

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0110

IN THE MATTER OF THE INDIANA
PHARMACY PERMIT OF

PAUL'S PHARMACY EAST
LICENSE NO. 60006287A (ACTIVE)

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COMPLAINT

This complaint is brought against the pharmacy license of Paul's Pharmacy East ("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 on file with the Indiana Professional Licensing Agency is 1225 Washington Square, Evansville, Indiana 47715.
2. Respondent is a licensed pharmacy in the State of Indiana having been issued license number 60006287A on January 5, 2012.
3. On or around May 16, 2012, Bachar Malek, M.D. informed Respondent that prescriptions allegedly prescribed by him for Patient S. N. were fraudulent. Dr. Malek asked Respondent's staff to not fill anymore prescriptions allegedly prescribed by him for Patient S. N.
4. A prescription history report provided to the Petitioner by Respondent, shows that Respondent filled prescriptions, allegedly prescribed by Dr. Malek, for hydrocodone 10/500 and alprazolam 2 mg between June 9, 2012 and September 11, 2012 for Patient S. N.

COUNT I

5. Paragraphs 1 through 4 are incorporated by reference herein.

6. Respondent violated Ind. Code § 25-1-9-4(a)(4)(B) in that Respondent continued to practice although it became unfit to practice due to failure to keep abreast of current professional theory or practice, as evidenced by Respondent filling prescriptions for controlled substances for Patient S. N., even though it was advised these prescriptions were fraudulent.

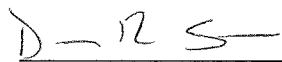
WHEREFORE, Petitioner demands an order against the Respondent that:

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 15th day of November, 2013.

Paul's Pharmacy East
c/o Scott Hodges
1225 Washington Sq.
Evansville, IN 47715

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

OFFICE OF THE INDIANA ATTORNEY GENERAL
Indiana Government Center South
302 West Washington St., Fifth Floor
Indianapolis, IN 46204-2770
Telephone Number: 317-233-6506
Facsimile Number: 317-233-4393
Email: darren.covington@atg.in.gov