

BEFORE THE STATE  
BOARD OF DENTISTRY  
2013 ISBD 0002

IN THE MATTER OF THE LICENSE OF )  
 )  
KELLY MARIE VOSS-JOHNSON, L.D.H. )  
 )  
LICENSE NO. 13005726A (SUMMARY SUSPENSION) )



COMPLAINT

This complaint is brought against the dental hygienist license of Kelly Marie Voss-Johnson, L.D.H. (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 § 25-14-1-13, 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 5891 W Glenview Drive, McCordsville, Indiana 46055.
2. Respondent is a licensed dental hygienist in the State of Indiana having been issued license number 13005726A on June 24, 2005.
3. At all times relevant herein, Respondent worked as a dental hygienist at Beautiful Smiles for David W. Goris, D.D.S.
4. While employed by Dr. Goris, Respondent stole Dr. Goris' prescription pad and fraudulently wrote prescriptions for Vicodin ES for her own personal use.
5. Vicodin ES is a Schedule III controlled substance, and a legend drug as defined under Ind. Code § 16-18-2-199.

6. Respondent's use of Vicodin ES in this manner was illegal and abuse of the drug.

7. On or around January 29, 2013, Respondent was charged in Marion County, Indiana Superior Court with Forgery, a Class C Felony, under Cause Number 49G20-1301-FC-006400.

8. On February 13, 2013, the State Board of Dentistry summarily suspended Respondent's license for ninety days.

### COUNT I

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

10. Respondent violated Ind. Code § 25-1-9-4(a)(1)(B) in that Respondent has engaged in fraud or material deception in the course of professional services and activities as evidenced by Respondent's act of stealing Dr. Goris' prescription pad and forging prescriptions for her own personal use.

### COUNT II

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

12. Respondent violated Ind. Code § 25-1-9-4(a)(8)(A) in that Respondent has diverted a legend drug (as defined in Ind. Code § 16-18-2-199) as evidenced by Respondent's use of forged prescriptions to obtain controlled substances for her own personal use.

### COUNT III

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

14. Respondent violated Ind. Code § 25-1-9-4(a)(4)(D) in that Respondent has continued to practice although she has become unfit to practice due to addiction to, abuse

of, or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely, as evidenced by Respondent's illicit use of controlled substances.

**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  
Atty. No. 28511-16

**CERTIFICATE OF SERVICE**

I certify that a copy of the "Complaint" has been duly served upon the Respondent and Respondent's counsel, by United States mail, first-class, postage prepaid, on this 8<sup>th</sup> day of April, 2013.

Kelly Voss-Johnson  
5891 W Glenview Dr.  
McCordsville, IN 46055

Stephen Pugliese, *Esq.*  
Attorney for Respondent  
4 East Main Street  
P.O. Box 350  
Pittsboro, Indiana 46167

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

Office of the Attorney General  
302 W. Washington St., 5<sup>th</sup> Flr.  
Indianapolis, IN 46204  
Phone: 317-233-6506  
Fax: 317-233-4393  
[darren.covington@atg.in.gov](mailto:darren.covington@atg.in.gov)