

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2014 IBP 0071

IN THE MATTER OF THE INDIANA)
PHARMACY INTERN REGISTRATION OF:)
)
BENJAMIN VAN WYE, R. PH. I.,)
REGISTRATION NUMBER: 45017143A (ACTIVE))



ADMINISTRATIVE COMPLAINT

This complaint is brought against the pharmacy intern registration of Benjamin Van Wye, R.Ph.I. (“the Respondent”), by the Office of the Attorney General, by counsel, Deputy Attorney General Amanda R. Elizondo, on behalf of the State of Indiana (“the 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 AT ISSUE

1. The Respondent’s address on file with the Indiana Professional Licensing Agency is 3415 Madison Avenue, Indianapolis, Indiana 46227.
2. The Respondent is a registered pharmacy intern in the State of Indiana having been issued license number 45017221A on September 6, 2011.
3. On or about July 20, 2013, the Respondent was arrested and charged with Operating a Vehicle While Intoxicated, a class C misdemeanor, and Operating a Vehicle While Intoxicated with an ACE of .08 or More, a class C misdemeanor, under Cause No. 39D01-1307-CM-708 in Jefferson County, Indiana.
4. On or about September 26, 2013, the Respondent entered into a plea agreement in which he plead guilty to Operating a Vehicle While Intoxicated, a class C misdemeanor, under

Cause No. 39D01-1307-CM-708 in the Jefferson Superior Court, located in Madison, Indiana. He was sentenced to sixty (60) days in jail, suspended, one (1) year of non-reporting probation, and a ninety (90) day driver's license suspension. During his criminal probation, the Respondent is required to refrain from consuming any alcohol or controlled substances and to undergo a substance abuse assessment.

VIOLATIONS

5. Paragraphs 1 through 4 are incorporated by reference herein.
6. Respondent violated Ind. Code § 25-1-9-4(a)(2)(B) in that Respondent has been convicted of a crime that is harmful to the public as evidenced by his September 2013 conviction for Operating a Vehicle While Intoxicated.

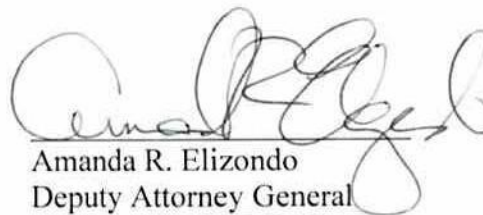
WHEREFORE, Petitioner demands an order against the Respondent that:

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:

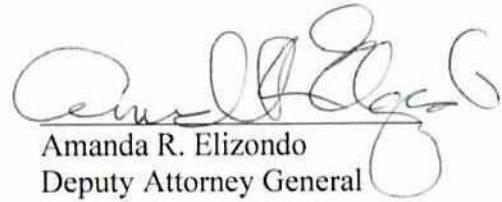

Amanda R. Elizondo
Deputy Attorney General
Attorney No. 30243-53

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 ^{29th} day of August, 2014.

Benjamin Van Wye
3415 Madison Avenue
Indianapolis, Indiana 46227

By:



Amanda R. Elizondo
Deputy Attorney General
Attorney No. 30243-53

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