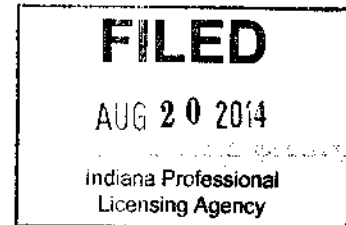


BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0044

IN THE MATTER OF THE LICENSE OF:)
JARED LEE BACHMAN, R. PH.,)
LICENSE NO. 26021573A)



**FINAL ORDER ACCEPTING PROPOSED FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

The State of Indiana ("Petitioner"), by the Office of the Attorney General, by Deputy Attorney General Kelsie E. Duggan and Jared Lee Backman, R.Ph. ("Respondent"), by counsel Shelley M. Jackson and counsel Colin E. Connor, signed a Proposed Settlement Agreement ("Agreement"), filed on August 11, 2014, which purports to resolve all issues involved in the action by the Petitioner and the Indiana Board of Pharmacy ("Board") regarding the Respondent's license, and which Agreement has been submitted to the Board for approval.

The Board, after reviewing the Agreement at the August 11, 2014 meeting held in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, now finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement, which is attached hereto and incorporated herein as Exhibit A, and approves and adopts in full the Agreement as a resolution of this matter. The Board approved this Agreement by a vote of 4-0-1. Incorporated into the Agreement was the consensus of both parties to Stipulated Facts, Stipulated Conclusions of Law, and Agreed Disposition.

WHEREFORE, the Board hereby accepts and approves the Agreement, settling all matters in this case consistent with the terms of the Agreement between the parties, and Respondent is hereby ORDERED to abide by all the terms of the Agreement.

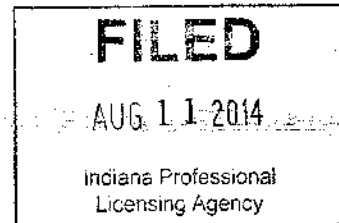
SO ORDERED, this 20th day of August 2014.

INDIANA BOARD OF PHARMACY

By: Maureen Bennett
for Nicholas W. Rhoad
Executive Director
Indiana Professional Licensing Agency

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0044

IN THE MATTER OF THE LICENSE OF)
JARED LEE BACHMAN, R. PH.,)
LICENSE NO. 26021573A)



PROPOSED SETTLEMENT AGREEMENT

The State of Indiana ("Petitioner"), by Kelsie E. Duggan, Deputy Attorney General, and Jared Lee Bachman, R.Ph. ("Respondent"), by counsel Shelley M. Jackson and counsel Colin E. Connor, hereby execute this Agreement to a disposition of the Complaint filed in this cause. This Agreement is subject to the review and approval of the Indiana Board of Pharmacy ("Board") pursuant to Ind. Code ch. 25-1-9 and the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3.

STIPULATED FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency is 8334 Hampton Circle E., Indianapolis, Indiana 46256.
2. Respondent is a licensed pharmacist in the State of Indiana having been issued license number 26021573A on September 10, 2004.
3. At all times relevant to this matter, until February 15, 2013, Respondent was employed as a staff pharmacist with Target Pharmacy #1366, located in Carmel, Indiana ("Target").
4. On or around February 11, 2013, Target initiated an investigation into incorrect counts of medication.

EXHIBIT A

5. On or around February 15, 2013, Target Asset Protection ("TAP") personnel observed Respondent diverting medication into a prescription container, which he was then observed placing into his pocket.

6. When confronted, Respondent produced 162 prescription medication tablets from his pocket.

7. Respondent admitted verbally to TAP personnel and to Carmel Police Officer Adam Theis that he had diverted a significant amount of zolpidem over a period of several months. Respondent then signed a voluntary statement admitting to diverting drugs and indicated that he was addicted to zolpidem.

8. On or around February 20, 2013, Respondent was charged in Hamilton County, Indiana, with Theft, a Class D Felony, in Cause No. 29D06-1302-FD-001347.

9. In February 2013, Respondent was admitted to a residential treatment program with Presence Behavioral Healthcare ("Presence") in Chicago, Illinois.

10. He successfully completed the Presence program in April 2013 and entered into a Presence Caduceus Aftercare Agreement. Respondent has been and remains fully compliant with his aftercare agreement.

11. On or around April 8, 2013, the Indiana Board of Pharmacy summarily suspended Respondent's license indefinitely in accord with a suspension agreement between Respondent and Petitioner.

12. On or around September 11, 2013, Respondent entered a guilty plea to Theft, a Class D Felony, in Cause No. 29D06-1302-FD-001347. Respondent was sentenced to 545 days, with 365 days suspended, four (4) days jail credit, and the executed sentence served by

electronically monitored home detention. Respondent was also required to attend three (3) twelve-step meetings per week and abstain from any association with alcohol.

13. Respondent successfully completed his home detention on December 22, 2013.

14. Respondent has been and remains fully compliant with the terms and conditions of his criminal probation.

15. On January 27, 2014, Respondent signed a contract with the Pharmacist Recovery Network ("PRN"), which requires, *inter alia*, forty-one random urine drug screens per year and quarterly assessments with an addictionologist.

16. Respondent has been and remains fully compliant with the terms and conditions of his PRN contract, which is scheduled to end in January 2017.

17. Dr. Andrew J. Sonderman, Respondent's addictionologist, determined in May 2014 that Respondent is safe to return to work as a pharmacist.

STIPULATED CONCLUSIONS OF LAW

The parties further stipulate:

1. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by his verbal and written statements admitting to diverting zolpidem.

2. Respondent violated Ind. Code § 25-1-9-4(a)(4)(D) in that Respondent has continued to practice despite being unfit to practice due to an addiction to, abuse of, or severe dependence on alcohol or other drugs as evidenced by his verbal and written statements indicating an addiction to zolpidem.

3. Respondent has violated Ind. Code § 25-1-9-4(a)(2)(A) in that Respondent has been convicted of a crime which has direct bearing on Respondent's ability to practice safely as evidenced by his conviction for Theft, a Class D Felony, in Cause No. 29D06-1302-FD-001347.

AGREED DISPOSITION

1. The Board has jurisdiction over the Respondent and the subject matter in this disciplinary action.

2. The parties execute this Agreement voluntarily.

3. Both parties voluntarily waive their rights to a public hearing on the Complaint.

4. Petitioner agrees that the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against the Respondent's Indiana pharmacy technician license.

5. Respondent's Indiana pharmacist license shall be placed on **INDEFINITE PROBATION.**

6. Respondent shall be governed by the following **TERMS and CONDITIONS.**

a. Respondent shall keep the Board apprised of the following:

i. Current residence, mailing address, email address, and residential telephone number;

ii. Place of employment, employment phone number, and name of supervisor; and,

iii. Occupation and work schedule, including number of hours worked per week.

b. Respondent shall cause his pharmacy employer, once employed, to submit

monthly reports to the Board, for the first year of probation, and quarterly thereafter, indicating his professional competence, sense of responsibility, work habits, mental attitude, and ability to work with others.

c. Respondent shall present the Board's Order to his pharmacy employer once employed and cause them to submit a signed copy acknowledging the Order back to the Board within ten (10) business days after receipt of the Order (if presently employed) or within ten (10) business days of being hired.

d. Respondent shall maintain compliance with his PRN contract, and immediately notify the Board in writing of any non-compliance.

e. Respondent shall submit quarterly self reflection reports detailing his current status, progress in recovery, issues or problems he is experiencing, and the value he has gained by attending counseling or group recovery sessions.

f. Respondent shall immediately notify the Board in writing of any relapse.

g. Respondent shall notify the Board in writing of any discipline incurred in other states, including any criminal or licensing charges pending.

h. Respondent shall provide a copy of each prescription for personal use to the Board.

i. Respondent shall not work or be employed as the Pharmacist In Control at any time while his license is on indefinite probation.

j. If necessary, Respondent shall renew his pharmacist license prior to reinstatement of his probationary license to ensure his completion of required continuing education units.

k. Respondent shall not work more than ten (10) hours in any single day, or

forty-five (45) hours per week.

l. Respondent shall complete a minimum of two (2) hours of community service per month while his license is on indefinite probation.

m. Respondent may not petition for withdrawal of probation until he has successfully completed the terms of his PRN contract, which contract is scheduled to be complete in January 2017.

7. Within nine (9) months of the Board's Order, Respondent shall pay a **FINE** in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)**, payable to the Indiana Professional Licensing Agency.

8. Within thirty (30) days of the Board's Order, Respondent shall pay costs in the amount of _____, payable to the Indiana Professional Licensing Agency.

9. Within thirty (30) days of the Board's Order, Respondent shall, pursuant to I.C. § 4-6-14-10(b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Indiana Office of the Attorney General
Attn: Kathryn Shively
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

10. The Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

11. The Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of pharmacy, or any violation of the Agreement may result in the Petitioner requesting an emergency suspension of the

action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of the Respondent's license.

12. The parties agree to the continuing jurisdiction of the Board and that the discipline agreed to, terms of discipline, and licensure status will apply even if the Board renews the Respondent's license at a later date.

Respectfully submitted,

Office of the Indiana Attorney General


Counsel for Petitioner
Kelsie E. Duggan, Attorney No. 26505-49
Deputy Attorney General

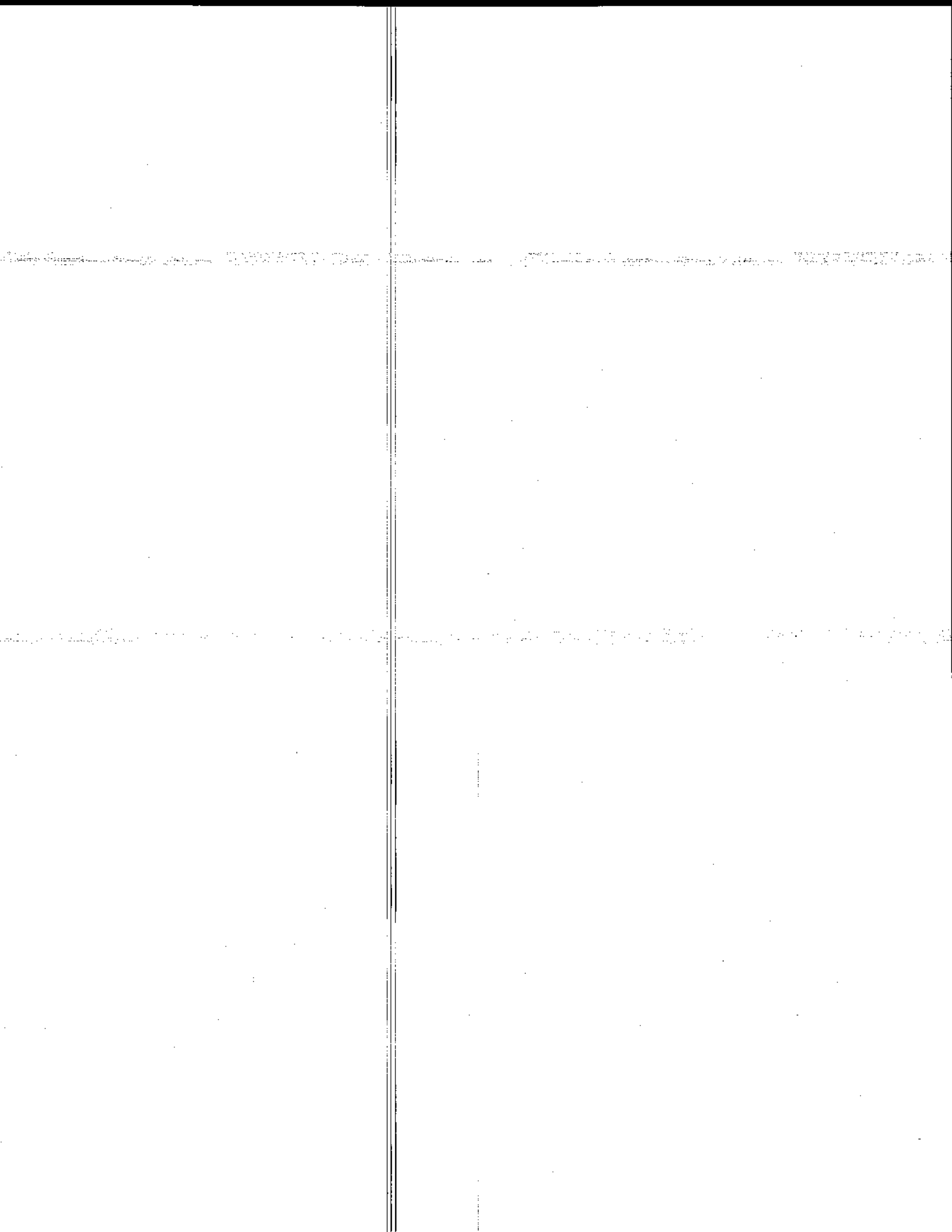
Indiana Government Center South
302 West Washington St., Fifth Floor
Indianapolis, IN 46204-2770
Telephone Number: 317-234-7108
Facsimile Number: 317-233-4393
Email: kelsie.duggan@atg.in.gov

Plews Shadley Racher & Braun LLP


Counsel for Respondent

Shelley M. Jackson, Attorney No. 27176-29
Colin E. Connor, Attorney No. 28504-49
Plews Shadley Racher & Braun LLP
1346 North Delaware Street
Indianapolis, IN 46202-2415
Telephone: (317) 637-0700
Facsimile: (317) 637-0710
sjackson@psrb.com
cconnor@psrb.com


Jared Bachman, Respondent



CERTIFICATE OF SERVICE

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

Jared Bachman
8334 Hampton Circle E.
Indianapolis, IN 46256
Service by U.S. Mail

Shelley M. Jackson, Attorney for Respondent
Colin E. Connor, Attorney for Respondent
PLEWS SHADLEY RACHER & BRAUN LLP
1346 North Delaware Street
Indianapolis, IN 46202-2415
Service by U.S. Mail

Kelsie E. Duggan, Deputy Attorney General
OFFICE OF THE INDIANA ATTORNEY GENERAL
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by Email

8.20.14
Date

Jessi N. Rager
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

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

1. NAME OF THE PARTY: THE PEOPLE'S PARTY OF THE UNITED STATES OF AMERICA

2. ADDRESS OF THE PARTY: 1000 N. GAVIN AVENUE, SUITE 100, DENVER, CO 80202

3. DATE OF THE PARTY: 1990

4. NAME OF THE CANDIDATE: JAMES H. BECK

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