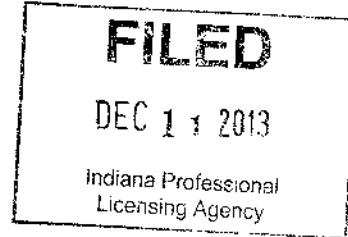


**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0057**

**IN THE MATTER OF THE INDIANA)
PHARMACIST INTERN)
REGISTRATION OF:)
LEE ALLEN BARKER, R.P.H.I.)
CERTIFICATION NUMBER: 45017092A)**



FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Lee Barker appeared at a hearing before the Indiana Board of Pharmacy (“Board”) on December 9, 2013, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana concerning his request to have the probationary terms withdrawn from his certification as a pharmacist intern.

The state of Indiana appeared by Timothy Weber of the Attorney General’s Office. Barker appeared in person and waived his right to be represented by counsel.

The Board, after considering the file and the testimony of Barker, by a vote of 5 to 0 issued the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Lee Barker, whose mailing address is 800 Timber Trail Drive, Apartment 814, Lafayette, Indiana 47905, is a duly registered pharmacist intern in the State of Indiana holding certification number 45017092A.

2. The Indiana Professional Licensing Agency sent, and Barker received, timely and proper notice of the date, time and location of this hearing pursuant to Ind. Code § 4-21.5-3-20.

3. The Board is empowered to hold this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code § 4-21.5-3.

4. The Board renewed Barker's registration on probation in June 2013 because he had been convicted of operating a vehicle while intoxicated. He was on criminal probation at the time.

5. In October 2013 Barker requested that the probation be withdrawn from his registration.

6. At the hearing on withdrawal, Barker testified that he has complied with the terms of his probation, which included completing his criminal probation.

7. The deficiency that led to the probation of Barker's registration involved alcohol abuse. Barker's compliance with his probation constitutes evidence that this problem has been remedied.

CONCLUSIONS OF LAW

1. "The board may withdraw or modify the probation ... if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

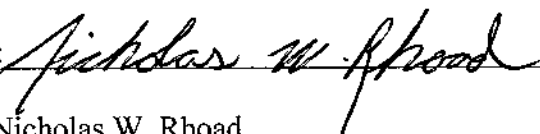
2. Barker's compliance with his probation constitutes evidence that the deficiency that required disciplinary action has been remedied.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board
WITHDRAWS the probation on Barker's registration.

SO ORDERED this 11th day of December 2013.

INDIANA BOARD OF PHARMACY

By: 

Nicholas W. Rhoad
Executive Director.
Indiana Professional Licensing Agency

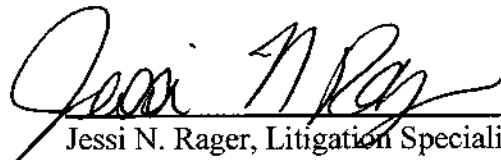
CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Lee Barker
800 Timber Trail Drive
Apartment 814
Lafayette, IN 47905
Service by U.S. Mail

Timothy Weber
Attorney
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by Email

12/17/13
Date


Jessi N. Rager, Litigation Specialist

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

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