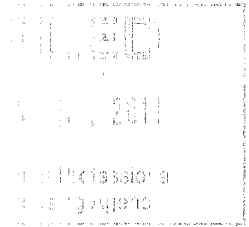


**BEFORE THE INDIANA  
BOARD OF PHARMACY  
CAUSE NUMBER: 2012 IPB 0072**

**IN THE MATTER OF THE INDIANA )  
PHARMACIST LICENSE OF: )  
 )  
KEITH JUNKER, R.P.H. )  
 )  
LICENSE NO: 26021773A )**



**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

The Indiana Board of Pharmacy (“Board”) held an administrative hearing on May 12, 2014, in Room W064 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana concerning the “Order to Show Cause” issued by the Board which alleges that Keith Junker violated the terms of probation on his license and should have his pharmacist license disciplined.

Amanda Elizondo, Deputy Attorney General, represented the State of Indiana. Junker appeared in person and by counsel, Shelley Jackson.

The Board, after considering the evidence and taking official notice of its file in this matter, by a vote of 5 to 1 issues the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. Junker, who has a mailing address of 4112 Liberty Street, Bremen, Indiana 46506, is a registered pharmacist with license number 26021773A.

2. In April 2014, the Board issued an “Order to Show Cause” against Junker alleging that Junker’s license should be disciplined because he violated the terms of probation on his license. The allegations were based on the assertion that he was acting as a qualifying pharmacist at his place of employment. The terms of probation on his license stated specifically that he could not be a qualifying pharmacist.

3. Junker worked at Lee Pharmacy in Martinsville. Lee Pharmacy has an absentee owner and the management scheme at the store is confused at best.

4. A compliance officer for the Board inspected Lee Pharmacy and was of the opinion that Junker was acting as the qualifying pharmacist.

5. Junker has complied with the other terms of probation on his license including his PRN contract and left Lee Pharmacy when this issue came to his attention.

6. Junker maintained that although he has performed the duties of a pharmacist at Lee Pharmacy he is not the qualifying pharmacist

7. The records of the Board have never listed Junker as the qualifying pharmacist for Lee Pharmacy.

8. Testimony revealed that Junker used very poor judgment while working at Lee Pharmacy and his actions may have violated federal and state laws regulating the practice of pharmacy. In addition, Lee Pharmacy itself may have taken actions that will jeopardize its permit.

9. The matter before the Board, however, is limited to the question of whether Junker violated the terms of his probation by being the qualifying pharmacist at Lee Pharmacy.

10. No evidence was presented showing that Junker was the qualifying pharmacist at Lee Pharmacy.

### **CONCLUSIONS OF LAW**

1. A pharmacist's license is subject to discipline if he violated an order of the Board. Ind. Code § 25-1-9-4(a)(10).

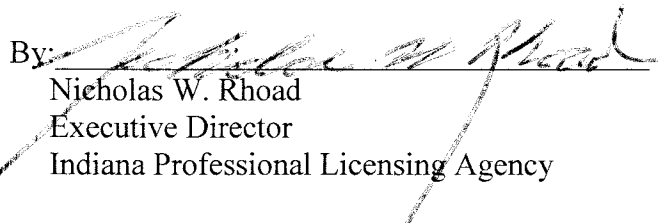
2. The Board concluded that there was not a preponderance of evidence that Junker had violated the order placing his license on probation.

**ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **DISMISSES** the "Order to Show Cause" in this matter.

SO ORDERED, this 21<sup>st</sup> day of May, 2014.

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:

Keith Junker  
4112 Liberty Street  
Bremen, IN 46506  
**Service by U.S. Mail**

Shelley Jackson, Esq.  
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Amanda Elizondo, Deputy Attorney General  
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5/21/14  
Date

  
Jessi N. Rager, Litigation Specialist

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