

BEFORE THE INDIANA  
BOARD OF PHARMACY  
CAUSE NUMBER: 2021 IBP 0009

IN THE MATTER OF THE LICENSE OF: )  
SUSAN NORTHROP, R.PH. )  
LICENSE NO: 26016401A (ACTIVE) )



**ADMINISTRATIVE COMPLAINT**

The State of Indiana (“Petitioner”), by counsel, Deputy Attorney General Ryan P. Eldridge, on behalf of the Office of the Indiana Attorney General, and pursuant to Ind. Code § 25-1-7-7, the Administrative Orders and Procedures Act, Ind. Code Art. 4-21.5, and Ind. Code ch. 25-1-9, files its Administrative Complaint against the Indiana pharmacist license of Susan Northrop, R.Ph. (“Respondent”), and in support alleges and states the following:

**FACTS**

1. Respondent is a pharmacist in the State of Indiana having been issued license number 26016401A by examination on August 10, 1988.
2. Respondent’s address on file with the Indiana Professional Licensing Agency (“IPLA”) is 3279 North Hamilton Road, Mulberry, Indiana 46058.
3. Respondent is a “practitioner” as that term is defined by Ind. Code § 25-1-9-2.

**Previous History of Diversion**

4. On May 25, 2012, Respondent’s license was suspended by this Board for diversion of controlled substances, Phentermine and Hydrocodone, from Kroger Pharmacy.
5. On June 25, 2013, Respondent was reinstated on probation by this Board.
6. On August 11, 2016, Respondent’s probation was withdrawn by this Board.

## **Tampering and Diversion of Controlled Substances**

7. Between September 20, 2016 and December 9, 2020, Respondent was employed at Miller's Pharmacy located in LaGrange, Indiana, as a licensed Pharmacist.

8. Miller's Pharmacy is a small-town community pharmacy that employs one (1) pharmacist and one (1) to two (2) technicians typically per shift.

9. On January 3, 2019, Respondent received a verbal warning for the self-filling of her Amphetamine Salts prescriptions. In addition, Respondent received a verbal warning for prematurely filling her own prescriptions.

10. On February 14, 2019, Respondent received a written warning and counseling because she continued to self-fill her Amphetamine Salts prescriptions, despite her previous verbal warning.

11. On or about November 28, 2020, Brad Crawford ("Mr. Crawford"), Miller's Pharmacy Manager, observed a tampered prescription for Adderall XR 15mg. Specifically, Mr. Crawford observed inconsistency in the capsules' volumes (beads).

12. As a result of Mr. Crawford's observation, Mr. Crawford initiated an investigation into these stimulant discrepancies.

13. During the course of Mr. Crawford's investigation, Mr. Crawford observed a thirty (30) tablet discrepancy in Methylphenidate ER 54mg tablets. He also identified a prescription filled and tendered by Respondent, which occurred after the store was closed, to a patient without a signature, despite the fact that Miller's records indicated that the same patient picked up the same medication two (2) days earlier.

14. On December 8, 2020, Julie Rasler, Ph.T. (“Ms. Rasler”) noticed that a generic Adderall 30mg ER capsule appeared “crushed or bent.” Ms. Rasler informed Mr. Crawford of this discovery.

15. Based on Ms. Rasler’s information, Mr. Crawford and Dan Lovell (“Mr. Lovell”), Miller’s Store Manager, appeared at the store after hours on December 8, 2020. Mr. Crawford noticed that both the brand name Adderall XR 10mg and generic ER 10mg stock bottles were missing from the shelves.

16. Mr. Crawford also inspected the Adderall XR 15mg stock bottle and found that capsules within the bottle had been tampered with.

17. Mr. Crawford called the police to notify them of the likely diversion and asked them to be on site the next morning.

18. The next morning, on December 9, 2020, Mr. Crawford found that the two (2) stock bottles that were previously missing had now reappeared on the shelf.

19. While Respondent was being interviewed by police, Mr. Crawford gathered Respondent’s belongings. Mr. Crawford found a prescription vial in her sweater pocket that contained beads that had been emptied from controlled substances by Respondent.

20. It was determined that Respondent was responsible for removing beads completely or partially from controlled substance capsules. In addition, after reviewing camera footage, Respondent filled and took at least one (1) fraudulent prescription from the store.

21. Respondent admitted to the diversion in her interview with Mr. Lovell and the police. Respondent was subsequently terminated from Miller’s Pharmacy.

22. Mr. Crawford then completed a full audit of controlled substances and filed a DEA 106 Form. The DEA 106 form listed the loss of 1,198 capsules/tablets of Adderall XR,

Dextroamphetamine ER, Dexmethylphenidate ER, Methylphenidate CD, and Methylphenidate ER, of varying strengths from Miller's Pharmacy.

23. On December 14, 2020, Respondent was charged with Obtaining a Controlled Substance by Fraud or Deceit, Level 6 Felony; and Theft, Level 6 Felony, under Cause No. 44C01-2012-F6-000330 in LaGrange County, Indiana.

24. On May 17, 2021, Respondent pled guilty to Obtaining a Controlled Substance by Fraud or Deceit, Level 6 Felony. The theft charge was dismissed.

## **VIOLATIONS**

### **COUNT I: DIVERSION OF A LEGEND DRUG**

25. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent diverted a legend drug as evidenced by Respondent's removal of controlled substances from her place of employment with no authority to do so.

### **COUNT II: FRAUD OR MATERIAL DECEPTION IN COURSE OF PROFESSIONAL SERVICES**

26. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(1)(B) in that Respondent has engaged in fraud or material deception in the course of professional services or activities as evidenced by Respondent's conviction for Obtaining a Controlled Substance by Fraud or Deceit, Level 6 Felony.

### **COUNT III: KNOWINGLY VIOLATION OF STATE STATUTE OR RULE**

27. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(3) in that Respondent has knowingly violated any state statute or rule, or federal statute or regulation, regulating the profession in question. Specifically, Respondent violated 848 IAC 1-20-1(10), a state rule regulating pharmacists, which states a pharmacist shall not practice pharmacy in such a manner as to amount to incompetency or negligence in the sale or dispensation of legend drugs or

controlled substances. Respondent violated 848 IAC 1-20-1(10) by her alteration of controlled substances at Miller's Pharmacy, specifically removal of amphetamine beads, that effected Indiana patients.

**COUNT IV: CONVICTION OF CRIME THAT IMPACTS PRACTITIONER'S ABILITY TO PRACTICE COMPETENTLY**

28. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(2)(A) in that Respondent has been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently as evidenced by Respondent's conviction for Obtaining a Controlled Substance by Fraud or Deceit, Level 6 Felony.

**COUNT V: PROFESSIONAL JUDGMENT**

29. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(3) in that Respondent has knowingly violated any state statute or rule, or federal statute or regulation, regulating the profession in question. Specifically, Respondent violated Ind. Code § 25-26-13-16(a), a rule regulating pharmacists, which states a pharmacist shall exercise her professional judgment in the best interest of the patient's health when engaging in the practice of pharmacy. Respondent violated Ind. Code § 25-26-13-16(a) when she altered amphetamine stock bottles at Miller's Pharmacy and allowed the empty capsules or partially-empty capsules to be dispensed.

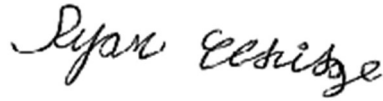
**ACCORDINGLY**, Petitioner demands this Board enter an order finding that:

1. Respondent is subject to discipline according to Ind. Code § 25-1-9;
2. Imposes an appropriate disciplinary sanction;
3. Directs the Respondent to immediately pay all cost incurred in the prosecution of this case; and

4. Provides any further relief that the Board deems just and proper.

Respectfully submitted,

Office of the Indiana Attorney General



By:

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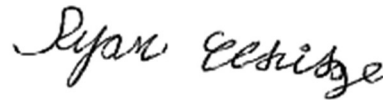
**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing “Administrative Complaint” has been served upon the Respondent and Respondent’s counsel at the addresses listed below, by United States First Class Mail on this 29th day of June, 2021.

Susan Northrop, R.Ph.  
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Mulberry, Indiana 46058

David Shircliff  
Counsel for Susan Northrop, R.Ph.  
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By:



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