject of an administrative action whether completed or pending in <u>any</u> state?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Had your license subjected to any discipline for violation of pharmacy or drug laws in <u>any</u> state?....	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If you marked **YES** to any of the numbered questions (1-3) above, please include the following information and provide an expiration or documents:

Board Administrative Action:	State	Date:	Case #:		
pending	CA	6/13/2016	AC 201500555400		
Criminal Action:	State	Date:	Case #:	County	Court
		/ /			


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No liability of any sort or kind shall attach to the said Nevada State Board of Pharmacy, it's members, servants or employees because or by reason of the use of the authorization.



 Original Signature, no copies or stamps accepted

11/17/16

 Date

1 KAMALA D. HARRIS
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 MARICHELE S. TAHMIC
Deputy Attorney General
4 State Bar No. 147392
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-3154
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:

Case No. 5554

12 **VONS CORPORATION DBA VONS**
13 **PHARMACY 2406**
14 **750 North Imperial Avenue**
El Centro, CA 92243

A C C U S A T I O N

15 **Pharmacy Permit No. PHY 43000**
16 **(Change of Ownership to Pharmacy Permit**
No. 52136)

17 **and**

18 **YOUNG JU WOO**
19 **13876 Kerry Lane**
San Diego, CA 92130

20 **Pharmacist License No. 56562**

21 **and**

22 **ROGELIO VEGA**
23 **P.O. Box 924**
Calipatria, CA 92233

24 **Pharmacy Technician Registration No. TCH**
25 **55763**

26 Respondents.

27
28 //

1 Complainant alleges:

2 **PARTIES**

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

5 2. On or about August 25, 1997, the Board of Pharmacy issued Pharmacy Permit
6 Number PHY 43000 to Vons Corporation to do business as Vons Pharmacy 2406 (Respondent
7 Vons). The Pharmacy Permit was cancelled on April 17, 2015 pursuant to a change of ownership.

8 3. On or about November 8, 2004, the Board of Pharmacy issued Pharmacist License
9 Number RPH 56562 to Young Ju Woo (Respondent Woo). Woo was the Pharmacist-in-Charge
10 of Vons from July 18, 2010 through June 23, 2014. The Pharmacist License was in full force and
11 effect at all times relevant to the charges brought herein and will expire on February 29, 2016,
12 unless renewed.

13 4. On or about March 29, 2004, the Board of Pharmacy issued Pharmacy Technician
14 Registration Number TCH 55763 to Rogelio A. Vega (Respondent Vega). The Pharmacy
15 Technician Registration was in full force and effect at all times relevant to the charges brought
16 herein and will expire on September 30, 2017, unless renewed.

17 **JURISDICTION**

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

21 6. Section 4300 of the Code states:

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

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

25 (1) Suspending judgment.

26 (2) Placing him or her upon probation.

27 (3) Suspending his or her right to practice for a period not exceeding one
28 year.

1 (4) Revoking his or her license.

2 (5) Taking any other action in relation to disciplining him or her as the
3 board in its discretion may deem proper.

4 (e) The proceedings under this article shall be conducted in accordance with
5 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the
6 Government Code, and the board shall have all the powers granted therein. The
7 action shall be final, except that the propriety of the action is subject to review
8 by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

9 7. Section 4300.1 of the Code states:

10 The expiration, cancellation, forfeiture, or suspension of a board-issued license by
11 operation of law or by order or decision of the board or a court of law, the
12 placement of a license on a retired status, or the voluntary surrender of a license by
13 a licensee shall not deprive the board of jurisdiction to commence or proceed with
14 any investigation of, or action or disciplinary proceeding against, the licensee or to
15 render a decision suspending or revoking the license.

16 STATUTORY AND REGULATORY PROVISIONS

17 8. Section 4301 of the Code states:

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

22 (f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit,
23 or corruption, whether the act is committed in the course of relations as a licensee
24 or otherwise, and whether the act is a felony or misdemeanor or not.

25 (g) Knowingly making or signing any certificate or other document that falsely
26 represents the existence or nonexistence of a state of facts.

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

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

1 (q) Engaging in any conduct that subverts or attempts to subvert an investigation of
the board.

2 ...
3 9. Section 4022 of the Code states:

4 "Dangerous drug" or "dangerous device" means any drug or device unsafe for
5 self-use in humans or animals, and includes the following:

6 (a) Any drug that bears the legend: "Caution: federal law prohibits dispensing
without prescription," "Rx only," or words of similar import.

7 (b) Any device that bears the statement: "Caution: federal law restricts this device
8 to sale by or on the order of a _____," "Rx only," or words of similar import,
the blank to be filled in with the designation of the practitioner licensed to use or
9 order use of the device.

10 (c) Any other drug or device that by federal or state law can be lawfully dispensed
only on prescription or furnished pursuant to Section 4006.

11 10. Section 4059 of the Code states in part:

12 (a) A person may not furnish any dangerous drug, except upon the prescription of a
13 physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor
pursuant to Section 3640.7. A person may not furnish any dangerous device, except
14 upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or
naturopathic doctor pursuant to Section 3640.7.

15 ...
16 11. Section 4060 of the Code states:

17 No person shall possess any controlled substance, except that furnished to a person
18 upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or
naturopathic doctor pursuant to Section 3640.7, or furnished pursuant to a drug
19 order issued by a certified nurse-midwife pursuant to Section 2746.51, a nurse
practitioner pursuant to Section 2836.1, or a physician assistant pursuant to Section
20 3502.1, or naturopathic doctor pursuant to Section 3640.5, or a pharmacist
pursuant to either subparagraph (D) of paragraph (4) of, or clause (iv) of
21 subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052. This section
shall not apply to the possession of any controlled substance by a manufacturer,
22 wholesaler, pharmacy, pharmacist, physician, podiatrist, dentist, optometrist,
veterinarian, naturopathic doctor, certified nurse-midwife, nurse practitioner, or
23 physician assistant, when in stock in containers correctly labeled with the name and
address of the supplier or producer.

24 Nothing in this section authorizes a certified nurse-midwife, a nurse practitioner, a
25 physician assistant, or a naturopathic doctor, to order his or her own stock of
dangerous drugs and devices.

26 12. Section 4081 of the Code states:

27 (a) All records of manufacture and of sale, acquisition, or disposition of dangerous
28 drugs or dangerous devices shall be at all times during business hours open to
inspection by authorized officers of the law, and shall be preserved for at least three

1 years from the date of making. A current inventory shall be kept by every
2 manufacturer, wholesaler, pharmacy, veterinary food-animal drug retailer,
3 physician, dentist, podiatrist, veterinarian, laboratory, clinic, hospital, institution, or
4 establishment holding a currently valid and unrevoked certificate, license, permit,
5 registration, or exemption under Division 2 (commencing with Section 1200) of the
6 Health and Safety Code or under Part 4 (commencing with Section 16000) of
7 Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous
8 drugs or dangerous devices.

9 (b) The owner, officer, and partner of any pharmacy, wholesaler, or veterinary
10 food-animal drug retailer shall be jointly responsible, with the pharmacist-in-charge
11 or representative-in-charge, for maintaining the records and inventory described in
12 this section.

13 (c) The pharmacist-in-charge or representative-in-charge shall not be criminally
14 responsible for acts of the owner, officer, partner, or employee that violate this
15 section and of which the pharmacist-in-charge or representative-in-charge had no
16 knowledge, or in which he or she did not knowingly participate.

17 13. Section 4105 of the Code states:

18 (a) All records or other documentation of the acquisition and disposition of
19 dangerous drugs and dangerous devices by any entity licensed by the board shall be
20 retained on the licensed premises in a readily retrievable form.

21 (b) The licensee may remove the original records or documentation from the
22 licensed premises on a temporary basis for license-related purposes. However, a
23 duplicate set of those records or other documentation shall be retained on the
24 licensed premises.

25 (c) The records required by this section shall be retained on the licensed premises
26 for a period of three years from the date of making.

27 (d) Any records that are maintained electronically shall be maintained so that the
28 pharmacist-in-charge, the pharmacist on duty if the pharmacist-in-charge is not on
duty, or, in the case of a veterinary food-animal drug retailer or wholesaler, the
designated representative on duty, shall, at all times during which the licensed
premises are open for business, be able to produce a hard copy and electronic copy
of all records of acquisition or disposition or other drug or dispensing-related
records maintained electronically.

(f) When requested by an authorized officer of the law or by an authorized
representative of the board, the owner, corporate officer, or manager of an entity
licensed by the board shall provide the board with the requested records within
three business days of the time the request was made. The entity may request in
writing an extension of this timeframe for a period not to exceed 14 calendar days
from the date the records were requested. A request for an extension of time is
subject to the approval of the board. An extension shall be deemed approved if the
board fails to deny the extension request within two business days of the time the
extension request was made directly to the board.

///

///

1 14. Title 16, California Code of Regulations (CCR), section 1714 states in part.

2 ...
3 (b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures,
4 and equipment so that drugs are safely and properly prepared, maintained, secured
5 and distributed. The pharmacy shall be of sufficient size and unobstructed area to
6 accommodate the safe practice of pharmacy.

7 ...
8 (d) Each pharmacist while on duty shall be responsible for the security of the
9 prescription department, including provisions for effective control against theft or
10 diversion of dangerous drugs and devices, and records for such drugs and devices.
11 Possession of a key to the pharmacy where dangerous drugs and controlled
12 substances are stored shall be restricted to a pharmacist.

13 ...
14 15. Title 16, CCR, section 1718 states:

15 "Current Inventory" as used in Sections 4081 and 4332 of the Business and
16 Professions Code shall be considered to include complete accountability for all
17 dangerous drugs handled by every licensee enumerated in Sections 4081 and 4332.

18 The controlled substances inventories required by Title 21, CFR, Section 1304 shall
19 be available for inspection upon request for at least 3 years after the date of the
20 inventory.

21 16. Health and Safety Code section 11350 states in part:

22 Except as otherwise provided in this division, every person who possesses (1) any
23 controlled substance specified in subdivision (b), (c), (e), or paragraph (1) of
24 subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of
25 subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section
26 11055, or specified in subdivision (h) of Section 11056, or (2) any controlled
27 substance classified in Schedule III, IV, or V which is a narcotic drug, unless upon
28 the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to
practice in this state, shall be punished by imprisonment in a county jail for not more
than one year, except that such person shall instead be punished pursuant to
subdivision (h) of Section 1170 of the Penal Code if that person has one or more
prior convictions for an offense specified in clause (iv) of subparagraph (C) of
paragraph (2) of subdivision (e) of Section 667 of the Penal Code or for an offense
requiring registration pursuant to subdivision (c) of Section 290 of the Penal Code.

29 ...
30 17. Health and Safety Code section 11351 states:

31 Except as otherwise provided in this division, every person who possesses for
32 sale or purchases for purposes of sale (1) any controlled substance specified in
33 subdivision (b), (c), or (e) of Section 11054, specified in paragraph (14), (15), or
34 (20) of subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of
35 Section 11055, or specified in subdivision (h) of Section 11056, or (2) any

1 controlled substance classified in Schedule III, IV, or V which is a narcotic drug,
2 shall be punished by imprisonment pursuant to subdivision (h) of Section 1170
3 of the Penal Code for two, three, or four years.

4 COST RECOVERY

5 18. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licentiate found to have committed a violation or violations of
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
9 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
10 included in a stipulated settlement.

11 DRUGS

12 19. Hydrocodone with acetaminophen, sold under the brand names Norco and Vicodin,
13 was a Schedule III controlled substance as designated by Health and Safety Code section
14 11055(b)(1)(l) at the times pertinent to this Accusation and is currently classified a Schedule II
15 controlled substance pursuant to Health and Safety Code section 11056(e)(4). It is a dangerous
16 drug pursuant to Business and Professions Code section 4022. It is used for the relief of pain.

17 FACTS

18 20. On or about December 5, 2013, the Board was notified that Respondent Vega, a
19 Pharmacy Technician, was terminated from his employment by Respondent Vons for theft of
20 hydrocodone in 2013.

21 21. Respondent Vons became aware of the theft after being notified of the discrepancy
22 between the amount of hydrocodone/apap 10/325 purchased by the pharmacy and the amount
23 dispensed. The pharmacy conducted an investigation that revealed an unusual amount of inventory
24 adjustments for hydrocodone between January 1, 2013 and November 1, 2013. All the
25 adjustments were negative adjustments that reduced the inventory of hydrocodone by 34,642 pills.
26 The adjustments were made using Vega's unique password and were made when Vega was
27 scheduled to work. Vega made the inventory adjustments to hide his theft.

28 22. After making inventory adjustments to cover his thefts, Vega admitted that he placed
the stolen tablets into his smock and exited the pharmacy. Vega sold the stolen tablets for \$1.00