

BEFORE THE INDIANA  
BOARD OF PHARMACY  
2013 IBP 0011

IN THE MATTER OF THE LICENSE OF )  
ASHLYNN MARGARET GILDNER, C.PH.T. )  
LICENSE NO. 67016432A (SUMMARY SUSPENSION) )



COMPLAINT

This complaint is brought against the pharmacy technician license of Ashlynn Margaret Gildner, 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 132 East Marion Street, Mishawaka, Indiana 46545.
2. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67016432A on September 16, 2009.
3. At all times relevant herein, Respondent worked as a pharmacy technician at Meijer Pharmacy in Mishawaka, Indiana.
4. On or around October 21, 2012, Respondent signed three statements to Meijer loss prevention personnel admitting that she had diverted Norco and Tussionex Cough Syrup, both controlled substances, for her own personal use.

Exhibit A

5. On or around December 7, 2012, Respondent was charged in St. Joseph County, Indiana Superior Court with Theft and Possession of a Controlled Substance, both Class D Felonies, under Cause Number 71D01-121-FD-0011066.

6. On or around February 7, 2013, the Indiana Board of Pharmacy summarily suspended Respondent's license for ninety days. This was extended for an additional ninety days on May 13, 2013.

7. On or around February 22, 2013, Respondent entered into the St. Joseph County Drug Court program.

#### **COUNT I**

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

9. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by her stealing controlled substances from Meijer Pharmacy for her own personal use.

#### **COUNT II**

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

11. Respondent violated Ind. Code § 25-1-9-4(a)(4)(D) in that Respondent has continued to practice although she has become unfit to practice due to addiction to, abuse of, or severe dependency upon drugs that impair her ability to practice safely as evidenced by her admission that she diverted controlled substances for her own personal use.

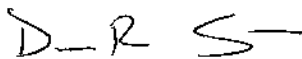
**WHEREFORE**, Petitioner demands an order against the Respondent that:

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:



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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 31st day of May, 2013.

Ashlynn Margaret Gildner  
132 E. Marion Street  
Mishawaka, IN 46545

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

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