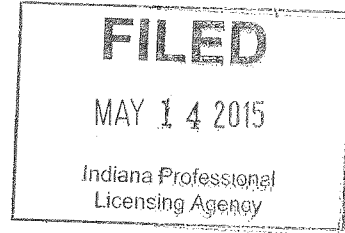


BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0104

IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN LICENSE OF:

DEBORAH DRAKE, C.PH.T.,
LICENSE NUMBER: 67001610A



FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Deborah Drake appeared at a hearing before the Indiana Board of Pharmacy ("Board") on May 11, 2015, 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Center South, 402 West Washington Street, Indianapolis, Indiana concerning her request to have the probationary terms withdrawn from her license as a pharmacy technician.

The state of Indiana appeared by Amelia Hilliker, Deputy Attorney General. Drake appeared in person and waived her right to be represented by counsel.

The Board, after considering the file and the testimony of Drake, by a vote of 6 to 0, issued the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Deborah Drake, whose mailing address is 4027 Wayne Trace, Fort Wayne, Indiana 46806, is a duly certified pharmacy technician in the State of Indiana holding license number 67001610A.

2. The Indiana Professional Licensing Agency sent, and Drake 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 placed Drake's license on probation in March 2014 for the following reasons. In August 2009 she was convicted of possession of marijuana but did not disclose it on her application to renew her license. In March 2013 she was convicted of Operating a Vehicle While Intoxicated and placed on criminal probation.

5. In February 2015 Drake requested that the probation be withdrawn from her license.

6. At the hearing on withdrawal of probation, Drake testified that she has complied with the terms of her probation which included submitting favorable employer reports.

7. The deficiency that led to the probation of Drake's license involved alcohol and substance abuse. Drake'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. Drake'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 Drake's license.

SO ORDERED this 14th of May, 2015.

INDIANA BOARD OF PHARMACY

By: Herbert W Price
Nicholas W. Rhoad
Executive Director.
for 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:

Deborah Drake
4027 Wayne Trace
Fort Wayne, IN 46806
Service by U.S. Mail

Amelia Hilliker
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

05-14-2015
Date

Megan O'Neal
Megan O'Neal, Litigation Specialist

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Explanation of Service Methods

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