

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

IN THE MATTER OF THE LICENSE OF:)

BARNEY DOTSON, R.PH.)

LICENSE NUMBER: 26014491A)

FILED

JAN 16 2018

Indiana Professional
Licensing Agency

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Barney Dotson appeared at a hearing before the Indiana Board of Pharmacy ("Board") on December 11, 2017, 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Center South, 402 West Washington Street, Indianapolis, Indiana concerning his request to have the probationary terms withdrawn from his license as a pharmacist.

Stacy Oliver, Deputy Attorney General, represented the State of Indiana. Dotson appeared in person and waived his right to be represented by counsel.

The Board, after considering the file and the testimony of Dotson, by a vote of 7 to 0, issued the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Dotson, whose mailing address is 270 Pedretti Avenue, Cincinnati, Ohio 45238, is a pharmacist with license number 26014491A. His license is expired and he has no plans of renewing it in the near future. Dotson does, however, have an active license in Ohio.

2. The Indiana Professional Licensing Agency sent, and Dotson 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. The Board suspended Dotson's license in 2009 due to his addiction to drugs and alcohol. It reinstated his license on probation in August 2013.

5. Dotson's Ohio license had also been disciplined. It was suspended and ultimately placed on probation in 2012.

5. In October 2017 Dotson requested that the probation be withdrawn from his Indiana license.

6. At the hearing on withdrawal of probation, Dotson testified that he had complied with the terms of his Indiana probation and the probation had been lifted from his Ohio license.

7. The deficiency that led to the probation of Dotson's license involved addiction and out of state discipline. Dotson's compliance with his probation constitutes evidence that this problem has been remedied.

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

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ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board
WITHDRAWS the probation on Dotson's license but notes that he cannot legally
practice pharmacy in this state because his license is expired.

SO ORDERED this 16th of January 2018.

INDIANA BOARD OF PHARMACY

By: Maureen Bennett
for Winnie Landis, R. Ph.
President
Indiana Board of Pharmacy

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CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Barney Dotson, R.Ph.
270 Pedretti Avenue
Cincinnati, OH 45238
Service by U.S. Mail

Stacy Oliver
Attorney General's Office
402 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
Service by Email: stacy.oliver@atg.in.gov

1/16/18
Date


Nate Black, Litigation Specialist

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

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