

BEFORE THE INDIANA  
BOARD OF PHARMACY  
CAUSE NUMBER: 2012 IBP 0095

IN THE MATTER OF THE INDIANA  
PHARMACY LICENSE OF:

JOHN T. WEBB, R.PH.  
LICENSE NUMBER: 26012306A.

**FILED**

MAR 22 2013

Indiana Professional  
Licensing Agency

**NOTICE OF PROPOSED DEFAULT AND SUMMARY SUSPENSION ORDER**

An administrative hearing was scheduled to be held on March 11, 2013, before the Indiana Board of Pharmacy ("Board") in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, to consider the Administrative Complaint ("Complaint") filed against John T. Webb, R.Ph. ("Respondent"), by the State of Indiana ("Petitioner") on January 17, 2013.

The State of Indiana was represented by Darren R. Covington, Deputy Attorney General. Respondent failed to appear in person or by counsel.

The Board, pursuant to Ind. Code § 4-21.5-3-24, voted 5-0-0 to issue a Notice of Proposed Default and Summary Suspension Order on the following grounds:

1. Respondent's address on file with the Indiana Professional Licensing Agency ("IPLA") is 3102 N. Warren Road, Bloomfield, Indiana 47424.
2. A Complaint was filed by the Petitioner against Respondent on January 17, 2013.
3. On February 18, 2013, IPLA sent a hearing notice by to Respondent at his listed address informing him of the date, time, and place of the administrative hearing on the Complaint scheduled for March 11, 2013 at 2:00 p.m.

4. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the hearing and Respondent failed to appear for the scheduled hearing in person or by counsel on March 11, 2013.

#### **NOTICE OF PROPOSED DEFAULT ORDER**

For Respondent's failure to appear for the scheduled hearing, the Board issued the following Notice of Proposed Default:

In accordance with Ind. Code § 4-21.5-3-24, Respondent must file a written motion within seven (7) days of service of this Order requesting the Board not enter a default order in this case and stating the reasons relied upon for that request. Failure of Respondent to file such a written motion within seven (7) days shall result in the issuance of a default order. If Respondent timely files a motion, the Board shall consider said motion along with any relevant facts in determining whether a default order should be entered. Should a default order be entered against Respondent, the Board may hold further proceedings it deems appropriate to complete this case without the participation of Respondent.

#### **SUMMARY SUSPENSION ORDER**

The Board, pursuant to Ind. Code § 4-21.5-4-1 *et seq.* and Ind. Code § 25-1-9-10, by a vote of 5-0-0, **SUMMARILY SUSPENDS** the license held by Respondent for ninety (90) days as the Board finds that an emergency exists and that Respondent represents a clear and immediate danger to the public health and safety if allowed to practice pharmacy in the State of Indiana.

This **NON-FINAL** emergency order is based on evidence supporting the following findings:

1. On or around November 13, 2012, Respondent was charged in Vigo County, Indiana Superior Court with two counts of Dealing in a Controlled Substance, a Class B Felony; two counts of Obtaining a Controlled Substance by Fraud or Deceit, a Class D Felony; and, five counts of Theft, a Class D Felony, under Cause Number 84D01-1211-FB-03519.

2. These charges were based upon Respondent's diversion of controlled substances and cash from JR Pharmacy in Terre Haute, Indiana.

**WHEREFORE, RESPONDENT IS ORDERED** to immediately cease all acts constituting the practice of pharmacy for a period of ninety (90) days, up to and including June 9, 2013.

**ORDERED**, this 22 day of March, 2013; the Summary Suspension is effective as of March 11, 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 "Notice of Proposed Default Order and Summary Suspension Order" has been duly served upon:

John Webb  
3102 N. Warren Rd.  
Bloomfield, IN 47424  
**Service by U.S. Mail**

Joseph Etling  
Attorney for Respondent  
77 Cherry St.  
Terre Haute, IN 47807  
**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**

3/22/13  
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.