

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 202512-BOP-0042

IN THE MATTER OF THE LICENSE OF:

PAUL'S PHARMACY

LICENSE NO: 60006286A (ACTIVE)

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PROPOSED SETTLEMENT AGREEMENT

The State of Indiana ("Petitioner"), by counsel, Deputy Attorney General Ryan P. Eldridge, on behalf of the Office of the Indiana Attorney General, and Paul's Pharmacy ("Respondent"), by Counsel Stephanie Eckerle, hereby execute this Agreement as a disposition of the Administrative Complaint filed in this cause with the Indiana Board of Pharmacy ("Board"). This Agreement is subject to the review and approval of the Board pursuant to Ind. Code § 25-1-9 *et seq.* and the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 *et seq.*

STIPULATED FACTS

Parties

1. The Office of the Attorney General ("OAG") is empowered under Ind. Code § 25-1-7-7 to prosecute this action on behalf of Petitioner against Respondent's license.
2. Respondent is a pharmacy and holds license number 60006286A, which was issued by the Board on January 5, 2012, and expires on December 31, 2027.
3. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is 4701 University Drive, Evansville, Indiana 47712.

Jurisdiction

4. On April 22, 2025, the OAG received a consumer complaint filed against Respondent, and an investigation was then conducted as authorized by Ind. Code § 25-1-7-5(b)(4).

5. After investigation, the OAG determined that the complaint had merit, and, accordingly, a copy of that consumer complaint was submitted to the Board.

6. The OAG having tendered a meritorious complaint, the Board has jurisdiction to hear this matter under Ind. Code § 25-1-7-5(b)(1).

7. Further, at all times relevant, Respondent was a “practitioner” as that term is defined by Ind. Code § 25-1-9-2. Respondent is also a “person” as that term is defined by Ind. Code § 25-26-13-2.

8. As such, the Board has authority to hear this case and to impose any of the sanctions enumerated under Ind. Code § 25-1-9-9.

Respondent’s Misconduct

Medication 1

9. On February 7, 2025, Patient 1 reported to Respondent’s location to pick up medications.

10. Patient 1 received a bag at the drive-thru that contained her information on the label and her medications within it.

11. The bag also inadvertently contained two (2) prescription bottles that belonged to Patient 2.

12. Patient 1 returned the other patient’s medication to Respondent.

13. The incident resulted in the inadvertent and unauthorized disclosure of Patient 2’s information including name, address, medication names, dosages, frequencies, quantities, directions for use, number of refills, and prescriber information.

Medication 2

14. On April 21, 2025, Patient 1 reported to Respondent's location to pick up medications.

15. Patient 1 was inadvertently provided medications that belonged to Patient 3.

16. Patient 1 returned the other patient's medication to Respondent.

17. The incident involved the inadvertent and unauthorized disclosure of Patient 3's information including name, address, medication name, dosage, frequency, quantity, directions for use, number of refills, and prescriber information.

Mitigating Factors

18. According to Respondent, the two (2) issues referred to above were isolated incidents. Both incidents were addressed immediately by Respondent with personnel at the pharmacy. Since the occurrences of the issues referred to above, Respondent has taken multiple steps to address these issues. This has included revising policies and procedures related to dispensing verification practices, retraining staff on dispensing safeguards, and performing periodic audits on compliance with verification practices.

STIPULATED CONCLUSIONS OF LAW

Count 1

Failure to Keep Abreast
Ind. Code 25-1-9-4(a)(4)(B)

19. Respondent's conduct constitutes a violation of Ind. Code § 25-1-9-4(a)(4)(B) as Respondent received another patient's medications on February 7, 2025, and April 21, 2025.

Count 2
Disclosure of PHI
Ind. Code § 25-1-9-4(a)(3)

20. Respondent's conduct constitutes a violation of Ind. Code § 25-1-9-4(a)(3). Specifically, Respondent was not in compliance with 45 CFR § 164.508(a), when Respondent inadvertently disclosed prescription records and patient information through the mis-delivery of prescription containers to Patient 1 without valid authorization or consent from Patient 2.

Count 3
Unauthorized Disclosure of PHI
Ind. Code § 25-1-9-4(a)(3)

21. Respondent's conduct constitutes a violation of Ind. Code § 25-1-9-4(a)(3). Specifically, Respondent was not in compliance with 45 CFR § 164.508(a), when Respondent inadvertently disclosed prescription records and patient information through the mis-delivery of prescription containers to Patient 1 without valid authorization or consent from Patient 3.

AGREED DISPOSITION

It is now therefore agreed by Respondent and Petitioner as follows:

1. The Board has jurisdiction over Respondent and the subject matter in this disciplinary action.
2. The parties execute this Agreement voluntarily.
3. Both parties voluntarily waive their rights to a public hearing on the Complaint and all other proceedings in this action to which either party may be entitled by law, including judicial review.
4. Petitioner agrees the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against Respondent's pharmacy license.

5. Respondent shall receive a LETTER OF REPRIMAND. A copy of this letter is attached to this agreement.

6. 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:

Office of the Indiana Attorney General
Attn: Executive Assistant, Consumer Protection
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

7. Respondent shall pay a **FINE** of **TWO THOUSAND DOLLARS (\$2,000)** to the Indiana Professional Licensing Agency. The full fine amount shall be paid within sixty (60) days of the final order. Payment shall be made payable to the State of Indiana by personal check, cashier's check, or money order, and sent to the following address:

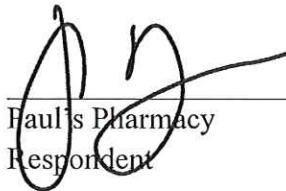
Indiana Professional Licensing Agency
Attn: Indiana Board of Pharmacy
402 W. Washington Street, Room W072
Indianapolis, Indiana 46204

8. Respondent has carefully read and examined this agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.

9. Respondent further understands that a violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of pharmacy, or any violation of this Settlement Agreement may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of

action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

10. The parties agree to the continuing jurisdiction of the Board.



Paul's Pharmacy
Respondent



Date



Counsel for Paul's Pharmacy



Date



Ryan P. Eldridge
Deputy Attorney General
Attorney No.: 34578-49



Date

Paul's Pharmacy
4701 University Drive
Evansville, Indiana 47712

Re: In the Matter of the License of Paul's Pharmacy
Before the Indiana Board of Pharmacy

To Whom It May Concern:

This letter of reprimand is issued in accordance with the Final Order Accepting the Proposed Settlement Agreement issued by the Indiana Board of Pharmacy resolving the administrative complaint against your pharmacy license filed by the Office of the Attorney General on December 4, 2025.

The purpose of this reprimand is to stress the important responsibility that you have by reason of possession of a license to practice as a pharmacy in the State of Indiana. Further, there is an expectation that you will abide by all laws for the State of Indiana.

The Findings of Fact and Final Order are attached and incorporated herein as part of this reprimand.

It is your responsibility to conduct your practice of pharmacy in accordance with the standards of the profession.

Sincerely,

INDIANA BOARD OF PHARMACY

By: _____
Matt Balla, R.Ph.
Board President

