

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0056**

**IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:**

**GABRIEL BEADLE, C.PH.T.,
CERTIFICATION NUMBER: 67001428A.**

FILED

SEP 13 2013

Indiana Professional
Licensing Agency

**FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER**

The Indiana Board of Pharmacy ("Board") held an administrative hearing on September 9, 2013, in Room W064 of the Indiana State Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, concerning an Administrative Complaint ("Complaint") filed against Gabriel Ray Beadle, C.Ph.T. ("Respondent") on July 25, 2013.

The State of Indiana ("Petitioner") was represented by Darren R. Covington, Deputy Attorney General. Respondent did not appear in person or by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 6-0-0, finds Respondent to be in default. The Board, by another vote of 6-0-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent's address on file with the Indiana Professional Licensing Agency is 305 E. Jackson Street, Chesterton, Indiana 46304.
2. Respondent is a certified pharmacy technician in the State of Indiana having been issued certification number 67001428A on October 23, 2003.

3. On or around June 6, 2013, Respondent's employment was terminated from CVS Pharmacy in Schererville, Indiana after Respondent admitted in a signed statement to forging twelve prescriptions for hydrocodone, for 120 tablets each, for his own personal use.

4. On or around June 10, 2013, the Indiana Board of Pharmacy summarily suspended Respondent's certification for ninety (90) days.

5. A Complaint was filed by the Petitioner against Respondent on July 25, 2013.

6. On July 26, 2013, the Indiana Professional Licensing Agency sent a hearing notice to Respondent at his last address of record informing him of the date, time, and place of the administrative hearing on the Complaint scheduled for August 12, 2013 at 2:00 p.m.

7. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the hearing and Respondent failed to appear for the scheduled hearing in person or by counsel on August 12, 2013.

8. On August 12, 2013, the Board voted, 5-0-0, to issue a Notice of Proposed Default Order. On August 15, 2013, the Notice of Proposed Default Order was mailed to Respondent's address of record.

9. Respondent failed to submit a written response within seven (7) days as required by Ind. Code § 4-21.5-3-24.

10. On September 9, 2013, the Board voted 6-0-0 to hold Respondent in default.

ULTIMATE FINDINGS OF FACT

1. Respondent violated Ind. Code § 25-1-9-4(a)(1)(B) in that Respondent engaged in fraud or material deception in the course of professional services or activities as evidenced by the fact that Respondent fraudulently ordered twelve prescriptions for hydrocodone.

2. Respondent violated Ind. Code § 25-1-9-4(a)(4)(D) in that Respondent has continued to practice although he has become unfit to practice due to abuse of, addiction to, or severe dependency upon drugs that impair his ability to practice safely as evidenced by his use of hydrocodone obtained through multiple fraudulent prescriptions.

3. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent diverted a legend drug as evidenced by his use of fraudulent prescriptions to obtain hydrocodone.

CONCLUSIONS OF LAW

Respondent's violations are cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or revocation and a fine up to the amount of \$1,000 per violation as detailed in Ind. Code § 25-1-9-9.

ORDER

Based upon the above Findings of Fact, Ultimate Findings of Fact, and Conclusions of Law, the Board issues the following Order:

1. Respondent's certification is **REVOKED**.
2. Within thirty (30) days of the date of this Order, pursuant to Ind. Code § 4-6-14-10(b), Respondent shall 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: Katherine Lee
302 W. Washington St., 5th Floor
Indianapolis, IN 46204

ORDERED, this 13th day of September, 2013.

INDIANA BOARD OF PHARMACY

By:

A handwritten signature in black ink, appearing to read "Nicholas W. Rhoad", written over a horizontal line.

Nicholas W. Rhoad
Executive Director
Indiana Professional Licensing Agency

for

CERTIFICATE OF SERVICE

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

Gabriel Beadle
305 E. Jackson St.
Chesterton, IN 46304
Service by Mail

Darren R. Covington, 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

9/13/13
Date

Jackie Day
Jackie Day

Indiana Board of Pharmacy
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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.