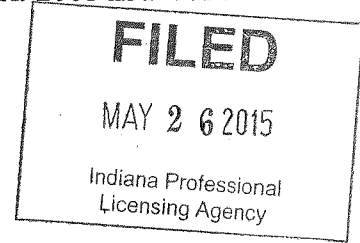


BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2005 IBP 0036

IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN CERTIFICATION OF:

DONNIELLE SHEAD, C.Ph.T.
CERTIFICATION NO: 67008613A



FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Indiana Board of Pharmacy ("Board") held an administrative hearing on May 11, 2015, in Room W064 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana concerning the "Order to Show Cause" issued by the Board which alleges that Donnielle Shead ("Shead") violated the terms of probation on her certificate and should have her certification as a pharmacy technician disciplined.

Renee Gallagher, Deputy Attorney General, represented the State of Indiana. Shead appeared in person and waived her right to be represented by counsel.

The Board, after considering the evidence and taking official notice of its file in this matter, by a vote of 7 to 0 issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Shead, who has a mailing address of 3620 Nicholas Lane, Columbus, Indiana 47203, is a certified pharmacy technician with certification number 67008613A.
2. In April 2015, the Board issued an "Order to Show Cause" against Shead alleging that Shead's certification should be disciplined because she violated the terms of probation on her certificate. The allegations were based on the assertion that she was not making her personal appearances. The terms of probation on her certification stated specifically that she should make personal appearances before the Board on a quarterly basis.

3. During the hearing Shead admitted that she had missed a personal appearance and a review of the file indicated that some of her reports/paperwork were also missing or not submitted in a timely manner.

4. Due to difficult family issues Shead is being closely monitored by the Department of Child Services ("DCS") which includes counseling and drug testing.

5. Because of the priority that Ms. Shead must place on family matters, the Board concluded that meeting the obligations of her probationary order has probably become overwhelming.

6. Shead should be eligible to come off probation later this year

7. Shead has technically violated the terms of her probation but the mitigating factors of her family situation are evidence of changed circumstances warranting a modification of the terms of probation on her license.

CONCLUSIONS OF LAW

1. A pharmacy technician's certificate is subject to discipline if she violated an order of the Board. Ind. Code § 25-1-9-4(a)(10).

2. The board may withdraw or modify the probation ... if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

3. Shead's family issues constitute changed circumstances warranting modification of the terms of her probation.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **MODIFIES** the terms of probation on Shead's license as follows. Shead's certificate remains on **INDEFINITE PROBATION** and she may not seek withdrawal of the probationary status of her certificate until September 2015.

1. During the Probationary Period, Shead's technician's certificate shall be governed by the following **TERMS** and **CONDITIONS**:
 - a. Shead shall keep the Board apprised of her home address, mailing address, e-mail address and residential telephone number at all times;
 - b. Shead shall keep the Board apprised of her place of employment, employment telephone number and name of her supervisor at all times;
 - c. Shead shall keep the Board informed of her occupation title, work schedule, including the number of hours worked at all times;
 - d. Shead shall provide a copy of all Board orders imposing discipline or limiting practice to any employer who shall sign and return a copy of such orders to the Board within seven (7) days of employment or receipt of the Order.
 - e. Shead shall make personal appearances before the Indiana State Board of Pharmacy on a quarterly basis. Her next personal appearance shall be at the Board's meeting on July 13, 2015.
 - f. Shead shall cause her Department of Child Services recovery coach to prepare reports concerning Shead addressing her professional competence, sense of responsibility, work habits, mental attitude and ability to work with others.

The reports are to be prepared on a monthly basis but are to be submitted when Shead appears for her personal appearances.

- g. Shead may not work more than 45 hours a week or 10 hours a day while on probation.
- h. Shead shall submit to the Board a copy of all prescriptions written to her for her personal consumption.
- i. Shead shall perform four (4) hours of community service for each quarter she is on probation. She shall submit proof of completion of community service to the Board on a quarterly basis in writing.
- j. Shead shall inform the Board of any relapse or use of mood altering substances immediately.
- k. Shead shall attend counseling and recovery group meetings as directed by her DCS recovery coach.
- l. If Shead is no longer employed by Walgreens, she must immediately notify the Board so that it may modify the terms of her probation accordingly.

The failure of Shead to comply with the terms of this decision may subject her to a show cause hearing and the imposition of further sanctions.

SO ORDERED, this 26th day of May, 2015.

INDIANA BOARD OF PHARMACY

By: Herbert W. Rhoad

for
Nicholas W. Rhoad
Executive Director
Indiana Professional Licensing Agency

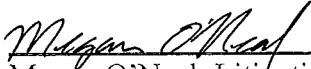
CERTIFICATE OF SERVICE

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

Donnielle Shead
3620 Nicholas Lane
Columbus, IN 47203
Service by U.S. Mail

Renee Gallagher, Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by E-mail

5-26-2015
Date


Megan O'Neal, Litigation Specialist

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Explanation of Service Methods

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