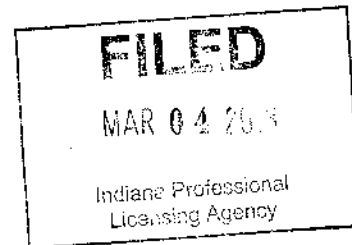


BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0029

IN THE MATTER OF THE INDIANA)
HOME MEDICAL EQUIPMENT PROVIDER)
LICENSE OF)
)
THERAPY ONE, INC.)
LICENSE NUMBER 69000536A (ACTIVE))



COMPLAINT

This complaint is brought against the home medical equipment provider license of Therapy One, Inc. (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 701 N. Weinbach, Suite 6508, Evansville, Indiana 47711. Respondent's last known address is 4922 Temple Avenue, Evansville, Indiana 47715.
2. Respondent is a licensed home medical equipment provider in the State of Indiana having been issued license number 69000536A on July 6, 2009.
3. On or around August 14, 2012, an Indiana Board of Pharmacy compliance officer made an unannounced inspection of Respondent.
4. The compliance officer observed that the inside of the location was empty, even though a sign and hours were still posted.

5. The compliance officer contacted the general manager who indicated that Respondent moved to a new location at 4922 Temple Avenue in Evansville, Indiana.

6. Respondent failed to notify the Board that it moved, and failed to obtain a license for its new location.

COUNT I

7. Paragraphs 1 through 6 are incorporated by reference herein.

8. Respondent violated Ind. Code § 25-1-9-4(a)(3) in that Respondent has violated Ind. Code § 25-26-21-8 as evidenced by Respondent's failure to notify the Board of its move from Weinbach to Temple Avenue in Evansville, and failure to have the license transferred to the Temple Avenue address.

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:

D-R S-
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 4th day of March, 2013.

Therapy One, Inc.
4922 Temple Ave.
Evansville, IN 47715

Therapy One, Inc.
701 N. Weinbach, Ste. 6508
Evansville, IN 47711

By:



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