

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2012 IBP 0079

IN THE MATTER OF THE
INDIANA PHARMACY TECHNICIAN
CERTIFICATION OF:

HOLLY DENNING, C.P.H.T.,
CERTIFICATION NUMBER: 67023115A.

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Holly Denning appeared at a hearing before the Indiana Board of Pharmacy ("Board") on October 7, 2013, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana concerning her request to have the probationary terms withdrawn from her certification as a pharmacy technician.

The State of Indiana appeared by Darren Covington, Deputy Attorney General and Tim Weber, Graduate Legal Intern. Denning appeared in person and waived her right to be represented by counsel.

The Board, after considering the file and the testimony of Denning, by a vote of 4 to 0 issued the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Holly Denning, whose mailing address is 8028 Madison Avenue, Apartment 5, Indianapolis, Indiana 46227, is a duly certified pharmacy technician in the State of Indiana holding certification number 67023115A.

2. The Indiana Professional Licensing Agency sent, and Denning 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 § 4-21.5-3.

4. The Board issued Denning's certification on probation in September 2012 because she had anger issues triggered by bi-polar disorder. She had been treating her condition with medications but was not using them at the time of her application because she was pregnant. She was attending counseling.

5. In August 2013 Denning requested that the probation be withdrawn from her license.

6. At the hearing on withdrawal, Denning testified that she has complied with the terms of her probation. She has completed her counseling and her health care providers have concluded that she does not suffer from bi-polar disorder. They determined that she had been dealing with very serious family concerns and felt that she had been over medicated.

7. The deficiency that led to the probation of Denning's certification involved anger issues. Denning's compliance with her 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. Denning's compliance with her probation constitutes evidence that the deficiency that required disciplinary action has been remedied.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board
WITHDRAWS the probation on Denning's certification.

SO ORDERED this 17th day of October 2013.

INDIANA BOARD OF PHARMACY

By: 

Nicholas W. Rhoad
Executive Director.

 Indiana Professional Licensing Agency

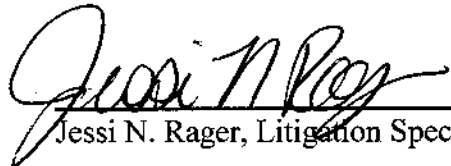
CERTIFICATE OF SERVICE

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

Holly Denning
8028 Madison Avenue
Apartment 5
Indianapolis, IN 46227
Service by U.S. Mail

Darren Covington
Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
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Service by Email

10/17/13
Date


Jessi N. Rager, Litigation Specialist

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