

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.

FILED

JUN 28 2013

Indiana Professional
Licensing Agency

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

The Indiana Board of Pharmacy ("Board") held an administrative hearing on June 10, 2013, in Conference Room C of the Indiana State Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204, concerning an Order to Show Cause filed against Sandra Marie Hayes, R.Ph. ("Respondent") on April 23, 2013.

The State of Indiana ("Petitioner") was represented by Darren R. Covington, Deputy Attorney General. Respondent appeared in person and chose to proceed without counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 5-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is 416 West Walnut Street, Flora, Indiana 46929.
2. 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").
3. Respondent's contract with PRN was terminated for non-compliance in March 2013.

4. Beginning in November 2012, Respondent failed to submit to urine drug screen testing and did not submit proof of attending twelve-step meetings. Respondent was untruthful to PRN about the death of her parents, and failed to provide requested documentation to show that she was hospitalized on several occasions.

5. In March 2013, Respondent was taken to the hospital with an altered mental status. Respondent had taken Lortab, as well as alcohol. Respondent did not report this relapse to PRN.

ULTIMATE FINDINGS OF FACT

Respondent violated Ind. Code § 25-1-9-4(a)(10) in that Respondent has failed to comply with the Board's probationary order, as evidenced by her failure to comply with her PRN contract.

CONCLUSIONS OF LAW

Respondent's violations are cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or revocation and a fine up to the amount of \$1,000 per violation as detailed in Ind. Code § 25-1-9-9.

ORDER

Based upon the above Findings of Fact, Ultimate Findings of Fact, and Conclusions of Law, the Board issues the following Order:

1. Respondent's license is hereby **INDEFINITELY SUSPENDED.**
2. Prior to petitioning for reinstatement, Respondent shall successfully complete one (1) year in her PRN contract, and shall submit a letter in support of her petition from PRN.

3. Within thirty (30) days from the date of the Board's Order, Respondent shall, pursuant to Ind. Code § 4-6-14-10(b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

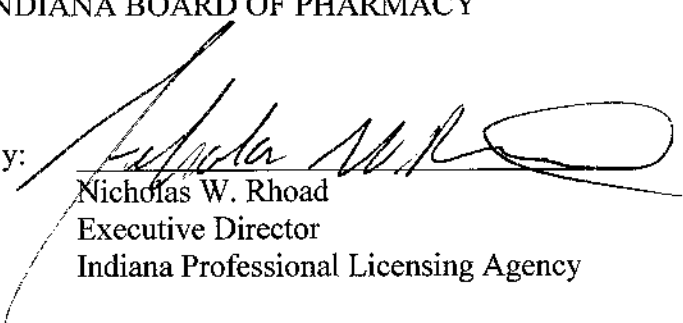
Indiana Office of the Attorney General
ATTN: Katherine Lee
302 W. Washington St., 5th Floor
Indianapolis, IN 46204

4. The failure of Respondent to comply with the requirements of the Final Order in this matter shall subject Respondent to a show cause hearing and the possible imposition of further sanctions.

ORDERED, this 28th day of June, 2013.

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, Ultimate Findings of Fact, Conclusions of Law, and Order" has been duly served upon:

Sandra Hayes
416 West Walnut Street
Flora, IN 46929
Service by U.S. Mail

Cynthia G. Harmon
103 S. Howard St. Ste. B
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

6/28/13
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
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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.