

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 48

IN THE MATTER OF THE LICENSE OF)
LINDSEY MILLER, C. PH. T.,)
LICENSE NO. 67020964A (ACTIVE))



PETITION FOR SUMMARY SUSPENSION

The State of Indiana ("Petitioner"), by Counsel, Office of the Indiana Attorney General, by Certified Legal Intern Tim Weber and Deputy Attorney General Darren R. Covington, moves the Indiana Board of Pharmacy ("Board") to summarily suspend the pharmacy technician license of Lindsey Miller, C. Ph. T. ("Respondent") for ninety (90) days and in support of its petition states the following:

1. This Board has jurisdiction to suspend Respondent's license 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 10600 Drexton Place, Newburgh, Indiana 47630.
3. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67020964A on May 16, 2012.
4. At all times relevant herein, Respondent was employed as a pharmacy technician with Walmart Pharmacy 10-5728 in Newburgh, Indiana ("Walmart").
5. On March 19, Walmart's asset protection manager was notified that there had been an excessive amount of on-hand changes of certain controlled substances in the pharmacy. A review of inventory, dispensing, and returns from the time period May 1, 2012 through March 16, 2013 revealed that the pharmacy experienced a shortage of

approximately 15, 292 doses of varying strengths of alprazolam, clonazepam, hydrocodone APAP, and lorazepam.

6. The asset protection manager's investigation led him to believe the Respondent was responsible. The Respondent was viewed on video three times in the month of March 2013 pocketing hydrocodone 10-325.

7. On March 21, 2013, the Respondent was interviewed and admitted in writing that she was addicted to Lortab, and had taken pills from the pharmacy. The Respondent was using the pharmacist's terminal to change the on-hand counts. The police were called, and a search of the Respondent's person and vehicle revealed controlled substances.

8. On March 26, 2013, Walmart notified the Indiana Professional Licensing Agency that they had terminated the employment of the Respondent for theft and diversion of a controlled substance. Her employment was terminated after she was arrested by the Warrick County Sheriff's Narcotic Unit on March 21, 2013.

9. Due to the above facts, Respondent represents a clear and immediate danger to the public health and safety if allowed to continue to practice as a pharmacy technician in Indiana.

WHEREFORE, the State of Indiana requests that this Board set a hearing on this Petition for Summary Suspension and suspend Respondent's license for a period of ninety (90) days and for all other proper relief.

Respectfully submitted,

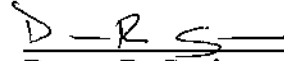
Gregory F. Zoeller
Attorney General of Indiana
Atty. No. 1958-98

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

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Petition for Summary Suspension" has been sent to the Respondent's last known address by first-class mail, on this 7th day of May, 2013.

Lindsey Miller
10600 Drexton Place
Newburgh, IN 47630



Darren R. Covington
Deputy Attorney General
Atty. No. 28511-16

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