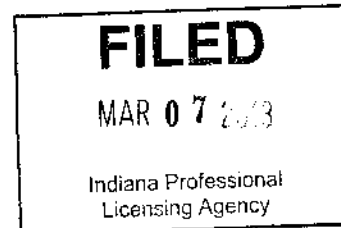


BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0037

IN THE MATTER OF THE LICENSE OF)
)
VERONICA JANET NICHOLS, PH.T.)
)
LICENSE NO. 67015637A (ACTIVE))



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 pharmacy technician license of Veronica Janet Nichols, 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 3446 Pierce Street, Gary, Indiana 46408.
3. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67015637A on May 13, 2009.
4. At all times relevant herein, Respondent was employed as a pharmacy technician with Franciscan Physicians Hospital ("the Hospital") in Munster, Indiana.
5. Respondent received and signed for the Hospital pharmacy's prescription drug deliveries from Cardinal Health on or about the following dates: September 25, 2012; September 28, 2012; October 2, 2012; October 5, 2012; November 9, 2012; and November 15, 2012.

6. Respondent placed orders for the delivery dates listed in Paragraph 5.
7. Cardinal Health's invoice records indicate controlled substances were delivered to the Hospital's pharmacy on the dates listed in Paragraph 5.
8. Under pharmacy policy, the pharmacy technician who received the delivery must then bring the prescription drugs and the corresponding invoices to the pharmacist on duty for verification. The pharmacist checks the delivery against the invoice to verify that the delivery was correct and adds the information to a narcotic log book.
9. About 8 invoices for prescription drugs delivered on the dates in Paragraph 5 are found in Cardinal Health's records but are missing from the pharmacy's narcotic log book.
10. Pharmacy records indicate that on September 28, 2012, October 4, 2012, and November 9, 2012, Respondent was the only technician working at the pharmacy when the missing prescriptions and invoices were delivered by Cardinal Health.
11. On or about October 16, 2012, Respondent submitted a falsified survey to Cardinal Health explaining that the Hospital needed increased amounts of hydrocodone tablets due to an influx of patients with high demand for the medications. Respondent failed to inform her supervisor that she submitted the survey.
12. Sometime after November 15, 2012, Cardinal Health began to hold orders of controlled substances from the Hospital Pharmacy due to suspicious activity.
13. On or about December 17, 2012, the Munster Police Department questioned Respondent and began an investigation into the alleged misconduct.

14. On or about December 17, 2012, Respondent was suspended from her duties at the Hospital, as she was responsible for diverting controlled substances that she signed for.

15. On or about December 21, 2012, the Hospital submitted a DEA Form 106 Report of Theft or Loss of Controlled Substances, which reported about 17,500 missing tablets of hydrocodone and about 8,900 missing tablets of alprazolam.

16. 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

March 7, 2013.

Veronica Janet Nichols
3446 Pierce Street
Gary, IN 46408

D-RS-

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

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