

BEFORE THE INDIANA  
BOARD OF PHARMACY  
CAUSE NUMBER: 2011 IBP 0027

IN THE MATTER OF THE LICENSE OF )  
 )  
AMBER COOPER RODDA, C.PH.T. )  
 )  
LICENSE NO: 67012443A (VALID TO PRACTICE) )



COMPLAINT

This complaint is brought against the pharmacy technician license of Amber Cooper Rodda, C.Ph.T. (Respondent), by the Office of the Attorney General, by counsel, Deputy Attorney General Darren R. Covington, on behalf of the State of Indiana (Petitioner) and pursuant to Ind. Code § 25-1-7-7, Ind. Code § 25-1-5-3, Ind. Code ch. 25-26-13, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-1 *et seq.* and Ind. Code § 25-1-9-1 *et seq.* and in support alleges and states:

FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency is 3002 Warren Way, Apartment F, Carmel, Indiana 46033. Respondent is a Pharmacy Technician in the State of Indiana having been issued license number 67012443A on November 1, 2007.
2. At all times relevant herein, Respondent was employed as a pharmacy technician at CVS Store 1367.
3. On or around March 31, 2010, Pharmacy Manager Brynn Searles, R.Ph. (Searles) was interviewed by Chad W. Greinke (Greinke), Regional Loss Prevention Manager, about personal purchases Searles made with gift cards obtained from using a transfer coupon on customer prescriptions. Searles admitted to spending over \$1,100

worth of gift cards for personal purchases obtained from fraudulently using a transfer coupon code for customer prescriptions.

4. This transfer coupon entitled a customer to a \$25 gift card if they transferred a prescription to CVS. Instead of giving the gift card to the customer, Searles used the gift card himself.

5. Following this interview with Searles, Grienke observed on video surveillance that Respondent had rung up the majority of Searles' transactions. Grienke then reviewed Respondent's employee purchases on or around April 5, 2010. Grienke discovered that Respondent had used 52 gift cards on her personal purchases, totaling approximately \$1,000 since October 2009. Grienke further discovered that these gift cards were acquired fraudulently by using the same transfer coupon code.

6. On or around April 7, 2010, Grienke interviewed Respondent. Respondent admitted to fraudulently purchasing prescriptions that had already been picked up by a customer, but had not yet cleared the waiting bin report. The waiting bin report showed a list of prescriptions that had not yet been picked up or paid for by customers. However, this report sometimes captured prescriptions that had been picked up and paid for. The prescriptions that she "purchased" had \$0 co-pays, so that no money was actually spent. Respondent used the transfer coupon code on these purchases to acquire the \$25 gift cards and admitted that she spent approximately \$1,200 worth of gift cards for her own personal purchases.

7. Respondent signed a written statement and promissory note and her employment was then terminated.

8. On June 28, 2010, Respondent renewed her Indiana pharmacy technician license online and answered "yes" to the question, "Since you last renewed, has any professional license, certificate, registration, or permit you hold or have held been disciplined or are formal charges pending in any state?" Respondent provided a copy of the consumer complaint filed against her with the Petitioner and a copy of the response she sent to the Petitioner. The Indiana State Board of Pharmacy voted to permit Respondent to continue to practice pending the conclusion of the Petitioner's investigation.

#### COUNT I

9. Paragraphs 1 through 8 are incorporated by reference herein.

10. Respondent violated Ind. Code § 25-1-9-4(a)(1)(B) in that Respondent engaged in material deception in the course of professional services or activities as evidenced by Respondent's act of fraudulently purchasing prescriptions to obtain gift cards, so that she could use those gift cards for her own personal use.

#### COUNT II

11. Paragraphs 1 through 8 are incorporated by reference herein.

12. Respondent violated Ind. Code § 25-1-9-4(a)(13) in that Respondent has assisted another person in committing an act that would be grounds for disciplinary sanctions under Ind. Code ch. 25-1-9, as evidenced by Respondent's act of ringing up fraudulent transactions to obtain gift cards for Searles.

**WHEREFORE**, Petitioner demands an order against the Respondent that:

1. Imposes the appropriate disciplinary sanction;

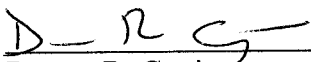
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and,

3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

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

By:



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

**CERTIFICATE OF SERVICE**

I certify that a copy of the "Complaint" has been duly served upon the Respondent, by United States mail, first-class, postage prepaid, on this 4<sup>th</sup> day of April, 2011.

Amber Rodda  
3002 Warren Way, Apt. F  
Carmel, IN 46033

By:

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Darren R. Covington  
Deputy Attorney General  
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