

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

**In the Consolidated Matters of the Statement of Issues and
Accusation Against:**

LOLITA GABRIELIAN

**Pharmacist License Applicant
Intern Pharmacist Registration No. INT 44662**

Respondent.

**Agency Case No. 7706
OAH NO. 2024060398**

&

**Agency Case No. 7687
OAH NO. 2024060397**

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order for public reproof is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on December 12, 2024.

It is so ORDERED on November 12, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is written in a cursive style with a large, sweeping initial "S".

Seung W. Oh, Pharm.D.
Board President

1 ROB BONTA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 SHERONDA L. EDWARDS
Deputy Attorney General
4 State Bar No. 225404
300 So. Spring Street, Suite 1702
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Attorneys for Complainant
7

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

12 In the Consolidated Matters of the Statement of
Issues and Accusation Against:

13 **LOLITA GABRIELYAN**
14 **620 N. Louise St., #204**
15 **Glendale, CA 91206**

16 **Intern Pharmacist Registration**
17 **No. INT 44662**

18 Respondent.

Case No. 7706
OAH No. 2024060398

Case No. 7687
OAH No. 2024060397

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL**

[Bus. & Prof. Code § 495]

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
23 (Board). She brought this action solely in her official capacity and is represented in this matter by
24 Rob Bonta, Attorney General of the State of California, by Sheronda L. Edwards, Deputy
25 Attorney General.

26 2. Respondent Lolita Gabrielyan (Respondent) is represented in this proceeding by
27 attorney Herb L. Weinberg, whose address is: Fenton Jurkowitz Law Group LLP, 1990 South
28 Bundy Drive, Suite 777, Los Angeles, CA 90025.

1 3. On or about May 10, 2023, the Board received an application for a Pharmacist
2 License from Respondent. The Board denied the application on October 23, 2023.

3 4. On or about August 6, 2019, the Board issued Intern Pharmacist Registration Number
4 INT 44662 to Respondent. The Intern Pharmacist Registration was in full force and effect at all
5 times relevant to the charges brought in Accusation No. 7687. The Intern Pharmacist Registration
6 was cancelled on May 31, 2024.

7 **JURISDICTION**

8 5. Statement of Issues No. 7706 was filed before the Board and is currently pending
9 against Respondent. The Statement of Issues and all other statutorily required documents were
10 properly served on Respondent on June 6, 2024. Respondent timely requested a hearing with
11 respect to the denial. A copy of Statement of Issues No. 7706 is attached as Exhibit A and
12 incorporated herein by reference.

13 6. Accusation No. 7687 was filed before the Board and is currently pending against
14 Respondent. The Accusation and all other statutorily required documents were properly served on
15 Respondent on June 4, 2024. Respondent timely filed a Notice of Defense contesting the
16 Accusation. A copy of Accusation No. 7687 is attached as Exhibit B and incorporated herein by
17 reference.

18 **ADVISEMENT AND WAIVERS**

19 7. Respondent has carefully read, fully discussed with counsel, and understands the
20 charges and allegations in Statement of Issues No. 7706 and Accusation No. 7687. Respondent
21 has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated
22 Settlement and Disciplinary Order for Public Repeoval.

23 8. Respondent is fully aware of her legal rights in this matter, including the right to a
24 hearing on the charges and allegations in the Statement of Issues and Accusation; the right to be
25 represented by counsel at her own expense; the right to confront and cross-examine the witnesses
26 against her; the right to present evidence and to testify on her own behalf; the right to the issuance
27 of subpoenas to compel the attendance of witnesses and the production of documents; the right to

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1 reconsideration and court review of an adverse decision; and all other rights accorded by the
2 California Administrative Procedure Act and other applicable laws.

3 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
4 every right set forth above.

5 **CULPABILITY**

6 10. Respondent admits the truth of each and every charge and allegation in Statement of
7 Issues No. 7706 and Accusation No. 7687.

8 11. Respondent agrees that her Application for a Pharmacist License is subject to denial,
9 and she agrees to be bound by the Disciplinary Order below.

10 12. Respondent further agrees that her Intern Pharmacist Registration is subject to
11 discipline, and she agrees to be bound by the Disciplinary Order below.

12 **CONTINGENCY**

13 13. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
14 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
15 communicate directly with the Board regarding this stipulation and settlement, without notice to
16 or participation by Respondent or her counsel. By signing the stipulation, Respondent
17 understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation
18 prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as
19 its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public Repeval
20 shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
21 between the parties, and the Board shall not be disqualified from further action by having
22 considered this matter.

23 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
24 copies of this Stipulated Settlement and Disciplinary Order for Public Repeval, including PDF
25 and facsimile signatures thereto, shall have the same force and effect as the originals.

26 15. This Stipulated Settlement and Disciplinary Order for Public Repeval is intended by
27 the parties to be an integrated writing representing the complete, final, and exclusive embodiment
28 of their agreement. It supersedes any and all prior or contemporaneous agreements,

1 understandings, discussions, negotiations, and commitments (written or oral). This Stipulated
2 Settlement and Disciplinary Order for Public Repeval may not be altered, amended, modified,
3 supplemented, or otherwise changed except by a writing executed by an authorized representative
4 of each of the parties.

5 16. In consideration of the foregoing admissions and stipulations, the parties agree that
6 the Board may, without further notice or formal proceeding, issue and enter the following
7 Disciplinary Order:

8 **DISCIPLINARY ORDER**

9 IT IS HEREBY ORDERED that the Application for Licensure of Respondent Lolita
10 Gabrielyan is hereby granted. Upon successful completion of the licensure examination and all
11 other licensing requirements, a license shall be issued to Respondent. Said license shall be
12 publicly reprovod by the Board of Pharmacy under Business and Professions Code section 495 in
13 resolution of Statement of Issues No. 7706, attached as Exhibit A.

14 IT IS FURTHER ORDERED that Intern Pharmacist Registration No. INT 44662 issued to
15 Respondent Lolita Gabrielyan is hereby publicly reprovod by the Board of Pharmacy under
16 Business and Professions Code section 495 in resolution of Accusation No. 7687, attached as
17 Exhibit B.

18 **Cost Recovery.** No later than ONE (1) YEAR from the effective date of the Decision,
19 Respondent Lolita Gabrielyan shall pay \$7,829.25.00 to the Board for its costs associated with the
20 investigation and enforcement of Accusation 7687 pursuant to Business and Professions Code
21 Section 125.3. If Respondent fails to pay the Board costs as ordered, Respondent shall not be
22 allowed to renew her Pharmacist License until Respondent pays costs in full. In addition, the
23 Board may enforce this order for payment of its costs in any appropriate court, in addition to any
24 other rights the Board may have.

25 **No Ownership.** Respondent Lolita Gabrielyan shall not own, have any legal or beneficial
26 interest in any business, firm, partnership, or corporation currently or hereinafter licensed by the
27 Board for five years following the effective date of this decision. Respondent shall sell or transfer
28 any legal or beneficial interest in any entity licensed by the Board within ninety (90) days

1 following the effective date of this decision and shall immediately thereafter provide written
2 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide
3 documentation thereof shall be considered a violation of probation.

4 **Full Compliance.** As a resolution of the charges in Statement of Issues No. 7706 and
5 Accusation 7687, this stipulated settlement is contingent upon Respondent's full compliance with
6 all conditions of this Order. If Respondent fails to satisfy any of these conditions, such failure to
7 comply constitutes cause for discipline, including outright revocation, of Respondent's
8 Pharmacist License.

9 **ACCEPTANCE**

10 I have carefully read the above Stipulated Settlement and Disciplinary Order for Public
11 Reprimand and have fully discussed it with my attorney, Herbert L. Weinberg. I understand the
12 stipulation and the effect it will have on my Pharmacist License and Intern Pharmacist
13 Registration. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand
14 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
15 Board of Pharmacy.

16
17 DATED: _____

18 LOLITA GABRIELIAN
Respondent

19 I have read and fully discussed with Respondent Lolita Gabrielyan the terms and conditions
20 and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public
21 Reprimand. I approve its form and content.

22 DATED: _____

23 HERBERT L. WEINBERG, ESQ.
Attorney for Respondent

1 following the effective date of this decision and shall immediately thereafter provide written
2 proof thereof to the Board. Failure to timely divest any legal or beneficial interest(s) or provide
3 documentation thereof shall be considered a violation of probation.

4 **Full Compliance.** As a resolution of the charges in Statement of Issues No. 7706 and
5 Accusation 7687, this stipulated settlement is contingent upon Respondent's full compliance with
6 all conditions of this Order. If Respondent fails to satisfy any of these conditions, such failure to
7 comply constitutes cause for discipline, including outright revocation, of Respondent's
8 Pharmacist License.

9 **ACCEPTANCE**

10 I have carefully read the above Stipulated Settlement and Disciplinary Order for Public
11 Reproval and have fully discussed it with my attorney, Herbert L. Weinberg. I understand the
12 stipulation and the effect it will have on my Pharmacist License and Intern Pharmacist
13 Registration. I enter into this Stipulated Settlement and Disciplinary Order for Public Reapproval
14 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
15 Board of Pharmacy.

16
17 DATED:

9/26/2024

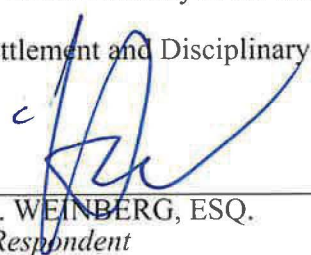


LOLITA GABRIELIAN
Respondent

19 I have read and fully discussed with Respondent Lolita Gabrielyan the terms and conditions
20 and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public
21 Reapproval. I approve its form and content.

22 DATED:

9/26/2024



HERBERT L. WEINBERG, ESQ.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Repeval is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: _____

Respectfully submitted,
ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General

SHERONDA L. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Repeval is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: September 26, 2024

Respectfully submitted,

ROB BONTA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General



SHERONDA L. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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Exhibit B

Accusation No. 7687

1 ROB BONTA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 SHERONDA L. EDWARDS
Deputy Attorney General
4 State Bar No. 225404
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6296
6 Facsimile: (916) 731-2126
E-mail: Sheronda.Edwards@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 7687

13 **LOLITA GABRIELYAN**
14 **620 N. Louise St. #204**
Glendale, CA 91206

ACCUSATION

15
16 **Intern Pharmacist Registration**
No. INT 44662

17 Respondent.
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20 **PARTIES**

21 1. Anne Sodergren (Complainant) brings this Accusation solely in her official capacity
22 as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs.

23 2. On or about August 6, 2019, the Board of Pharmacy issued Intern Pharmacist
24 Registration Number INT 44662 to Lolita Gabrielyan (Respondent). The Intern Pharmacist
25 Registration was in full force and effect at all times relevant to the charges brought herein and
26 will expire on May 31, 2024, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board under the authority of the following
3 laws. Unless otherwise indicated, all section references are to the Business and Professions Code
4 (Code).

5 4. Section 4300 of the Code states, in pertinent part, that every license issued by the
6 Board is subject to discipline, including suspension or revocation.

7 5. Section 4300.1 of the Code states:

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

12 **STATUTORY PROVISIONS**

13 6. Section 4301 of the Code states in pertinent part:

14 The board shall take action against any holder of a license who is guilty of
15 unprofessional conduct or whose license has been issued by mistake. Unprofessional
conduct shall include, but is not limited to, any of the following:

16 . . .

17 (h) The administering to oneself, of any controlled substance, or the use of any
18 dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous
or injurious to oneself, to a person holding a license under this chapter, or to any other
19 person or to the public, or to the extent that the use impairs the ability of the person to
conduct with safety to the public the practice authorized by the license.

20 **REGULATORY PROVISIONS**

21 7. California Code of Regulations, title 16, section 1770 states in pertinent part:

22 (a) For the purpose of denial, suspension, or revocation of a personal or facility
23 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the
Business and Professions Code, a crime, professional misconduct, or act shall be
24 considered substantially related to the qualifications, functions or duties of the practice,
profession, or occupation that may be performed under the license type sought or held
25 if to a substantial degree it evidences present or potential unfitness of an applicant or
licensee to perform the functions authorized by the license in a manner consistent with
26 the public health, safety, or welfare.

27 (b) In making the substantial relationship determination required under
28 subdivision (a) for a crime, the board will consider the following criteria:

- 1 (1) The nature and gravity of the offense;
2 (2) The number of years elapsed since the date of the offense; and
3 (3) The nature and duties of the practice, profession, or occupation that may be
performed under the license type sought or held.

4 **COST RECOVERY**

5 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licensee 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 licensee 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 **FIRST CAUSE FOR DISCIPLINE**

12 **(Unprofessional Conduct - Dangerous Use of Alcohol)**

13 9. Respondent is subject to disciplinary action under Code section 4301, subdivision (h),
14 for unprofessional conduct, in conjunction with California Code of Regulations, title 16, section
15 1770, in that Respondent used an alcoholic beverage to the extent or in a manner as to be
16 dangerous or injurious to herself or others. Specifically, on or about August 2, 2023, an officer
17 responded to an alleyway in the City of Beverly Hills after receiving multiple reports of a female
18 voice and a male voice screaming. Upon Officer D.'s arrival, he observed a male and a female
19 walking south in the alley. Both appeared to have an unsteady gait. Officer D. exited his vehicle
20 and contacted them. The male was identified as S.A., while the female was identified as Lolita
21 Gabrielyan, who collapsed to the ground crying. While Officer D. attempted to speak with
22 Respondent, he noticed her speech was slurred, and he could smell a very strong odor of an
23 unknown alcoholic beverage emitting from her person and her breath. Respondent could not walk
24 or stand on her own safely, and she stumbled when she attempted to get up. Respondent was still
25 sitting on the ground crying and saying she did not know who the man walking with her was and
26 that she wanted to call her boyfriend to pick her up and take her home. Officer D. asked
27 Respondent who her boyfriend was, and she replied, "S[redacted]." He asked her his last name,
28 and she replied, "A[redacted]." S.A. was the same suspect identified earlier as walking with the

1 Respondent. Respondent did not allege any physical altercation occurred between her and S.A.
2 Based on Respondent's objective signs of alcohol intoxication, Officer D. determined that
3 Respondent was unable to care for herself safely, and she was taken into custody for a violation
4 of Penal Code section 647, subdivision (f), Public Intoxication, a misdemeanor. Respondent was
5 transported to the Beverly Hills Police Department, where she was booked without incident.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct)**

8 10. Respondent is subject to disciplinary action under Code section 4301 for
9 unprofessional conduct. Complainant refers to, and by this reference incorporates, the allegations
10 set forth above in paragraph 9, as though set forth fully.

11 **OTHER MATTERS**

12 11. Pursuant to Code section 4307, if discipline is imposed on Intern Pharmacist
13 Registration Number INT 44662 issued to Lolita Gabrielyan shall be prohibited from serving as a
14 manager, administrator, owner, member, officer, director, associate, or partner of a licensee for
15 five years if Intern Pharmacist Registration Number INT 44662 is placed on probation or until
16 Intern Pharmacist Registration Number INT 44662 is reinstated if it is revoked.

17 **PRAYER**

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

20 1. Revoking or suspending Intern Pharmacist Registration Number INT 44662, issued to
21 Lolita Gabrielyan;

22 2. Prohibiting Lolita Gabrielyan from serving as a manager, administrator, owner,
23 member, officer, director, associate, or partner of a licensee for five years if Intern Pharmacist
24 Registration Number INT 44662 is placed on probation or until Intern Pharmacist Registration
25 Number INT 44662 is reinstated if it is revoked;

26 3. Ordering Lolita Gabrielyan to pay the Board of Pharmacy the reasonable costs of the
27 investigation and enforcement of this case, pursuant to Business and Professions Code section
28 125.3; and, if placed on probation, the costs of probation monitoring; and

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

DATED: 5/28/2024

Sodergren,
Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2024.05.28 20:49:53
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ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

Statement of Issues No. 7706

1 ROB BONTA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 SHERONDA L. EDWARDS
Deputy Attorney General
4 State Bar No. 225404
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6296
6 Facsimile: (916) 731-2126
E-mail: Sheronda.Edwards@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Statement of Issues
13 Against:

Case No. 7706

14 **LOLITA GABRIELYAN**

STATEMENT OF ISSUES

15 **Pharmacist License Applicant**

16 Respondent.

17
18 **PARTIES**

19 1. Anne Sodergren (Complainant) brings this Statement of Issues solely in her official
20 capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer
21 Affairs.

22 2. On or about May 10, 2023, the Board received an application for a Pharmacist
23 License from Lolita Gabrielyan (Respondent). On or about April 12, 2023, Respondent certified
24 under penalty of perjury to the truthfulness of all statements, answers, and representations in the
25 application. The Board denied the application on October 20, 2023.

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1 **JURISDICTION**

2 3. This Statement of Issues is brought before the Board under the authority of the
3 following laws. Unless otherwise indicated, all section references are to the Business and
4 Professions Code (Code).

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

9 5. Section 4300 of the Code states, in pertinent part, that every license issued by the
10 Board is subject to discipline, including suspension or revocation.

11 6. Section 4300.1 of the Code states:

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

16 **STATUTORY PROVISIONS**

17 7. 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 issued by mistake. Unprofessional
20 conduct shall include, but is not limited to, any of the following:

20 . . .

21 (h) The administering to oneself, of any controlled substance, or the use of any
22 dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous
23 or injurious to oneself, to a person holding a license under this chapter, or to any other
24 person or to the public, or to the extent that the use impairs the ability of the person to
25 conduct with safety to the public the practice authorized by the license.

24 . . .

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

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1 **REGULATORY PROVISIONS**

2 8. California Code of Regulations, title 16, section 1770 states:

3 (a) For the purpose of denial, suspension, or revocation of a personal or facility
4 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the
5 Business and Professions Code, a crime, professional misconduct, or act shall be
6 considered substantially related to the qualifications, functions or duties of the practice,
7 profession, or occupation that may be performed under the license type sought or held
8 if to a substantial degree it evidences present or potential unfitness of an applicant or
9 licensee to perform the functions authorized by the license in a manner consistent with
10 the public health, safety, or welfare.

11 (b) In making the substantial relationship determination required under
12 subdivision (a) for a crime, the board will consider the following criteria:

- 13 (1) The nature and gravity of the offense;
- 14 (2) The number of years elapsed since the date of the offense; and
- 15 (3) The nature and duties of the practice, profession, or occupation that may be
16 performed under the license type sought or held.

17 **FIRST CAUSE FOR DENIAL OF APPLICATION**

18 **(Unprofessional Conduct - Dangerous Use of Alcohol)**

19 9. Respondent’s application is subject to denial under Code section 4301, subdivision
20 (h), for unprofessional conduct, in conjunction with California Code of Regulations, title 16,
21 section 1770, in that Respondent used an alcoholic beverage to the extent or in a manner as to be
22 dangerous or injurious to herself or others. Specifically, on or about August 2, 2023, an officer
23 responded to an alleyway in the City of Beverly Hills after receiving multiple reports of a female
24 voice and a male voice screaming. Upon Officer D.’s arrival, he observed a male and a female
25 walking south in the alley. Both appeared to have an unsteady gait. Officer D. exited his vehicle
26 and contacted them. The male was identified as S.A., while the female was identified as Lolita
27 Gabrielyan, who collapsed to the ground crying. While Officer D. attempted to speak with
28 Respondent, he noticed her speech was slurred, and he could smell a very strong odor of an
unknown alcoholic beverage emitting from her person and her breath. Respondent could not walk
or stand on her own safely, and she stumbled when she attempted to get up. Respondent was still
sitting on the ground crying and saying she did not know who the man walking with her was and
that she wanted to call her boyfriend to pick her up and take her home. Officer D. asked

1 Respondent who her boyfriend was, and she replied, “S[redacted].” He asked her his last name,
2 and she replied, “A[redacted].” S.A. was the same suspect identified earlier as walking with the
3 Respondent. Respondent did not allege any physical altercation occurred between her and S.A.
4 Based on Respondent’s objective signs of alcohol intoxication, Officer D. determined that
5 Respondent was unable to care for herself safely, and she was taken into custody for a violation
6 of Penal Code section 647, subdivision (f), Public Intoxication, a misdemeanor. Respondent was
7 transported to the Beverly Hills Police Department, where she was booked without incident.

8 **SECOND CAUSE FOR DENIAL OF APPLICATION**

9 **(Unprofessional Conduct - Subversion of a Board Investigation)**

10 10. Respondent’s application is subject to denial under Code section 4301, subdivision
11 (q), for engaging in any conduct that subverts or attempts to subvert a Board investigation.
12 Specifically, on or about August 29, 2023, Respondent provided an oral explanation of events
13 regarding her August 2, 2023 arrest for violating Penal Code section 647, subdivision (f), Public
14 Intoxication, a misdemeanor, to a Board investigator. However, Respondent’s account of the
15 incident did not match the details outlined in Beverly Hills Police Department Report number
16 2023-00033350.

17 **PRAYER**

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

- 20 1. Denying the application of Lolita Gabrielyan for a Pharmacist License; and
21 2. Taking such other and further action as deemed necessary and proper.

22
23 DATED: 06/05/2024

24 **Sodergren,** Digitally signed by
25 **Anne@DCA** Sodergren, Anne@DCA
26 Date: 2024.06.05
14:58:21 -07'00'

27 ANNE SODERGREN
28 Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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