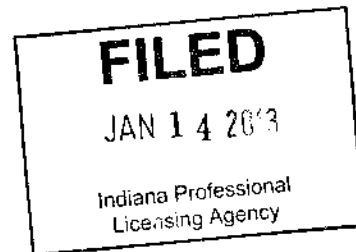


BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0003

IN THE MATTER OF THE LICENSE OF)
)
FERN JOHNETTE NICHOLE JACKSON, C.PH.T.)
)
LICENSE NO. 67010459A (EXPIRED))



COMPLAINT

This complaint is brought against the pharmacy technician license of Fern Johnette Nichole Jackson, C.Ph.T. (Respondent), by the Office of the Attorney General, by counsel, Deputy Attorney General Darren R. Covington, on behalf of the State of Indiana (Petitioner) and pursuant to Ind. Code § 25-1-7-7, Ind. Code § 25-1-5-3, Ind. Code ch. 25-26-13, the Administrative Orders and Procedures Act, Ind. Code art. 4-21.5 and Ind. Code ch. 25-1-9 and in support alleges and states:

FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency is 1201 S 13th Street, Goshen, Indiana 46526.
2. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67010459A on November 26, 2006.
3. At all times relevant herein, Respondent was employed as a pharmacy technician with CVS Pharmacy in LaGrange, Indiana.
4. On or around March 28, 2012, Respondent's employment was terminated from CVS Pharmacy after Respondent admitted in a signed statement that she diverted hydrocodone

5/500 and oxycodone 5/325 on March 28, 2012. Respondent stated that she began diverting drugs in January 2012. Respondent stated she sold fifty tablets of hydrocodone for \$50.

5. On or around April 3, 2012, Respondent was charged in Elkhart County, Indiana Superior Court with one count of Theft, a Class D Felony, and one count of Possession of a Controlled Substance, a Class D Felony, under Cause Number 20D06-1204-FD-00416.

6. On or around August 27, 2012, Respondent pled guilty to both counts. Respondent was sentenced to two, eighteen month suspended sentences, to be served concurrently, and one year of probation.

COUNT I

7. Paragraphs 1 through 6 are incorporated by reference herein.

8. Respondent violated Ind. Code § 25-1-9-4(a)(2)(A) in that Respondent has been convicted of a crime that has a direct bearing on her ability to practice safely as evidenced by Respondent's conviction for Theft and Possession of a Controlled Substance.

COUNT II

9. Paragraphs 1 through 6 are incorporated by reference herein.

10. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by Respondent's admission, and criminal conviction, to taking hydrocodone and oxycodone from CVS Pharmacy without proper authorization.

WHEREFORE, Petitioner demands an order against the Respondent that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and,
3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

Gregory F. Zoeller
Attorney General of Indiana
Atty. No. 1958-98

By: D-R-S-
Darren R. Covington
Deputy Attorney General
Attorney No. 28511-16

CERTIFICATE OF SERVICE

I certify that a copy of the "Complaint" has been duly served upon the Respondent, by
United States mail, first-class, postage prepaid, on this 14th day of January, 2013.

Fern Jackson
1201 S. 13th St.
Goshen, IN 46526

By:

D R S
Darren R. Covington
Deputy Attorney General
Attorney No. 28511-16

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