

BEFORE THE INDIANA
BOARD OF PHARMACY
2014 IBP 0022

IN THE MATTER OF THE LICENSE OF:

INDIANA RESPIRATORY SERVICE, LLC
LICENSE NO. 69000070A

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FILED

JUL 30 2014

Indiana Professional
Licensing Agency

NOTICE OF PROPOSED DEFAULT ORDER

An administrative hearing was scheduled to be held on July 14, 2014 before the Indiana Board of Pharmacy ("Board") in the Auditorium of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, 46204, to consider the Administrative Complaint ("Complaint") filed against Indiana Respiratory Service, LLC ("Respondent") by the State of Indiana ("Petitioner") on April 29, 2014.

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 6-0 to issue a Notice of Proposed Default Order on the following grounds:

1. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is 17408 Tiller Court, Suite 200, Westfield, Indiana 46074.
2. A Complaint was filed by the Petitioner against Respondent on April 29, 2014.
3. On May 22, 2014, IPLA sent a hearing notice to Respondent at its reported addresses informing it of the date, time and place of the administrative hearing on the Complaint scheduled for July 14, 2014 at 1:30 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 July 14, 2014.

NOTICE OF PROPOSED DEFAULT ORDER

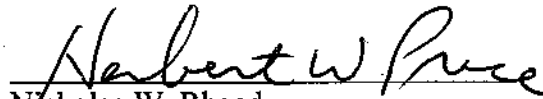
For Respondent's failure to appear for the scheduled hearing, the Board issued the following Notice of Proposed Default:

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.

ORDERED, this 30th day of July, 2014.

INDIANA BOARD OF PHARMACY

By:



Nicholas W. Rhoad

Executive Director

Indiana Professional Licensing Agency



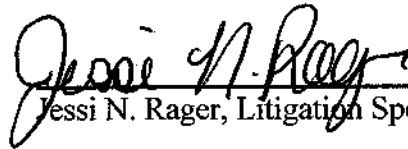
CERTIFICATE OF SERVICE

I certify that a copy of the "Notice of Proposed Default Order" has been duly served upon:

Indiana Respiratory Service, LLC
17408 Tiller Court, Suite 200
Westfield, IN 46074
Service by Mail

Deputy Attorney General Darren R. Covington
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by Email

7-30-2014
Date


Jessi N. Rager, Litigation Specialist

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.