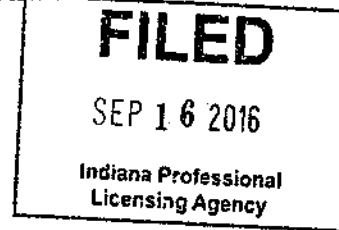


BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0036

IN THE MATTER OF THE INDIANA
PHARMACIST LICENSE OF:

JAROSLAV BALAZ, R.PH.
LICENSE NUMBER: 26013971A

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Jaroslav Balaz appeared at a hearing before the Indiana Board of Pharmacy ("Board") on September 12, 2016, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana concerning his request to withdraw the terms of probation on his license as a pharmacist.

The state of Indiana appeared by Amelia Hilliker, Deputy Attorney General. Balaz appeared in person and waived his right to be represented by counsel.

The Board, after considering the file and the testimony of Balaz, by a vote of 7 to 0, issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Jaroslav Balaz, whose mailing address is 15 Cypress Drive, Schererville, Indiana 46375, is a duly registered pharmacist in the State of Indiana holding license number 26013971A.
2. The Indiana Professional Licensing Agency sent, and Balaz 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 suspended Balaz's license in June 2013 because he had diverted drugs from his employer.

5. The Board subsequently reinstated his license on probation on October 17, 2013 and ordered him to comply with a monitoring agreement with the Pharmacists Recovery Network ("PRN").

6. In April 2014 he tested positive for barbiturates and the PRN terminated his contract.

7. As a result the Board ultimately suspended his license again in June 2014.

8. Balaz requested that his license be reinstated in January 2015.

9. At the hearing on reinstatement, Balaz testified that he had fulfilled all the conditions for reinstatement of his license which included complying with a new recovery monitoring agreement with PRN. Carol Dunham of PRN testified that Balaz had been complying with his three year PRN agreement which he signed in June 2014.

10. After the hearing the Board reinstated Balaz's license on probation in February 2015.

11. In 2016 Balaz asked that the probation on his Indiana license be withdrawn.

12. At the hearing on withdrawal of probation, Balaz testified that he has complied with the terms of probation on his license which included completing a recovery agreement with the PRN. PRN supports his request and submitted a letter from Carol Dunham, PRN Liaison, dated September 8, 2016.

13. Balaz has also completed his criminal probation.

14. The deficiency that led to the discipline on Balaz's license involved substance abuse. Balaz's compliance with his probation indicates 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. Balaz's compliance with his probation indicates 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 from Balaz's license.

SO ORDERED this 16th of September, 2016.

INDIANA BOARD OF PHARMACY

By: Maureen Bennett

for Donna Wall, R.Ph.
President
Indiana Board of Pharmacy

CERTIFICATE OF SERVICE

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

Jaroslav Balaz
15 Cypress Drive
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Service by U.S. Mail

Amelia Hilliker
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Service by e-mail

9-16-16
Date

Roma Moran
Signature

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