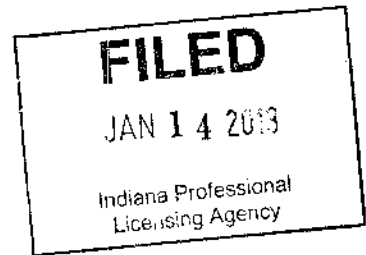


BEFORE THE INDIANA  
BOARD OF PHARMACY  
2012 IBP 0087

IN THE MATTER OF THE LICENSE OF )  
ANTHONY MATTHEW VLCAN, C.PH.T. )  
LICENSE NO. 67014116A (SUMMARY SUSPENSION) )



**COMPLAINT**

This complaint is brought against the pharmacy technician license of Anthony Matthew Vlcán, C.Ph.T. (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 375 Leisure Lane, Greenwood, Indiana 46142.
2. Respondent is a licensed pharmacy technician in the State of Indiana having been issued license number 67014116A on July 24, 2008.
3. At all times relevant herein, Respondent was employed as a pharmacy technician with CVS Pharmacy in Muncie, Indiana.
4. On or around February 22, 2010, Respondent was charged in Muncie, Indiana City Court with Possession of Marijuana, a Class A Misdemeanor, and Possession of Paraphernalia, a Class A Misdemeanor, under Cause Number 18H01-1002-CM-00422.

5. On or around April 29, 2010, Respondent entered into a pre-trial diversion agreement in Muncie City Court.

6. On or around June 25, 2010, Respondent renewed his license online and answered "no" to the question, "Since you last renewed, have you been convicted of or pled guilty to a violation of a federal or state law or are criminal charges pending?"

7. On or around May 2, 2011, Respondent completed his pre-trial diversion program and his criminal charges were dismissed.

8. In a signed statement, dated September 24, 2012, Respondent admitted to CVS Pharmacy loss prevention management that between April and August 2012 he diverted 1,160 tablets of alprazolam and 600 tablets of hydrocodone. Respondent admitted that he diverted the drugs and sold them to college students in Muncie, Indiana.

9. On or around November 5, 2012, the Indiana Board of Pharmacy summarily suspended Respondent's license for ninety days.

### **COUNT I**

10. Paragraphs 1 through 9 are incorporated by reference herein.

11. Respondent violated Ind. Code § 25-1-9-4(a)(1)(A) in that Respondent engaged in fraud or material deception in order to obtain a license to practice as evidenced by his false answer regarding pending criminal charges on his June 25, 2010 license renewal application.

### **COUNT II**

12. Paragraphs 1 through 9 are incorporated by reference herein.

13. 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 he took alprazolam and hydrocodone from CVS Pharmacy without proper authorization.

**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 14<sup>th</sup> day of January, 2013.

Anthony Vlean  
375 Leisure Ln.  
Greenwood, IN 46142

By: D-R-S  
Darren R. Covington  
Deputy Attorney General  
Attorney No. 28511-16

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