

BEFORE THE INDIANA BOARD
OF PHARMACY
CAUSE NUMBER: 2007 IBP 0010

IN THE MATTER OF THE LICENSE OF:)

BARNEY T. DOTSON, R.PH.)
LICENSE NUMBER: 26014491A,)

Respondent.)



VOLUNTARY EXTENSION OF SUMMARY SUSPENSION ORDER

The Indiana Board of Pharmacy ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 7 in favor, 0 against, and 0 abstaining, at its regularly scheduled meeting on August 13, 2007, in Room W064 of the Indiana Professional Licensing Agency, at the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, extended the **SUMMARY SUSPENSION** of the license held by Barney T. Dotson, R.Ph., ("Respondent") until such time as discipline has been entered by the Ohio Pharmacy Board at which time the matter will be set for further hearing based on the executed Agreement for Voluntary Summary Suspension ("Agreement") signed by the Respondent, his attorney, Harry B. Plotnick, Esq., and Mark E. Mader, Deputy Attorney General for the State of Indiana.

The Agreement was presented by Mark E. Mader, Deputy Attorney General. Neither the Respondent nor his attorney was present. The Agreement continues in effect the Summary Suspension Order granted by the Board on May 22, 2007.

This NON-FINAL emergency order was based on evidence admitted at the Summary Suspension hearing of May 14, 2007, including State's Exhibit 1 – a Certified copy of the Ohio Summary Suspension Order and other facts of which the Board took official notice, including the following:

1. The Respondent's record address for Indiana licensure purposes is 5367 Race Road, Cincinnati, Ohio 45247.
2. On April 12, 2007, the Board received notification from the Ohio Board of Pharmacy ("Ohio Board") that the Respondent's license had been summarily suspended by the Ohio Board on April 3, 2007.
3. The Summary Suspension Order dated April 3, 2007 determined that the Respondent was addicted to the use of controlled substances.
4. The Ohio Board found that the Respondent was addicted to or abusing drugs or alcohol and/or impaired physically or mentally to such a degree as to render him unfit to practice pharmacy.
5. The Respondent admitted to an agent of the Ohio Board that he was addicted to both drugs and alcohol, he had been an in-patient for alcohol treatment previously, and he had an intention to enter into treatment again.
6. The Respondent admitted that he had stolen Fentanyl and Hydromorphone from his employer for his own abuse every other day and had been stealing Vicodin since he began practicing pharmacy in 1980.
7. The Respondent's use of Hydromorphone began with ingestion of 2 mg per occasion and escalated to 8 to 10 mg each use currently.

8. The Respondent's abuse was discovered on March 16, 2007, when he was arrested after having passed out while driving his car and struck another vehicle.

9. The Respondent admitted that on or about March 16, 2007, and on various dates preceding, he did steal Fentanyl and Hydromorphone from his employer.

Pursuant to the Agreement for Voluntary Summary Suspension accepted by the Board on August 13, 2007, the **RESPONDENT** agrees to the **VOLUNTARY SUMMARY SUSPENSION** of his license to practice pharmacy in the State of Indiana until such time as discipline has been entered against his Ohio pharmacy license.

SO ORDERED, this 17th day of August, 2007; this Order is effective as of August 13, 2007.

INDIANA BOARD OF PHARMACY

By: Frances L. Kelly for
Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

copies to:

Barney T. Dotson
5367 Race Road
Cincinnati, OH 45247

SENT CERTIFIED MAIL NO.
RETURN RECEIPT REQUESTED.

7005 3110 0002 4934 4959

Harry B. Plotnick, Esq.
810 Sycamore St. 6th Floor
Cincinnati, Ohio 45202

Mark Mader, Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, 5th Floor
Indianapolis, IN 46204