

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NO: 2014 IBP 0001**

**IN THE MATTER OF THE INDIANA
PHARMACY LICENSE OF:**

**PAUL'S LTC PHARMACY
LICENSE NUMBER 60006285A**

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**FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER**

The Indiana Board of Pharmacy ("Board") held an administrative hearing on February 10, 2014, in Room W064 of the Indiana State Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, concerning an Administrative Complaint filed against Paul's LTC Pharmacy ("Respondent") on January 8, 2014 by the State of Indiana ("Petitioner").

The Petitioner was represented by Darren R. Covington, Deputy Attorney General. Respondent appeared by owner, Jacob Mayer.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 6-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent's address of record with the Indiana Professional Licensing Agency is 2345 W. Franklin Street, Suite 201B, Evansville, Indiana 47712.
2. Respondent is a licensed closed-door pharmacy in the State of Indiana having been issued license number 60006285A on January 5, 2012.
3. On or around May 29, 2013, a Drug Enforcement Administration ("DEA") Form 106 was submitted by Respondent to the DEA reporting the diversion of 63 Vyvanse capsules.

4. Qualifying pharmacist Ryan Scott Anslinger, R. Ph. ("Anslinger") informed an Indiana Board of Pharmacy Compliance Officer that he witnessed Anirudh Gade ("Gade") place something in his pocket and confronted him.

5. A search of Gade's pockets revealed 7 Vyvanse capsules. An inventory check showed that 63 Vyvanse capsules were missing.

6. During a May 31, 2013 visit from the Compliance Officer, there was no copy of Gade's pharmacy technician license available. A social security number check revealed that Gade did not possess a training permit or license. Gade's employment file included no licensure information.

7. Gade handled controlled substances as part of his duties, and checked deliveries that were sent to patients.

ULTIMATE FINDINGS OF FACT

Respondent violated Ind. Code § 25-1-9-4(a)(13) in that Respondent assisted Gade in working as a pharmacy technician-in-training or pharmacy technician without a permit in violation of Ind. Code § 25-26-19-9.

CONCLUSIONS OF LAW

Respondent's violations are cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or revocation and a fine up to the amount of \$1,000 per violation as detailed in Ind. Code § 25-1-9-9.

ORDER

Based upon the above Findings of Fact, Ultimate Findings of Fact, and Conclusions of Law, the Board issues the following Order:

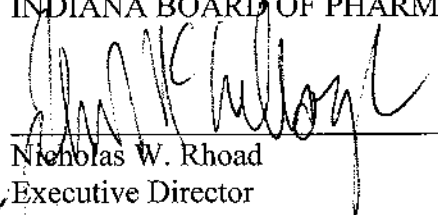
1. Respondent is issued a **LETTER OF REPRIMAND** attached hereto as Exhibit A.
2. Within thirty (30) days from the date of the Board's Order, Respondent shall pay a **FINE** in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)** payable to IPLA at 402 W. Washington Street, Room W072, Indianapolis, Indiana 46204.
3. Within thirty (30) days from the date of the Board's Order, Respondent shall, pursuant to Ind. Code § 4-6-14-10(b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:

Indiana Office of the Attorney General
ATTN: Katherine Lee
302 W. Washington St., 5th Floor
Indianapolis, IN 46204

SO ORDERED this 12th day of February, 2014.

INDIANA BOARD OF PHARMACY

By:


Nicholas W. Rhoad

Executive Director

for
Indiana Professional Licensing Agency

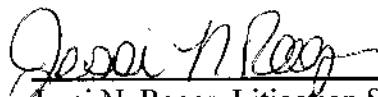
CERTIFICATE OF SERVICE

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

Paul's LTC Pharmacy
2345 W. Franklin St., Suite 201B
Evansville, IN 47712
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

2/12/14
Date


Jessi N. Rager, Litigation Specialist

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

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.



**Indiana
Professional
Licensing
Agency**

Indiana Board of Pharmacy
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Phone: (317) 234-2067
Website: PLA.IN.gov

Michael R. Pence, Governor

Nicholas W. Rhoad, Executive Director

February 12, 2014

Paul's LTC Pharmacy
2345 W. Franklin St., Suite 201B
Evansville, IN 47712

Re: In the matter of the license of Paul's LTC Pharmacy
Before the Indiana Board of Pharmacy

To Whom It May Concern:

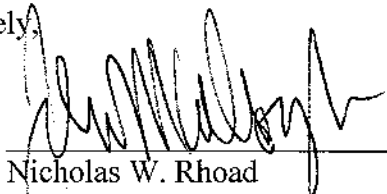
This letter of reprimand is issued as part of the Board's Order following a hearing on the charges filed by the Office of the Attorney General on January 8, 2014 with the Indiana Board of Pharmacy.

The purpose of this reprimand is to stress the important responsibility that you have by reason of possessing a license to practice as a pharmacy in this state. As a pharmacy, you are responsible for ensuring that your practice is in accordance with the standards of the profession.

The Findings of Fact, Conclusions of Law and Order is attached hereto and incorporated herein as part of this official reprimand.

Sincerely,

By:



Nicholas W. Rhoad
Executive Director

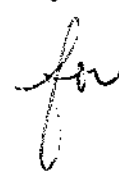
 for
Indiana Professional Licensing Agency

Exhibit A