

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2011 IBP 0013**

**IN THE MATTER OF THE INDIANA
PHARMACIST LICENSE OF:**

**SANDRA MARIE HAYES, R.PH.,
LICENSE NUMBER: 26018300A.**

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NOTICE OF PROPOSED DEFAULT AND SUMMARY SUSPENSION ORDER

An administrative hearing was scheduled to be 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 the Order to Show Cause filed by the Board against Sandra Marie Hayes, R.Ph. ("Respondent"), on April 23, 2013.

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 § 4-21.5-3-24, voted 4-0-0 to issue a Notice of Proposed Default on the following grounds:

1. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is 416 West Walnut Street, Flora, Indiana 46929.
2. An Order to Show Cause was filed by the Board against Respondent on April 23, 2013.
3. On April 23, 2013, IPLA sent a hearing notice to Respondent at her listed address informing her of the date, time, and place of the administrative hearing on the Order to Show Cause scheduled for May 13, 2013 at 2:00 p.m.

4. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the hearing and Respondent failed to appear for the scheduled hearing in person or by counsel on May 13, 2013.

NOTICE OF PROPOSED DEFAULT ORDER

For Respondent's failure to appear for the scheduled hearing, the Board issued the following Notice of Proposed Default:

In accordance with Ind. Code § 4-21.5-3-24, Respondent must file a written motion within seven (7) days of service of this Order requesting the Board not enter a default order in this case and stating the reasons relied upon for that request. Failure of Respondent to file such a written motion within seven (7) days shall result in the issuance of a default order. If Respondent timely files a motion, the Board shall consider said motion along with any relevant facts in determining whether a default order should be entered. Should a default order be entered against Respondent, the Board may hold further proceedings it deems appropriate to complete this case without the participation of Respondent.

SUMMARY SUSPENSION ORDER

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, **SUMMARILY SUSPENDS** the license held by Sandra Marie Hayes, R.Ph. 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. On May 19, 2011, the Board placed Respondent's license on probation due to her history of drug diversion. As a condition of probation, Respondent was required to maintain a contract with the Pharmacist Recovery Network (PRN).

2. Respondent's contract with PRN was terminated for non-compliance.

3. Since November 2012, Respondent has failed to submit to any urine drug screen testing and has not submitted proof of attending twelve step meetings.

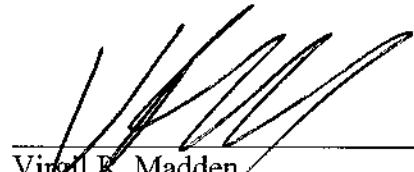
4. Without Respondent's continual compliance with a PRN contract, the Board cannot be assured that Respondent is practicing safely and free from addictive substances.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for a period of ninety (90) days, effective May 13, 2013.

ORDERED, this 20 day of May, 2013; this Summary Suspension is effective as of May 13, 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 "Notice of Proposed Default and Summary Suspension Order" has been duly served upon:

Sandra Marie Hayes
416 West Walnut St.
Flora, IN 46929
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

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.