

FILED
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Indiana Professional
Licensing Agency

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Brandie Morgan appeared at a hearing before the Indiana Board of Pharmacy ("Board") on May 13, 2013, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana concerning her request to have the probationary terms withdrawn from her certification as a pharmacy technician.

The Board, after considering the file and the testimony of Morgan, by a vote of 4 to 0, issued the following Findings of Fact, Conclusions of Law and Order.

1. Brandie Morgan, whose mailing address is 902 South 11th Street, Goshen, Indiana 46526, is a duly certified pharmacy technician in the State of Indiana holding certification number 67001064A.

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3. The Board is empowered to hold this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code § 4-21.5-3.

4. This Board renewed Morgan's certification on probation in August 2012 because the Applicant revealed that in December 2011 she was convicted of possession of over 30 grams of cannabis. The Applicant maintained the cannabis did not belong to her but was the property of a person who was staying at her house while she was on vacation. She was placed on probation for 18 months and the felony charge was reduced to a misdemeanor when her probation was concluded.

5. In March 2013, Morgan asked that the probation on her certification be withdrawn.

6. At the hearing on withdrawal of probation, Morgan testified that she has complied fully with the terms of her probation, which included completing her criminal probation.

7. The deficiency that led to the probation of Morgan's certification involved criminal drug charges. Morgan's compliance with her probation constitutes evidence that this problem has been remedied.

CONCLUSIONS OF LAW

1. "The board may withdraw or modify the probation ... if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

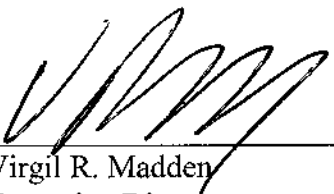
2. Morgan's compliance with her probation constitutes evidence that the deficiency that required disciplinary action has been remedied.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board
WITHDRAWS the probation on Morgan's certification.

ORDERED, this 20 of May, 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 "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Brandie Morgan
902 South 11th Street
Goshen, IN 46526
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
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Service by Email

5/20/13
Date

Jackie Day
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