

BEFORE THE INDIANA
BOARD OF PHARMACY
2012 IBP 0094

IN THE MATTER OF THE LICENSE OF)
JESSICA DALLEY, C.PH.T.)
LICENSE NO. 67021200A (SUMMARY SUSPENSION))

FILED

JAN 17 2013

Indiana Professional
Licensing Agency

COMPLAINT

This complaint is brought against the pharmacy technician license of Jessica Dalley, C.Ph.T. (Respondent), by the Office of the Attorney General, by counsel, Deputy Attorney General Darren R. Covington, on behalf of the State of Indiana (Petitioner) and pursuant to Ind. Code § 25-1-7-7, Ind. Code § 25-1-5-3, Ind. Code ch. 25-26-13, the Administrative Orders and Procedures Act, Ind. Code art. 4-21.5 and Ind. Code ch. 25-1-9 and in support alleges and states:

FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency is 220 S. Martin Avenue, Muncie, Indiana 47303. Respondent's last known address is 612 W. Adams Street, Alexandria, Indiana 46001.
2. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67021200A on June 25, 2012.
3. At all times relevant herein, Respondent worked as a pharmacy technician at Meijer Pharmacy in Muncie, Indiana.
4. On or around October 31, 2012, Respondent's employment was terminated from Meijer Pharmacy for diverting hydrocodone.

Exhibit A

5. On or around November 2, 2012, Respondent was charged in Delaware County, Indiana Circuit Court with one count of Theft, a Class D Felony and, one count of Possession of a Controlled Substance, a Class D Felony, under Cause Number 18C03-1211-FD-0234.

6. On or around December 10, 2012, the Indiana Board of Pharmacy summarily suspended Respondent's license for ninety days.

COUNT I

7. Paragraphs 1 through 6 are incorporated by reference herein.

8. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by her unauthorized taking of hydrocodone from Meijer Pharmacy.

WHEREFORE, Petitioner demands an order against the Respondent that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and,
3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

Gregory F. Zoeller
Attorney General of Indiana
Atty. No. 1958-98

By:

D-R S
Darren R. Covington
Deputy Attorney General
Attorney No. 28511-16

CERTIFICATE OF SERVICE

I certify that a copy of the "Complaint" has been duly served upon the Respondent, by
United States mail, first-class, postage prepaid, on this 17th day of January, 2013.

Jessica Dalley
612 W. Adams St.
Alexandria, IN 46001

By: D - R S
Darren R. Covington
Deputy Attorney General
Attorney No. 28511-16

OFFICE OF THE INDIANA ATTORNEY GENERAL
Indiana Government Center South
302 West Washington St., Fifth Floor
Indianapolis, IN 46204-2770
Telephone Number: 317-233-6506
Facsimile Number: 317-233-4393
Email: darren.covington@atg.in.gov