

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0102

IN THE MATTER OF THE LICENSE OF)

RICHARD J. MILLER., R. PH.)

LICENSE NO. 26019772A (ACTIVE))

FILED

OCT 04 2013

Indiana Professional
Licensing Agency

PETITION FOR SUMMARY SUSPENSION

The State of Indiana ("Petitioner"), by counsel, Office of the Indiana Attorney General, by Deputy Attorney General Darren R. Covington, moves the Indiana Board of Pharmacy ("Board") to summarily suspend the pharmacist license of Richard J. Miller, R. Ph. ("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 518 West Pargrave Place, Bloomington, Indiana, 47403-4305.

3. Respondent is a licensed pharmacist in the State of Indiana having been issued license number 26019772A on February 11, 1999.

4. At all times relevant herein, Respondent was employed as a pharmacist with Walgreens 07676 in Martinsville, Indiana ("Walgreens").

5. Walgreens' pharmacy manager was reviewing pharmacy procedures when the pharmacy manager discovered Respondent had filled prescriptions for controlled drugs using four different patient profiles: J.H.; K.P.; R.J.; and R.M.. All were cash prescriptions and were written on Walgreens call-in prescriptions blanks.

6. A review of the four profiles by Walgreens Loss Prevention showed a consistent pattern of hydrocodone 10/325, alprazolam 1 mg; and phentermine 37.5 mg being obtained on a regular basis between May 2011 and July 2013. All the prescription were entered and verified under the initials "RJM."

7. A review of recent CCTV and electronic journal records by Walgreens showed Respondent filling and paying for prescriptions under the four profiles himself.

8. On July 18, 2013, Respondent was interviewed, and admitted to obtaining controlled substances by creating fraudulent patient profiles. Respondent admitted that two of the profiles were used to supply himself with hydrocodone, alprazolam, and phentermine while the other two profiles were used to supply a friend with hydrocodone, alprazolam, gabapentin, glipizide, and metformin. The friend had no medical insurance and suffered from diabetes and multiple sclerosis according to Respondent.

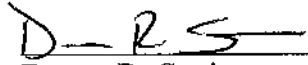
9. The total amount of drugs obtained fraudulently by Respondent were: 18,420 hydrocodone 10/325; 6,630 alprazolam 1 mg; 405 phentermine 37.5 mg; 540 gabapentin 300 mg; 120 Metformin 500 mg; and 30 glipizide 5 mg.

10. 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 pharmacist 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,

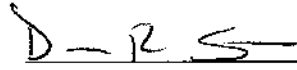
Gregory F. Zoeller
Attorney General of Indiana
Atty. No. 1958-98

By: 
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 4th day of October, 2013.

Richard J. Miller
518 W. Pargrave Place
Bloomington, IN 47403-4305



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

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