

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0018

IN THE MATTER OF THE LICENSE OF)
WELLFOUNT CORP.)
LICENSE NO. 60005933A (ACTIVE))



COMPLAINT

This complaint is brought against the pharmacy license of Wellfount, Corp. (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 5751 W. 73rd Street, Indianapolis, Indiana 46278.
2. Respondent is a licensed pharmacy in the State of Indiana having been issued license number 60005933A on February 15, 2006.
3. On or around February 6, 2012, Respondent hired William Thomas as a pharmacy technician-in-training. Respondent knew that Thomas had a pending application for a pharmacy technician-in-training license when it hired Thomas.
4. On or around May 31, 2012, Respondent terminated Thomas' employment due to his work performance.

5. While Thomas was employed by Respondent, he did not have an active pharmacy technician-in-training license. Thomas received his pharmacy technician-in-training license on June 12, 2012.

6. A pharmacy technician-in-training may only work without a permit for thirty (30) days after filing an application. *See* Ind. Code § 25-26-19-6(b).

7. It is a violation of Ind. Code § 25-26-19-9 for a pharmacy technician-in-training to work without a permit for more than thirty (30) days after filing an application.

COUNT I

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

9. Respondent violated Ind. Code § 25-1-9-4(a)(13) in that Respondent assisted Thomas in working as a pharmacy technician-in-training without a permit in violation of Ind. Code § 25-26-19-9.

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 8th day of February, 2013.

Wellfount Corp.
Attn: Kelley Wells, R.Ph.
5751 W. 73rd St.
Indianapolis, IN 46278

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

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