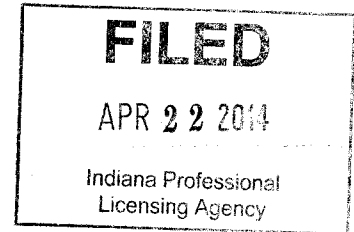


BEFORE THE INDIANA  
BOARD OF PHARMACY  
2014 IBP 0007

IN THE MATTER OF THE LICENSE OF )  
LISA MILES, C. PH.T., )  
LICENSE NO. 67023118A )



**FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND ORDER**

The Indiana Board of Pharmacy ("Board") held an administrative hearing on April 14, 2014, in Room W064 of the Indiana State Government Center South, 402 West Washington Street, Indianapolis, Indiana, 46204, concerning an Administrative Complaint ("Complaint") filed against Lisa Miles, Ph.T. ("Respondent") on February 25, 2014.

The State of Indiana ("Petitioner") was represented by Darren R. Covington, Deputy Attorney General. Respondent did not appear in person or by counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 6-0 finds Respondent to be in default. The Board by another vote of 6-0 issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is 3415 Madison Avenue, Indianapolis, Indiana 46227.
2. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67023118A on July 10, 2013.
3. At all times relevant herein, Respondent was employed as a pharmacy technician with CVS Pharmacy in Indianapolis, Indiana.

4. On or around July 22, 2013, CVS Pharmacy reported to the Drug Enforcement Agency (DEA) a loss of 2,000 tablets of hydrocodone 7.5/325mg and 400tablets of alprazolam 2 mg due to employee diversion.

5. In a signed statement, dated July 22, 2013, Respondent admitted to CVS Pharmacy Loss Prevention that she diverted hydrocodone and alprazolam from three separate CVS pharmacies. Respondent stated that she diverted 108 bottles of hydrocodone 7.5/325 mg, each bottle containing 100 tablets; 12 bottles of hydrocodone 10/55 mg, each bottle containing 100 tablets; and, two bottles of alprazolam, each bottle containing 100 tablets.

6. Respondent stated that she had a drug addiction and also sold some of the tablets.

7. A Complaint was filed by the Petitioner against Respondent on February 25, 2014.

8. On February 25, 2014, IPLA sent a hearing notice to Respondent at her listed address informing her of the date, time and place of the administrative hearing on the Complaint scheduled for March 10, 2014 at 1:30 p.m.

9. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the hearing and Respondent failed to appear for the scheduled hearing in person or by counsel on March 10, 2014.

10. On March 10, 2014, the Board voted 6-0-0 to issue a Notice of Proposed Default Order. On March 12, 2014, the Notice of Proposed Default Order was mailed to Respondent's address of record.

11. Respondent failed to submit a written response within seven (7) days as required by Ind. Code § 4-21.5-3-24.

12. On April 14, 2014, the Board voted, 6-0, to hold Respondent in default.

### **ULTIMATE FINDINGS OF FACT**

1. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by her signed statement admitting to diverting hydrocodone and alprazolam.

2. Respondent violated Ind. Code § 25-1-9-4(a)(4)(D) in that Respondent continued to practice although she became unfit to practice due to addiction to, abuse of, or severe dependency upon drugs that impair her ability to practice safely as evidenced by Respondent's admission that she used hydrocodone and alprazolam that she diverted, and her admission that she had a drug addiction.

### **CONCLUSIONS OF LAW**

Respondent's violations are cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or revocation and a fine up to the amount of \$1,000 per violation as detailed in Ind. Code § 25-1-9-9.

### **ORDER**

Based upon the above Findings of Fact, Ultimate Findings of Fact, and Conclusions of Law, the Board issues the following Order:

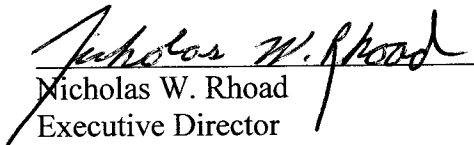
1. Respondent's license is **REVOKED**.
2. Within thirty (30) days of the date of this Order, pursuant to Ind. Code § 4-6-14-10(b), Respondent shall pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Indiana Office of the Attorney General  
ATTN: Kathryn Shively  
302 W. Washington St., 5<sup>th</sup> Floor  
Indianapolis, IN 46204

**ORDERED** this 22<sup>nd</sup> day of April, 2014.

INDIANA BOARD OF PHARMACY

By:

  
\_\_\_\_\_  
Nicholas W. Rhoad  
Executive Director  
Indiana Professional Licensing Agency

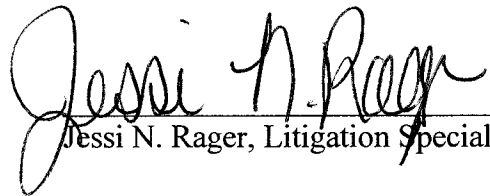
### **CERTIFICATE OF SERVICE**

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

Lisa Miles  
3415 Madison Ave.  
Indianapolis, IN 46227  
**Service by Mail**

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

4/22/14  
Date

  
Jessi N. Rager, Litigation Specialist

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](mailto: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.