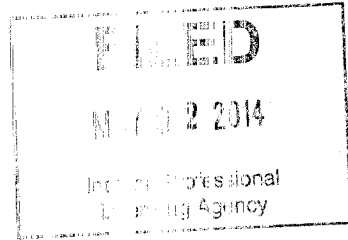


BEFORE THE INDIANA  
BOARD OF PHARMACY  
2014 IBP 0025

IN THE MATTER OF THE LICENSE OF: )  
)  
)  
)  
)  
)  
THE DRUG STORE, INC. )  
LICENSE NUMBER 60002372A (PROBATION) )



COMPLAINT

This complaint is brought against the pharmacy license of The Drug Store, Inc. (Respondent), by the Office of the Attorney General, by counsel, Deputy Attorney General Maritza K. Webb, 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 1044 North Luther Road, Georgetown, Indiana 47122.
2. Respondent is a licensed pharmacy in the State of Indiana having been issued license number 60002372A on December 31, 1987.
3. On or around June 6, 2013, a routine inspection took place in Respondent's pharmacy. Respondent was cited for having expired medications stocked in active inventory and work stations that were too cluttered to practice in a safe and sanitary manner.

4. Respondent had been warned about expired medications during previous inspections that took place on September 10, 2009 and February 24, 2012. Respondent had been warned about maintaining a clean and sanitary work area during previous inspections that took place on February 24, 2012 and May 9, 2012.

5. The June 6, 2013 inspection resulted in a required corrective action plan from Respondent, which was due within five days. No such plan was ever submitted.

6. On or around July 10, 2013, a follow-up inspection took place. Expired medication remained in active inventory and the work areas and aisles remained cluttered and unsanitary. The inspection resulted in a failure.

7. Respondent is currently on probation for failing to report to the INSPECT program.

### COUNT I

8. Paragraphs 1 through 7 are incorporated by reference herein.

9. Respondent violated Ind. Code § 25-1-9-4(a)(4)(B) in that Respondent failed to keep abreast of current professional theory or practice, as evidenced by Respondent's repeated failures to remove expired medication, maintain a clean and sterile work environment, and redress repeated violations noted during inspections.

**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,

**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 2<sup>nd</sup> day of May, 2014.

The Drug Store, Inc.  
1044 N. Luther Rd.  
Georgetown, IN 47122

By: Maritza Webb  
Maritza K. Webb  
Deputy Attorney General  
Attorney No. 30904-49

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: 317-234-7118  
Email: [maritza.webb@atg.in.gov](mailto:maritza.webb@atg.in.gov)