BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0009

IN THE MATTER OF THE LICENSE OF	)
	)
LISA LEMPKE HURT, R.PH.	)
	)
LICENSE NO. 26016059A (SUMMARY SUSPENSION)	)

FILED
MAR 19 2013
Indiana Professional Licensing Agency

COMPLAINT

This complaint is brought against the pharmacist license of Lisa Lempke Hurt, R.Ph. (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 13598 Sweet Briar Parkway, Fishers, Indiana 46038.

2. Respondent is a licensed pharmacist in the State of Indiana having been issued license number 26016059A on July 27, 1987.

3. At all times relevant herein, Respondent was employed as a pharmacist with PharMerica Pharmacy ("PharMerica") in Indianapolis, Indiana.

4. On or around December 11, 2012, a pharmacy technician for PharMerica witnessed and reported what she believed was Respondent taking prescription tablets for personal use. Management personnel witnessed security footage of Respondent pocketing prescription tablets and placing prescription tablets in her mouth.

5. On or around December 12, 2012, Respondent submitted to a drug screening and was suspended pending the results of the screening.

6. On or around December 17, 2012, Respondent resigned from her position at PharMerica.

7. On or around December 19, 2012, management personnel at PharMerica filed a police report with the Indianapolis Metropolitan Police Department under case number PD 12176114.

8. On or around December 20, 2012, PharMerica submitted a DEA Form 106 Report of Theft or Loss of Controlled Substances, which reported 1,139 missing hydrocodone tablets, a schedule III controlled substance.

9. On or around February 7, 2013, the Indiana Board of Pharmacy summarily suspended Respondent's license for ninety days.

10. On or around February 8, 2013, the Marion County Prosecutor's Office charged Respondent with Theft and Possession of a Controlled Substance, a Class D Felony, under cause number 49G14-1302-FD-008291.

COUNT I

11. Paragraphs 1 through 10 are incorporated by reference herein.

12. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by her unauthorized taking of controlled substances from PharMerica.

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: _____
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 19th day of March, 2013.

Lisa Lempke Hurt
13598 Sweet Briar Parkway
Fishers, IN 46038

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

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