

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2012 IBP 0061**

**IN THE MATTER OF THE INDIANA)
PHARMACY TECHNICIAN)
CERTIFICATION OF:)
)
ALEX URBANSKI, C.P.H.T.,)
CERTIFICATION NUMBER: 67017285A)**



FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Alex Urbanski appeared at a hearing before the Indiana Board of Pharmacy ("Board") on October 7, 2013, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana concerning his request to have the probationary terms withdrawn from his certification as a pharmacy technician.

The state of Indiana appeared by Darren Covington, Deputy Attorney General and Tim Weber, Graduate Legal Intern. Urbanski appeared in person and waived his right to be represented by counsel.

The Board, after considering the file and the testimony of Urbanski, by a vote of 3 to 0, with 1 abstention, issued the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Alex Urbanski, whose mailing address is 8859 Mossy Rock Drive, Zionsville, Indiana 46077, is a duly certified pharmacy technician in the State of Indiana holding certification number 67017285A.

2. The Indiana Professional Licensing Agency sent, and Urbanski received, timely and proper notice of the date, time and location of this hearing pursuant to Ind. Code § 4-21.5-3-20.

3. The Board is empowered to hold this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code § 4-21.5-3.

4. The Board renewed Urbanski's certification on probation in July 2012 because he had been convicted of operating a vehicle while intoxicated in May 2012. He was placed on criminal probation for a year.

5. In August 2013 Urbanski requested that the probation be withdrawn from his license.

6. At the hearing on withdrawal of probation, Urbanski testified that he has complied with the terms of his probation. He has also completed his criminal probation.

7. The deficiency that led to the probation of Urbanski's certification involved alcohol abuse. Urbanski's compliance with his probation constitutes evidence that this problem has been remedied.

CONCLUSIONS OF LAW

1. "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).

2. Urbanski's compliance with his probation constitutes evidence that the deficiency that required disciplinary action has been remedied.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board
WITHDRAWS the probation on Urbanski's certification.

SO ORDERED this 17th of October 2013.

INDIANA BOARD OF PHARMACY

By: 

Nicholas W. Rhoad

Executive Director.

Indiana Professional Licensing Agency

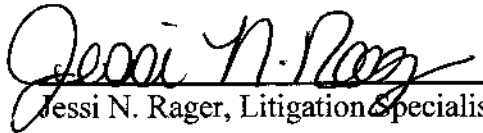
CERTIFICATE OF SERVICE

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

Alex Urbanski
8859 Mossy Rock Drive
Zionsville, IN 46077
Service by U.S. Mail

Darren 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

10/17/13
Date


Jessi N. Rager, Litigation Specialist

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

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