

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2012 IBP 0044**

**IN THE MATTER OF THE INDIANA
PHARMACIST INTERN
REGISTRATION OF:

BRANDON BERGMAN, R.P.H.I.,
REGISTRATION NUMBER: 45017279A**

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Brandon Bergman appeared at a hearing before the Indiana Board of Pharmacy ("Board") on April 8, 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Center South, 402 West Washington Street, Indianapolis, Indiana concerning his request to have the probationary terms withdrawn from his registration as a pharmacist intern.

The state of Indiana appeared by Tim Weber, Certified Legal Intern and Darren Covington, Deputy Attorney General. Bergman appeared in person and waived his right to be represented by counsel.

The Board, after considering the file and the testimony of Bergman, by a vote of 6 to 0, issued the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Brandon Bergman, whose mailing address is 11998 North Spades Road, Sunman, Indiana 47041, is a duly registered pharmacist intern in the State of Indiana holding registration number 45017279A.

2. The Indiana Professional Licensing Agency sent, and Bergman 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 Bergman's registration on probation in May 2012 because he had been convicted of Operating a Vehicle While Intoxicated in March 2012. He was placed on criminal probation for a year.

5. In March 2013, Bergman asked that the probation on his registration be withdrawn.

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

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

CONCLUSION 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).

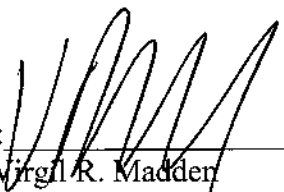
2. Bergman's compliance with his probation constitutes evidence that the deficiency that required disciplinary action has been remedied.

ORDER

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

ORDERED, this 18 of April, 2013.

INDIANA BOARD OF PHARMACY

By: 

Virgil R. Madden
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:

Brandon Bergman
11998 North Spades Road
Sunman, IN 47041
Service by U.S. Mail

Darren R. Covington, Deputy Attorney General
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4/18/13
Date

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