

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

IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:

MICHAEL ESPINOZA, C.PH.T.,
CERTIFICATION NUMBER: 67013292A.



SUMMARY SUSPENSION EXTENSION ORDER

An administrative hearing was held on May 13, 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 whether to extend the summary suspension of the certification of Michael Anthony Espinoza, C.Ph.T. ("Respondent").

The State of Indiana was represented by Darren R. Covington, Deputy Attorney General. Respondent failed to appear in 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 4-0-0, **EXTENDS THE SUMMARY SUSPENSION** on the certification held by Respondent for an additional ninety (90) days from the expiration date of the Board's previous Summary Suspension Order, as the Board finds that an emergency continues to exist 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.

6. On February 11, 2013, the Board summarily suspended Respondent's certification for ninety (90) days.

7. The Summary Suspension on Respondent's certification is set to expire on May 13, 2013.

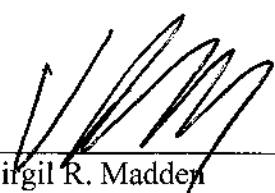
8. There is no evidence that Respondent is no longer a clear and immediate danger.

9. In the interest of protecting public safety, the Board issues this Summary Suspension Extension Order.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for an additional period of ninety (90) days, up to and including August 11, 2013.

ORDERED, this 20 day of May, 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 Extension 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 Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by Email

5/20/13
Date

Jackie Day
Jackie Day

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