

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0015**

**IN THE MATTER OF THE INDIANA
PHARMACIST LICENSE OF:**

**TARA FELDHAUS , R.PH.
LICENSE NUMBER: 26018447A**

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Indiana State Board of Pharmacy (“Board”) held an administrative hearing on December 9, 2013, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, concerning Tara Feldhaus’ (“Feldhaus”) request to reinstate her license.

The State of Indiana was represented by Timothy Weber of the Attorney General’s Office. Feldhaus appeared in person and waived her right to be represented by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, voted 5 to 0 to issue the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Feldhaus, who resides at 1301 Mesker Park Drive, Evansville, Indiana 47720, is a duly registered pharmacist in the State of Indiana holding license number 26018447A.

2. The Indiana Professional Licensing Agency sent, and Feldhaus 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 ch. 4-21.5-3.
4. In April 2013 the Board voted to suspend Feldhaus' license because she filled prescriptions for methadone early before having received a hard copy of the prescription.
5. Feldhaus underwent a complete addictionology exam as well as a psychological evaluation.
6. The Pharmacists Recovery Network has determined that she did not meet the criteria for a substance abuse disorder but also decided that her practice should be monitored for a time.
7. At the hearing on reinstatement, Feldhaus testified that she has fulfilled all the conditions for reinstatement of her license which included paying a fine. She knows she made an enormous mistake in getting too personally involved with a patient and promises it will never happen again.
8. The Board concluded that the evidence demonstrates that Feldhaus may practice pharmacy with reasonable skill and safety to the public, but only under restrictions.

CONCLUSIONS OF LAW

1. "The board may reinstate a license which has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill and safety to the public. As a condition of reinstatement, the board

may impose disciplinary or corrective measures authorized under this chapter.” Ind. Code § 25-1-9-11.

2. Because Feldhaus has established that she may practice with reasonable skill and safety to the public if she complies with the terms of her probation, she qualifies for reinstatement of her license on probation.

ORDER

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

Feldhaus’ license shall be placed on **INDEFINITE PROBATION**. Feldhaus may not seek withdrawal of the probationary status of her license until after three years from the date of this order.

1. During the Probationary Period, Feldhaus’ pharmacist’s license shall be governed by the following **TERMS AND CONDITIONS**:
 - a. Feldhaus shall keep the Board apprised of her current residence, mailing address, e-mail address, and residential telephone number at all times;
 - b. Feldhaus shall keep the Board apprised of her place of employment, employment telephone number and name of her supervisor at all times.
 - c. Feldhaus shall keep the Board informed of her occupation title and work schedule, including the number of hours worked per week at all times.
 - d. Feldhaus shall cause her pharmacy employer to submit supervisory reports to the Board in care of the Indiana Professional Licensing Agency addressing her professional competence, sense of responsibility, work habits, mental attitude, and ability to work with others throughout the probationary period. The

reports are to be submitted monthly for the first year he is on probation and quarterly thereafter.

- e. Feldhaus shall provide a copy of all Board orders, including this one, imposing discipline or limiting practice to any pharmacy employer who shall sign and return a copy of such orders to the Board within ten (10) days of employment or receipt of the Order.
- f. Feldhaus shall submit self reflections/reports detailing her current status, her progress in recovery, issues or problems she is experiencing, and the value he has gained by attending counseling or group recovery sessions. These reports are due monthly for the first year she is on probation and quarterly thereafter.
- g. Feldhaus shall notify the Board in writing of any discipline incurred in other states during the duration of her probation; including any relevant criminal or licensing charges pending.
- h. Feldhaus shall make probationary appearances before the Board at the normally scheduled monthly board meetings monthly for the first year she is on probation and quarterly thereafter. Her first appearance will be on January 13, 2014
- i. Feldhaus shall sign a monitoring contract with the PRN.
- j. Feldhaus shall not work more than 12 hours a day, or 45 hours a week.

2. It is further Ordered that:

- a. Any information received by any other regulatory agency that indicates non-compliance with the statutes or regulations regarding the competent practice of pharmacy;

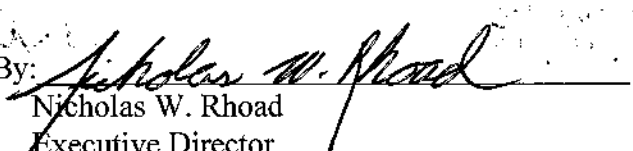
- b. a positive urine drug screen; or
- c. a violation of the Final Order,

may result in the State requesting an emergency suspension of Feldhaus' license, as well as possible reinstatement of the initial action giving rise to this resolution, an Order to Show Cause as may be issued by the Board, or a new cause of action being filed pursuant to Ind. Code § 25-1-9-4(a)(10), any or all of which could lead to additional sanctions, up to and including a revocation of Feldhaus' license.

SO ORDERED this 12th day of December 2013.

INDIANA STATE BOARD OF PHARMACY

By:


Nicholas W. Rhoad
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:

Tara Feldhaus
1301 Mesker Park Drive
Evansville, IN 47720
Service by U.S. Mail

Timothy Weber
Attorney
Indiana Attorney General’s Office
302 West Washington Street
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Indianapolis, IN 46204
Service by e-mail

12/12/13
Date

Jessie N. Ray
Signature

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Explanation of Service Methods

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