

STATE OF INDIANA, )  
)  
Petitioner, )  
)  
v. )  
)  
BUSY CORNER DRUGS )  
License Number: 60004840 &, )  
60002835 )  
)  
Respondent. )

**FILED**

FEB 11 2004

HEALTH PROFESSIONS  
BUREAU

**EXTENTION OF SUMMARY SUSPENSION ORDER**

The Indiana State Board of Pharmacy ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 6-0-0, **SUMMARILY SUSPENDS** the pharmacy license held by BUSY CORNER DRUGS ("Respondent") for a period of 90 days, as the Board finds that an emergency exists and that the Respondent represents a clear and immediate danger to the public health and safety if allowed to continue operating as a pharmacy in the State of Indiana.

The hearing took place at the Board's regularly scheduled meeting on February 9, 2004. The State of Indiana was represented by James R. Holden, Deputy Attorney General. The Respondent did not appear in person or by counsel.

This NON-FINAL emergency order is based on the evidence in the Board's file and evidence presented at the hearing and includes the followings finding of fact:

1. Respondent is a licensed retail pharmacy in the State of Indiana.
2. This Board has jurisdiction to suspend Respondent's license in accordance

with the provisions of Indiana Code § 4-21.5-4-3 et seq. and Indiana Code § 25-1-9-10.

3. If allowed to continue operating as a pharmacy, Respondent represents a clear and immediate danger to the public health and safety for the following reasons:

- a. Respondent's business is located at 3401 Michigan Avenue in East Chicago, IN 46312.
- b. On or about October 17, 2003, an on-site inspection of the premises of Busy Corner Drugs at 3401 Michigan Ave., East Chicago, Indiana, by Indiana State Pharmacy Board investigators revealed a large number of discrepancies in the inventory of pharmacy stock, including: 2554 missing doses of Alprazolam 1 Mg, 32 extra Tablets of Hydrocodone 5/500 Mg, 2530 missing Tablets of Hydrocodone 7.5/500 Mg, 11 missing doses of Viagra, and 30 missing doses of Norco 10/325 Mg.
- c. In addition, the pharmacist on duty, Arthur Pasquinelli, indicated to investigators that he regularly purchased Viagra and other drugs from non-licensed individuals and sold them to pharmacy customers, that he took legend drugs from his other employer, Doc's Drugs in Illinois and sold them at the pharmacy, and that he dispensed drugs to customers without a valid prescription from a physician. Pharmacy investigators also noted that the premises of Busy Corner Drugs were in an unorganized, dilapidated state, with haphazard record-keeping and storage of medication.
- d. Respondent has knowingly violated a state statute or rule, or federal statute or regulation, regulating the profession in question in violation of Indiana Code § 25-1-9-4(a)(3).

**WHEREFORE, RESPONDENT IS ORDERED** to immediately cease and desist all acts constituting the operation of a retail pharmacy for an additional period of 90 days from the date of this Order.

**IT IS FURTHER ORDERED**, that Respondent shall immediately surrender all indicia of licensure, including its wall license, to the Board in care of the Health

Professions Bureau, 402 West Washington Street, Room W066, Indianapolis, Indiana  
46204.

SO ORDERED, this <sup>4<sup>th</sup></sup> 11 day of February, 2004.

INDIANA STATE BOARD OF PHARMACY

By: Barbara M. McNett  
Lisa R. Hayes  
Executive Director  
Health Professions Bureau

copies to:

Busy Corner Drugs  
3401 Michigan Avenue  
East Chicago, IN 46312

**SENT CERTIFIED MAIL NO. 7001 2510 0002 5177 9407  
RETURN RECEIPT REQUESTED.**

Deputy Attorney General James R. Holden  
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