



California State Board of Pharmacy
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www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



August 2, 2023

Philip G. Rice
11268 E Linvale Drive
Aurora, CO 80014

RE: Public Records Act Request

Dear Mr. Rice:

This letter is in response to your request for records pursuant to the California Public Records Act (Gov. Code, § 6250 et seq.), which was received by the California State Board of Pharmacy (“Board”) on July 25, 2023. For convenience, I have restated your requests and then provided the Board’s response below.

Please also be advised that administrative actions, including citation and fines, letters of admonishment, and other such items are only public record for five (5) years from the date they are issued.

Request No.1: On or about July 16, 2017, in case number CI 2016 74253, the Board issued a Letter of Admonishment to Shawn Bjorndal, RPH 65593. I would like to have a copy of this letter of admonishment.

Board’s Response No. 1: This item is more than five years old, therefore there are no responsive items to this request.

Request No.2: On or about July 3, 2018, in case number CI 2017 80410, the Board issued a Letter of Admonishment to Shawn Bjorndal, RPH 65593. I would like to have a copy of this letter of admonishment.

Board’s Response No. 2: This item is more than five years old, therefore there are no responsive items to this request.

Request No.3: On or about February 10, 2021, the Board issued Citation number CI 2018 84425 against OptumRx PHY 47482. I would like to have a copy of that citation.

Board’s Response No. 3: Please find a copy of CI 2018 84425 enclosed with this letter.

Request No.4: On or about February 10, 2021, the Board issued Citation number CI 2020 90096 against Shawn Jason Bjorndal PRH 65593. I would like to have a copy of that citation.



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Board's Response No. 4: Please find a copy of CI 2020 90096 enclosed with this letter.

Request No.5: On or about September 18, 2018, the Board issued Citation number CI 2016 75859 against OptumRx PHY 47482. I would like a copy of that citation.

Board's Response No. 5: Please find a copy of CI 2016 75859 enclosed with this letter.

Request No.6: On or about September 13, 2018, the Board issued Citation number CI 2017 77718 against OptumRx PHY 47482. I would like a copy of that citation.

Board's Response No. 6: This item is more than five years old, therefore there are no responsive items to this request.

Request No.7: On or about July 3, 2018, the Board issued Citation number CI 2017 76295 against OptumRx PHY 47482. I would like a copy of that citation.

Board's Response No. 7: This item is more than five years old, therefore there are no responsive items to this request.

Request No.8: On or about December 1, 2017, the Board issued Citation number CI 2015 70397 against OptumRx PHY 47482. I would like a copy of that citation.

Board's Response No. 8: This item is more than five years old, therefore there are no responsive items to this request.

Request No.9: On or about June 12, 2017, the Board issued Citation number CI 2015 69556 against OptumRx PHY 47482. I would like a copy of this citation.

Board's Response No. 9: This item is more than five years old, therefore there are no responsive items to this request.

Request No.10: On or about June 8, 2017, the Board issued Citation number CI 2015 69919 against OptumRx PHY 47482. I would like a copy of this citation.

Board's Response No. 10: This item is more than five years old, therefore there are no responsive items to this request.

Request No.11: On or about April 8, 2015, the Board issued Citation number CI 2013 60163 against OptumRx PHY 47482. I would like a copy of this citation.

Board's Response No. 11: This item is more than five years old, therefore there are no responsive items to this request.

Request No.12: On or about February 9, 2015, the Board issued Citation number CI 2013 60075 against OptumRx PHY 47482. I would like a copy of that citation.

Board's Response No. 12: This item is more than five years old, therefore there are no responsive items to this request.

Request No.13: On July 9, 2014, the Board issued Citation number CI 2013 59891 against OptumRx PHY 47482. I would like a copy of this citation.

Board's Response No. 13: This item is more than five years old, therefore there are no responsive items to this request.

Request No.14: On January 23, 2014, the Board issued Citation number CI 2012 54362 against OptumRx PHY 47482. I would like a copy of this citation.

Board's Response No. 14: This item is more than five years old, therefore there are no responsive items to this request.

Request No.15: On April 11, 2014, the Board issued Citation number CI 2013 58107 against OptumRx PHY 47482. I would like a copy of this citation.

Board's Response No. 15: This item is more than five years old, therefore there are no responsive items to this request.

Request No.16: On February 14, 2013, the Board issued Citation number CI 2012 53121 against OptumRx PHY 47482. I would like a copy of this citation.

Board's Response No. 16: This item is more than five years old, therefore there are no responsive items to this request.

Request No.17: On November 15, 2013, the Board issued Citation number CI 2012 56693 against OptumRx PHY 47482. I would like to have a copy of that citation.

Board's Response No. 17: This item is more than five years old, therefore there are no responsive items to this request.

Request No.18: On September 11, 2013, the Board issued Citation number CI 2012 54430 against OptumRx PHY 47482. I would like a copy of that citation.

Board's Response No. 18: This item is more than five years old, therefore there are no responsive items to this request.

Because the duplication costs relating to complying with this request may exceed the costs of cashing such costs, they are being waived at this time. For future requests, the board may seek reimbursement of the costs to provide these documents as well as the costs for future requests.

I trust the information and documents provided is responsive to your request. If you have any questions regarding this matter, you may contact me at (916) 518-3045 or via e-mail at Pharmacy.PublicRecords@dca.ca.gov.

Sincerely,

Anne Sodergren
Executive Officer

By *Ann Altamirano*

Ann Altamirano
Public Inquiry Analyst

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

CITATION AND FINE

Citation Number	Name, License No
CI 2016 75859	OPTUMRX, PHY 47482

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

VIOLATION CODE SECTION	OFFENSE	AMT OF FINE
CCR, Title 16, § 1716	Variation from prescription	\$1,000.00

CONDUCT:

Variation from Prescription: California Code of Regulations title 16, section 1716 states, pharmacists shall not deviate from the requirements of a prescription except upon the prior consent of the prescriber. OptumRx PHY 47482, failed to comply. Specifically, on 6/1/2016, pharmacist Robert Santiago, RPH52865, while working at OptumRx located at 2858 Loker Avenue East Suite 100, Carlsbad, CA verified prescription Rx175220502 for DG. The prescription was prescribed on 5/17/2017 by Dr. Shirley Powell for DG for 30 capsules of phentermine 30 mg with directions to take one capsule orally daily in the morning. The prescription was processed by pharmacy technician Carlos Zavala on 5/18/2017 at OptumRx Tucson, AZ and placed on hold. However, the prescription was entered as phenobarbital 30 mg instead of phentermine 30 mg. On 6/1/2017, the prescription was reprocessed for filling and pharmacist Robert Santiago verified the data entry of the prescription but failed to discover that the prescription was entered incorrectly as phenobarbital 30 mg instead of phentermine 30 mg. Consequently, the prescription was filled and then dispensed with the wrong medication, phenobarbital 30 mg instead phentermine 30 mg as prescribed. This was a violation of California Code of Regulation 1716.

CITATION ISSUED ON: September 18, 2018

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

PAYMENT OF FINE(S) DUE BY: October 18, 2018

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

CITATION AND FINE

Citation Number	Name, License No
CI 2018 84425	OPTUMRX, PHY 47482

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

VIOLATION CODE SECTION	OFFENSE	AMT OF FINI
Bus. & Prof. Code § 4301	Unprofessional Conduct...	\$5,000.00

CONDUCT:

Unprofessional Conduct: Business and Professions Code Section 4301 states the board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been issued by mistake. Specifically, between 4/3/2019 and 4/18/2019, Optum Rx located at 2858 Loker Avenue East, Suite 100, Carlsbad, CA 92010, obstructed WG from speaking to a pharmacist. WG made three attempts to request to speak to a pharmacist, but Optum Rx's Customer Service Advocate denied WG access to a pharmacist until WG stated it was mandated by California Law. When WG was finally transferred to a pharmacist, WG was transferred to Elizabeth Snoddy, a pharmacist licensed in Oklahoma, R-12569 and not licensed in California, who was located at a call center in Oklahoma not licensed in California as a non-resident pharmacy. Obstructing a patient from speaking to a pharmacist, then referring the patient to a pharmacist not licensed in California and located at a call center not licensed in CA as a non-resident pharmacist is unprofessional conduct and a violation of Business and Professions Code Section 4301.

CITATION ISSUED ON: February 10, 2021

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

PAYMENT OF FINE(S) DUE BY: March 12, 2021

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

Citation Number	Name, License No
CI 2020 90096	SHAWN JASON BJORNDAL , RPH 65593

JURISDICTION: Bus. & Prof. Code § 4314; CCR, title 16, § 1775; Bus. & Prof. Code § 4113 subd. (c) Bu
& Prof. Code § 4301, subd. (o)

VIOLATION CODE SECTION	OFFENSE
Bus. & Prof. Code § 4301	Unprofessional Conduct...

CONDUCT:

Unprofessional Conduct: Business and Professions Code Section 4301 states the board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been issued by mistake. Specifically, between 4/3/2019 and 4/18/2019, and while Shawn Bjorndal, RPH65593, was the pharmacist-in-charge, Optum Rx located at 2858 Loker Avenue East, Suite 100, Carlsbad, CA 92010, obstructed WG from speaking to a pharmacist. WG made three attempts to request to speak to a pharmacist, but Optum Rx's Customer Service Advocate denied WG access to a pharmacist until WG stated it was mandated by California Law. When WG was finally transferred to a pharmacist, WG was transferred to Elizabeth Snoddy, a pharmacist licensed in Oklahoma, R-12569, and not licensed in California, who was located at a call center in Oklahoma not licensed in California as a non-resident pharmacy. Obstructing a patient from speaking to a pharmacist, then referring the patient to a pharmacist not licensed in California and located at a call center not licensed in CA as a non-resident pharmacist is unprofessional conduct and a violation of Business and Professions Code Section 4301.

CITATION ISSUED ON: February 10, 2021