

BEFORE THE INDIANA  
BOARD OF PHARMACY  
2013 IBP 0037

IN THE MATTER OF THE CERTIFICATION OF )  
VERONICA JANET NICHOLS, C.PH.T. )  
LICENSE NO. 67015637A (SUMMARY SUSPENSION) )

**FILED**

APR 22 2013

Indiana Professional  
Licensing Agency

**COMPLAINT**

This complaint is brought against the pharmacy technician certification of Veronica Janet Nichols, 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 art. 4-21,5 and Ind. Code ch. 25-1-9 and in support alleges and states:

**FACTS**

1. Respondent's address of record with the Indiana Professional Licensing Agency is 4965 Washington Street, Gary, Indiana 46408.
2. Respondent is a certified pharmacy technician in the State of Indiana having been issued certification number 67015637A on May 13, 2009.
3. At all times relevant herein, Respondent was employed as a pharmacy technician with Franciscan Physicians Hospital ("the Hospital") in Munster, Indiana.
4. 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.
5. Respondent placed orders for the delivery dates listed in Paragraph 5.

6. Cardinal Health's invoice records indicate controlled substances were delivered to the Hospital's pharmacy on the dates listed in Paragraph 5.

7. 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.

8. 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.

9. 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.

10. 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.

11. Sometime after November 15, 2012, Cardinal Health began to hold orders of controlled substances from the Hospital Pharmacy due to suspicious activity.

12. On or about December 17, 2012, the Munster Police Department questioned Respondent and began an investigation into the alleged misconduct.

13. 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.

14. 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.

15. On or around March 11, 2013, the Indiana Board of Pharmacy summarily suspended Respondent's license for ninety days.

**COUNT I**

16. Paragraphs 1 through 15 are incorporated by reference herein.

17. Respondent is subject to disciplinary sanctions pursuant to Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by her misappropriation of hydrocodone and alprazolam from Franciscan Physicians Hospital.

**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 22nd day of April, 2013.

Veronica Janet Nichols  
4965 Washington St.  
Gary, IN 46408

By: D-R S-  
Darren R. Covington  
Deputy Attorney General  
Attorney No. 28511-16

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