

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 1996 IBP 0004**

**IN THE MATTER OF THE INDIANA
PHARMACIST LICENSE OF:**

**KATHERINE WALTERS, R.PH.,
LICENSE NUMBER: 26016812A.**

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FILED

APR 18 2013

Indiana Professional
Licensing Agency

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Katherine Walters appeared at a hearing before the Indiana Board of Pharmacy ("Board") on April 8, 2013, in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana concerning her request to have the probationary terms withdrawn from her license as a pharmacist.

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

The Board, after considering the file and the testimony of Walters, by a vote of 6 to 0, issued the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Katherine Walters, whose mailing address is 8686 Calhoun Place, Crown Point, Indiana 46307, is a duly licensed pharmacist in the State of Indiana holding license number 26016812A.

2. The Indiana Professional Licensing Agency sent, and Walters 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 suspended Walters' license in 1996 because she had become unfit to practice and had diverted drugs. In 1997, the Board reinstated her license on probation. In 1998, however, she surrendered her license. The Board did not place any conditions on the reinstatement of her license and she applied for reinstatement in January 2010.

5. At the hearing on reinstatement, Walters testified that although she had not practiced since 1996, she recently passed the NAPLEX and MPJE exams.

6. She had been treated for depression but no longer took medication.

7. A Board approved addictionologist, Doctor Frick, determined that she was fit to practice and the Board reinstated her license on probation in February 2010.

8. In February 2013, Walters asked that the probation on her license be withdrawn.

9. At the hearing on withdrawal of probation, Walters testified that she has complied fully with the terms of her probation. She was not a candidate for the Pharmacists Recovery Network program.

10. The deficiency that led to the probation of Walters' license involved drug abuse. Walters' compliance with her 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).

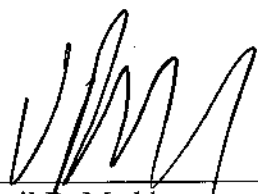
2. Walters' compliance with her probation constitutes evidence that the deficiency that required disciplinary action has been remedied.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **WITHDRAWS** the probation on Walters' license.

ORDERED, this 18 of April, 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 "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Katherine Walters
8686 Calhoun Place
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Service by U.S. Mail

Darren R. Covington, Deputy Attorney General
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Service by E-Mail

4/18/13
Date

Jackie Day
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