

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0044**

**IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:

LATOYA MONTGOMERY, C. PH. T.,
CERTIFICATION NUMBER: 67013862A.**

)
)
)
)
)
)



SUMMARY SUSPENSION ORDER

An administrative hearing was held on April 8, 2013, 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 Latoya Montgomery, C. Ph. T. ("Respondent"), by the State of Indiana ("Petitioner") on April 3, 2013.

The State of Indiana was represented by Tim Weber, Certified Legal Intern, and Darren R. Covington, Deputy Attorney General. Respondent failed to appear in 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 6-0-0, **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 3245 Salem Court, Michigan City, Indiana 46360.

3. Respondent is a certified pharmacy technician in the State of Indiana having been issued certification number 67013862A on June 23, 2008.

4. At all times relevant herein, Respondent was employed as a pharmacy technician with Walgreens Pharmacy ("Walgreens") in Michigan City, Indiana.

5. Respondent admitted in a statement on or about January 23, 2013, to diverting approximately 15 to 20 tablets of Norco from Walgreens.

6. Walgreens sent a fax to the DEA with the Respondent's confession on or about February 12, 2013.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for a period of ninety (90) days, effective April 8, 2013.

ORDERED, this 18 day of April, 2013; this Summary Suspension Order is effective as of April 8, 2013.

INDIANA BOARD OF PHARMACY

By:



Virgil R. Madden
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

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

Latoya Montgomery
3245 Salem Court
Michigan City, IN 46360
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

4/18/13
Date

Jackie Day
Jackie Day

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

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.