

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2012 IBP 0088**

**IN THE MATTER OF THE INDIANA)
PHARMACY TECHNICIAN)
CERTIFICATION OF:)
)
KAYLA A. POWELL, C.PH.T.)
CERTIFICATION NUMBER: 67017045A.)**



SUMMARY SUSPENSION ORDER

An administrative hearing was held on November 5, 2012, before the Indiana Board of Pharmacy (“Board”) in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, to consider the Petition for Summary Suspension (“Petition”) filed against Kayla A. Powell, C.Ph.T. (“Respondent”) by the State of Indiana (“Petitioner”) on October 25, 2012.

The State of Indiana was represented by Darren R. Covington, Deputy Attorney General. Respondent failed to appear by person or by counsel.

The Board, pursuant to Ind. Code § 4-21.5-4-1 *et seq.* and Ind. Code § 25-1-9-10, by a vote of 7-0-0, **SUMMARILY SUSPENDS** the certification held by Respondent for ninety (90) days as the Board finds that an emergency exists and that Respondent represents a clear and immediate danger to the public health and safety if allowed to practice pharmacy in the State of Indiana.

This **NON-FINAL** emergency order is based on evidence supporting the following findings:

1. This Board has jurisdiction to suspend Respondent’s certification in accordance with the provisions of Ind. Code ch. 4-21.5-4 and Ind. Code § 25-1-9-10.

2. Respondent's address on file with the Indiana Professional Licensing Agency is 9920 Kramer Court, Indianapolis, Indiana 46235.

3. Respondent is a certified pharmacy technician in the State of Indiana having been issued license number 67017045A on January 25, 2010.

4. At all times relevant herein, Respondent was employed as a pharmacy technician with Skilled Care Pharmacy.

5. Between August 30, 2012 and September 8, 2012, Skilled Care Pharmacy identified the following losses: 9,739 tablets of hydrocodone; 473 mL of hydrocodone chlorpheniram susp; and 53 tablets of alprazolam.

6. On or around September 8, 2012, Respondent was arrested by the Hamilton County, Indiana Drug Taskforce after video surveillance revealed that Respondent was diverting controlled substances.

7. Respondent was charged in Hamilton County Superior Court 2 with five counts of Theft, a Class D Felony; five counts of Possession of a Controlled Substance, a Class D Felony; and one count of Dealing in a Controlled Substance, a Class B Felony, under Cause Number 29D02-1209-FD-008716.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for a period of ninety (90) days, effective November 5, 2012.

ORDERED, this 9th day of November, 2012; this Summary Suspension

Order is effective as of November 5, 2012.

INDIANA BOARD OF PHARMACY

By:

for



Frances L. Kelly
Executive Director

Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Summary Suspension Order" has been duly served upon:

Kayla Powell
9920 Kramer Ct.
Indianapolis, IN 46235
Service by U.S. Mail

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

11/13/12
Date


Jackie Day

Indiana Board of Pharmacy
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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.