

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0037

IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:

VERONICA JANET NICHOLS, C.P.H.T.,
CERTIFICATION NUMBER: 67015637A.

FILED

MAR 22 2013

Indiana Professional
Licensing Agency

SUMMARY SUSPENSION ORDER

An administrative hearing was held on March 11, 2013, before the Indiana Board of Pharmacy ("Board") in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, to consider the Petition for Summary Suspension ("Petition") filed against Veronica Janet Nichols, C.P.H.T. ("Respondent"), by the State of Indiana ("Petitioner") on March 7, 2013.

The State of Indiana was represented by Darren R. Covington, Deputy Attorney General. Respondent failed to appear by person or by counsel.

The Board, pursuant to Ind. Code § 4-21.5-4-1 *et seq.* and Ind. Code § 25-1-9-10, by a vote of 5-0-0, **SUMMARILY SUSPENDS** the certification held by Respondent for ninety (90) days as the Board finds that an emergency exists and that Respondent represents a clear and immediate danger to the public health and safety if allowed to practice pharmacy in the State of Indiana.

This **NON-FINAL** emergency order is based on evidence supporting the following findings:

1. This Board has jurisdiction to suspend Respondent's certification 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 certified pharmacy technician in the State of Indiana having been issued certification 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.

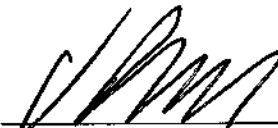
15. On or about December 21, 2012, the Hospital submitted a DEA Form 106 Report of Theft or Loss of Controlled Substances, which reported about 17,500 missing tablets of hydrocodone and about 8,900 missing tablets of alprazolam.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for a period of ninety (90) days, effective March 11, 2013.

ORDERED, this 22 day of March, 2013; this Summary Suspension Order
is effective as of March 11, 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 "Summary Suspension Order" has been duly served upon:

Veronica Janet Nichols
3446 Pierce St.
Gary, IN 46408
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
Indianapolis, IN 46204
Service by Email

3/22/13
Date

Jackie Day
Jackie Day

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Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address