

BEFORE THE INDIANA  
BOARD OF PHARMACY  
2012 IBP 0088

IN THE MATTER OF THE LICENSE OF )  
 )  
KAYLA A. POWELL, C.PH.T. )  
 )  
LICENSE NO. 67017045A (SUMMARY SUSPENSION) )



**COMPLAINT**

This complaint is brought against the pharmacy technician license of Kayla A. Powell, C.Ph.T. (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 9920 Kramer Court, Indianapolis, Indiana 46235.
2. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67017045A on January 25, 2010.
3. At all times relevant herein, Respondent was employed as a pharmacy technician with Skilled Care Pharmacy.
4. 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.

5. 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.

6. 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. A jury trial is scheduled for January 28, 2013.

7. On or around November 5, 2012, the Indiana Board of Pharmacy summarily suspended Respondent's license for ninety days.

#### COUNT I

8. Paragraphs 1 through 7 are incorporated by reference herein.

9. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by Respondent's removal of hydrocodone and alprazolam from Skilled Care Pharmacy without proper authorization.

**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: D. R. S.  
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 14th day of January, 2013.

Kayla Powell  
9920 Kramer Ct.  
Indianapolis, IN 46235

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

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