**BEFORE THE INDIANA**
**BOARD OF PHARMACY**
**CAUSE NUMBER: 2013 IBP 0009**

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| **IN THE MATTER OF THE INDIANA PHARMACIST LICENSE OF:** | ) |
| | ) |
| | ) |
| **LISA HURT, R.PH.** | ) |
| **LICENSE NUMBER: 26016059A** | ) |

FILED
MAR 06 2017
Indiana Professional Licensing Agency

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Lisa Hurt ("Hurt") appeared at a hearing before the Indiana Board of Pharmacy ("Board") on February 13, 2017, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana concerning the Order to Show Cause issued against her license as a pharmacist.

The State of Indiana appeared by Amelia Hilliker, Deputy Attorney General. Hurt appeared in person and waived her right to be represented by counsel.

The Board, after considering the file and the testimony of Hurt, by a vote of 6 to 0, issues the following Findings of Fact, Conclusions of Law and Order.

## FINDINGS OF FACT

1. Lisa Hurt, whose mailing address is 12810 Lamboll Street, Fishers, Indiana 46038, is a duly registered pharmacist in the State of Indiana holding license number 26016059A.

2. The Indiana Professional Licensing Agency sent, and Hurt received, timely and proper notice of the date, time and location of this hearing pursuant to Ind. Code § 4-21.5-3-20.

3. The Board is empowered to conduct this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code § 4-21.5-3.

4. The Board suspended Hurt's license in May 2013 because she diverted drugs from her employer. The Board then reinstated her license on probation in May 2015. She had signed a recovery agreement with the Pharmacists Recovery Network ("PRN") and had been in compliance for over a year.

5. In January 2017 the Board issued an Order to Show Cause against Hurt because it appeared that she had not complied with the terms and conditions on her license.

6. At the hearing on the order to show cause, Hurt stated that she had missed several urine screens in the last few months.

7. The status of her recovery agreement with the PRN was not clear. Evidently Hurt had complied with the contract and it was set to terminate but PRN was looking for guidance from the Board before the agreement was formally concluded. It was during this period of time that she was doing screens voluntarily and missed some screens.

8. The order placing her on probation provided that she would be on probation for at least three years (until May 2018) but could come off after the completion of her PRN agreement.

9. The deficiency that led to the probation on Hurt's license involved drug diversion. Hurt's compliance with her probation is an encouraging development but her missed screens constitute changed circumstances warranting a modification of the terms and conditions on her license.

## CONCLUSIONS OF LAW

1. "The board may withdraw or modify the probation ... if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

2. Hurt's compliance with her probation is an encouraging development but her missed screens constitute changed circumstances warranting a modification of the terms and conditions on her license.

## ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **MODIFIES** the probation on Hurt's license as follows. Hurt may seek to withdraw the probation from her license no earlier than May 2018. During that entire period of time she must have a recovery agreement with PRN and comply with its terms.

All other terms and conditions on her license will remain the same.

**SO ORDERED** this 6th of March 2017.

INDIANA BOARD OF PHARMACY

By: Maureen Bendett

for Steve Anderson, R.Ph.
President

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## CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Lisa Hurt
12810 Lamboll Street
Fishers, IN 46038
**Service by U.S. Mail**

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3-6-17
Date

Donna Moran
Signature

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**Explanation of Service Methods**
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