

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0077

IN THE MATTER OF THE INDIANA)
HOME MEDICAL EQUIPMENT PROVIDER)
LICENSE OF)
)
OXYMED, INC. D/B/A WRENCARE)
LICENSE NUMBER 69000147A (ACTIVE))



COMPLAINT

This complaint is brought against the home medical equipment provider license of OxyMed, Inc. d/b/a WrenCare (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 art. 4-21.5 and Ind. Code ch. 25-1-9 and in support alleges and states:

FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency is 3722 Lake Avenue, Fort Wayne, Indiana 46825. Respondent's last known address is 5742 Industrial Road, Fort Wayne, Indiana 46825.
2. Respondent is a licensed home medical equipment provider in the State of Indiana having been issued license number 69000147A on July 28, 2006.
3. On or around April 16, 2013, an Indiana Board of Pharmacy compliance officer made an unannounced inspection of Respondent.
4. The compliance officer observed that the location was vacant.

5. The compliance officer searched online and discovered the Respondent's new address, 5742 Industrial Road, Fort Wayne, Indiana 46825. The compliance officer then went to this new location to conduct an inspection.

6. Respondent failed to notify the Board that it moved in July 2011, and failed to obtain a license for its new location. As of July 10, 2013, Respondent did not have a license for the Industrial Road location.

COUNT I

7. Paragraphs 1 through 6 are incorporated by reference herein.

8. Respondent violated Ind. Code § 25-1-9-4(a)(3) in that Respondent has violated Ind. Code § 25-26-21-8 as evidenced by Respondent's failure to notify the Board of its move from Lake Avenue to Industrial Road in Fort Wayne, and failure to have the license transferred to the Industrial Road address.

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:

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