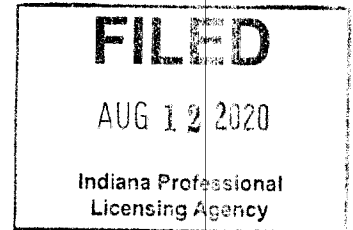


**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NO.: 2020 IBP 0027**

**IN THE MATTER OF THE APPLICATION)
TO RENEW PHARMACIST LICENSE:)
MICHAEL J KELLIHAN, R.PH.,)
LICENSE NO. 26023051A)**



DECISION ON PHARMACIST LICENSE APPLICATION

Michael Kellihan made a personal appearance before the Indiana Board of Pharmacy ("Board") on July 13, 2020, virtually pursuant to Executive Order 20-09, concerning his application to renew his license as a pharmacist.

The Board, after considering the file and statements of Kellihan, by a vote of 4 to 0, hereby renews his license on probation.

BACKGROUND

1. Kellihan, whose mailing address is 4139 Cadillac Court, #201, Louisville, Kentucky 40213, applied to renew his license as a pharmacist in June 2020.

2. In his application to renew his license as a pharmacist, Kellihan revealed that his pharmacist license in Kentucky was encumbered on probation from January 3, 2020, to January 3, 2025, due to concerns about his lack of adhesion to the standards for sterile compounding. He continues to work at the same facility, and the facility's license is also encumbered. After re-inspection, the facility was allowed to resume sterile compounding in May 2020. He will be allowed to resume the duties of a pharmacist-in-charge after completion of a

recertification course. The facility ships approximately ten compounds to Indiana per month.

3. Kellihan has demonstrated to the Board that he is able to practice with reasonable skill and safety to the public provided he complies with the probationary terms set out below. Kellihan agrees to the terms of probation.

TERMS AND CONDITIONS

Based upon the foregoing Information, the Board imposes the following Terms and Conditions on Kellihan's pharmacist license:

1. Kellihan's license as a pharmacist will be issued on **INDEFINITE PROBATION**. He may apply to have the probation on his Indiana license as a pharmacist withdrawn after he documents completion of the terms of the probation on his license as a pharmacist from Kentucky and obtains that license free and clear.

2. Kellihan's practice as a pharmacist shall be governed by the following

TERMS AND CONDITIONS:

a) **CONTACT INFORMATION:** Kellihan must keep the Board apprised of the following information in writing and update it as necessary:

1. Current home address, mailing address, e-mail address and residential telephone number.
2. Current place of pharmacy employment, employment telephone number, employment e-mail address and name of supervisor.

3. Occupation and work schedule, including number of hours worked per week.

b) Kellihan shall present this Order to any Indiana employer who employs him as a pharmacist, and cause them to submit a signed copy acknowledging the Order back to the Board ten days after receipt of the Order.

c) Kellihan may not be a pharmacist-in-charge in any facility in Indiana for the duration of the probation on his Indiana license.

d) The requirements of the order of the Kentucky Board of Pharmacy shall apply to any practice as a pharmacist in Indiana.

e) Kellihan shall immediately notify the Board in writing of any discipline incurred in other states during the duration of his probation, including any relevant criminal or licensing charges pending, including any action by the Kentucky Board of Pharmacy to enforce its disciplinary order.

3. The failure of Kellihan to comply with the terms of this decision may subject him to a show cause hearing and the imposition of further sanctions.

ISSUED this 12th day of August 2020

INDIANA BOARD OF PHARMACY

By: Maureen Bennett
for Matt Balla, R.Ph.
President
Indiana Board of Pharmacy

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NOTICE OF RIGHT TO PETITION FOR REVIEW OF THIS DECISION

You may petition for review of this decision under IC 4-21.5-3-7. The petition must be filed with the Indiana Board of Pharmacy in writing, identifying the reasons for review and demonstrating that you have been aggrieved or adversely affected by the Board's decision. The petition for review must be filed no later than eighteen days from the issuance of this decision unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday, a legal holiday under state statute or a day the Indiana Professional Licensing Agency's offices are closed during regular business hours.

If your petition for review is timely filed and review granted, you will receive notification of an administrative hearing. You or your representative must be present at that hearing. You have the right to be represented by an attorney at your own expense. A deputy attorney general may be present to represent the state of Indiana. As petitioner, you will have the burden of proving that the Board's decision is incorrect.

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CERTIFICATE OF SERVICE

I certify that a copy of the "Decision on Pharmacist License Application" has been duly served upon:

Michael J Kellihan, R.Ph.,
4139 Cadillac Court, #201
Louisville, KY 40213
Service by U.S. Mail

8-12-2020
Date

Nonna Meran
Signature

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.

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Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.