

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IPB 0037**

**IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:**

**VERONICA NICHOLS, C.PH.T.,
CERTIFICATION NUMBER: 67015637A.**

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Indiana Board of Pharmacy ("Board") held an administrative hearing on June 10, 2013, in Room C of the Conference Center of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning the Complaint filed by the Consumer Protection Division of the Attorney General's Office, which alleges that Veronica Nichols ("Respondent") should have her certification as a pharmacy technician disciplined.

Darren Covington, Deputy Attorney General, represented the State of Indiana. Respondent appeared in person and waived her right to be represented by counsel.

The Board, after taking official notice of its file in this matter, votes 5 to 0 to issue the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent, who has a mailing address of 4965 Washington Street, Gary, Indiana 46408, is a certified pharmacy technician with certification number 67015637A.

2. In April 2013, the Consumer Protection Division of the Attorney General's Office filed a Complaint against the Respondent. The Complaint alleged that Respondent's license should be disciplined because she knowingly violated state law regulating the practice of a pharmacy technician. The allegations were based on the assertion that she had diverted medications from her employer. Specifically, the State's charge is set out as follows:

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.

3. The State presented evidence that hydrocodone and alprazolam went missing from the inventory at the hospital, but could not submit convincing evidence that Nichols was responsible for taking it.

4. Respondent emphatically denied diverting the medications.

5. The State did not prove its charges against the Respondent by a preponderance of the evidence.

CONCLUSIONS OF LAW

1. A pharmacy technician's certification is subject to discipline if she violates the laws regulating her profession. Ind. Code § 25-1-9-10.

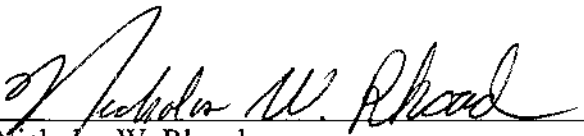
2. The Board concluded that the State did not prove its charges against the Respondent through a preponderance of the evidence.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **DISMISSES** the State's Complaint in this matter.

ORDERED, this 25th day of June, 2013.

INDIANA BOARD OF PHARMACY

By: 
Nicholas W. Rhoad
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Veronica Nichols
4965 Washington Street
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
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Service by Email

6/25/13
Date

Jackie Day
Jackie Day

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