

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0012

IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:

MICHAEL ANTHONY ESPINOZA, C.PH.T.
CERTIFICATION NUMBER: 67003292A.

FILED

FEB 22 2013

Indiana Professional
Licensing Agency

SUMMARY SUSPENSION ORDER

An administrative hearing was held on February 11, 2013, before the Indiana Board of Pharmacy ("Board"), in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, to consider the Petition for Summary Suspension ("Petition") filed against Michael Anthony Espinoza, C.Ph.T. ("Respondent"), by the State of Indiana ("Petitioner") on February 7, 2013.

The State of Indiana was represented by Darren R. Covington, Deputy Attorney General. Respondent failed to appear by person or by counsel.

The Board, pursuant to Ind. Code § 4-21.5-4-1 *et seq.* and Ind. Code § 25-1-9-10, by a vote of 6-0-0, **SUMMARILY SUSPENDS** the certification held by Respondent for ninety (90) days as the Board finds that an emergency exists and that Respondent represents a clear and immediate danger to the public health and safety if allowed to practice pharmacy in the State of Indiana.

This **NON-FINAL** emergency order is based on evidence supporting the following findings:

1. This Board has jurisdiction to suspend Respondent's certification in accordance with the provisions of Ind. Code ch. 4-21.5-4 and Ind. Code § 25-1-9-10.

2. Respondent's address on file with the Indiana Professional Licensing Agency is 737 Conner Drive, Mishawaka, Indiana 46544.

3. Respondent is a certified pharmacy technician in the State of Indiana having been issued certification number 67013292A on December 1, 2003.

4. At all times relevant herein, Respondent worked as a pharmacy technician at Meijer Pharmacy in Mishawaka, Indiana.

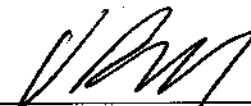
5. On or around October 18, 2012, Respondent signed a statement to Meijer loss prevention personnel that he had diverted hydrocodone for his own personal use. Meijer loss prevention personnel noted a loss of 944 tablets and that Respondent was the only individual on video surveillance seen handling the bottles which had missing tablets.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for a period of ninety (90) days, effective February 11, 2013.

ORDERED, this 22 day of February, 2013; **this Summary Suspension Order is effective as of February 11, 2013.**

INDIANA BOARD OF PHARMACY

By:



Virgil R. Madden
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Summary Suspension Order" has been duly served upon:

Michael Espinoza
737 Conner Dr.
Mishawaka, IN 46544
Service by U.S. Mail

Darren R. Covington, Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by E-Mail

2/22/13
Date

Jackie Day
Jackie Day

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

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.