

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0026

IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:

NICOLE ANN SNODGRASS, C.PH.T.,
CERTIFICATION NUMBER: 67007304A.

FILED

APR 18 2013

Indiana Professional
Licensing Agency

**FINDINGS OF FACT, ULTIMATE FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

The Indiana Board of Pharmacy ("Board") held an administrative hearing on April 8, 2013, in Room W064 of the Indiana State Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, concerning an Administrative Complaint ("Complaint") filed against Nicole Ann Snodgrass, C.Ph.T. ("Respondent"), on March 4, 2013.

The State of Indiana ("Petitioner") was represented by Darren R. Covington, Deputy Attorney General. Respondent appeared in person and chose to proceed without counsel.

The Board, after considering the evidence presented and taking official notice of its file in this matter, by a vote of 6-0-0, issues the following Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent's address on file with the Indiana Professional Licensing Agency is 2002 Grant Street, Terre Haute, Indiana 47802.
2. Respondent is a certified pharmacy technician in the State of Indiana having been issued certification number 67007304A on December 14, 2004.

3. At all times relevant herein, Respondent was employed as a pharmacy technician with CVS Pharmacy in Clinton, Indiana.

4. On or around May 17, 2012, Respondent signed a statement for CVS Pharmacy loss prevention in which she admitted to diverting approximately 5,900 tablets of hydrocodone between January and May 2012. Respondent stated that she delivered 500 count bottles of hydrocodone to another individual, who in turn sold them. Respondent stated that she received approximately \$400 per bottle sold.

5. On or around November 8, 2012, Respondent was charged in Vermillion County, Indiana County Court with two counts of Dealing in a Controlled Substance, a Class B Felony, and three counts of Theft, a Class D Felony, under Cause Number 83C01-1211-FB-000018.

ULTIMATE FINDINGS OF FACT

Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug as evidenced by Respondent's admission that she took 5,900 hydrocodone tablets without authorization from CVS Pharmacy.

CONCLUSIONS OF LAW

Respondent's violations are cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or revocation and a fine up to the amount of \$1,000 per violation as detailed in Ind. Code § 25-1-9-4.

ORDER

Based upon the above Findings of Fact, Ultimate Findings of Fact, and Conclusions of Law, the Board issues the following Order:

1. Respondent's certification is hereby **REVOKED**.
2. Within thirty (30) days of the Board's Order, Respondent shall, pursuant to I.C. § 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:

Indiana Office of the Attorney General
Attn: Katherine Lee
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

ORDERED, this 18 day of April, 2013.

INDIANA BOARD OF PHARMACY

By: _____



Virgil R. Madden
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

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

Nicole Snodgrass
2002 Grant St.
Terre Haute, IN 47802
Service by U.S. Mail

Darren R. Covington, Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by Email

4/18/13
Date

Jackie Day
Jackie Day

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.