

STATE OF INDIANA)
) SS: IN THE CIRCUIT COURT
COUNTY OF MADISON) OF MADISON COUNTY

2026 TERM

STATE OF INDIANA

CAUSE NO. 48C0

VS.

BOND \$ _____

BRANDY NICOLE RIFNER FEMALE/W

[REDACTED]

DOB: [REDACTED]
HGT: 5'07"
HAIR: BROWN

SSN: [REDACTED]
WGT: 175 LBS
EYES: BROWN

INFORMATION FOR:

COUNT I:
OBTAINING A CONTROLLED SUBSTANCE BY FRAUD OR DECEIT
A LEVEL 6 FELONY
I.C. 35-48-4-14(c)

COUNT II:
FURNISHING FALSE OR FRAUDULENT INFORMATION
A LEVEL 6 FELONY
I.C. 35-48-4-14(b)(3)

WITNESSES:

JUSTIN WHITE, INDIANA ATTORNEY GENERAL
QUEST DIAGNOSTIC CENTER ANALYST,
HOMAND BAHRAMI,
CHARLIE DRIVER,
QUEST DIAGNOSTICS CENTER KEEPER OF RECORDS,
DR. SUMA KHARIDI,
TODD KNOWLES, INDIANA ATTORNEY GENERAL
DENZIL LEWIS,
KENDALL OSBORN,
ALLISON WILSON,

SEAL

APPROVED BY ME:

Kimberly Savoie, 26915-49
DEPUTY ATTORNEY GENERAL

STATE OF INDIANA)
) SS:
COUNT OF MADISON)
STATE OF INDIANA

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OF MADISON COUNTY

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VS

INFORMATION FOR: COUNT I:
OBTAINING A CONTROLLED SUBSTANCE BY
FRAUD OR DECEIT
A LEVEL 6 FELONY
I.C. 35-48-4-14(c)

BRANDY NICOLE RIFNER

COUNT I:
OBTAINING A CONTROLLED SUBSTANCE BY FRAUD OR DECEIT
A LEVEL 6 FELONY
I.C. 35-48-4-14(c)

Between August 9, 2025 and November 3, 2025, in Madison County, State of Indiana, Brandy Nicole Rifner did knowingly or intentionally acquire possession of a controlled substance, to-wit: Fentanyl by misrepresentation, fraud, forgery, deception, subterfuge, alteration of a prescription order, concealment of a material fact, use of a false name, or use of a false address.

ALL OF WHICH IS CONTRARY to the form of the statutes in such cases made and provided by I.C. 35-48-4-14(c) and against the peace and dignity of the State of Indiana.

COUNT II:
FURNISHING FALSE OR FRAUDULENT INFORMATION
A LEVEL 6 FELONY
I.C. 35-48-4-14(b)(3)

Between August 9, 2025 and November 3, 2025, in Madison County, State of Indiana, Brandy Nicole Rifner did knowingly or intentionally furnish false or fraudulent material information in or omit material information from a report or document required to be kept or filed by I.C. 35-48.

ALL OF WHICH IS CONTRARY to the form of the statutes in such cases made and provided by I.C. 35-48-4-14(b)(3) and against the peace and dignity of the State of Indiana.

/s/Kimberly L. Savoie
Kimberly L. Savoie
DEPUTY ATTORNEY GENERAL

Rifner/DM3867351/x *[..]*

STATE OF INDIANA) IN THE MADISON _____ COURT
) SS:
COUNTY OF MADISON) CAUSE NO:

STATE OF INDIANA)
)
VS.)
)
Brandy Nicole Rifner)
DOB: [REDACTED])

AFFIDAVIT FOR PROBABLE CAUSE

I, Justin White, Drug Diversion Investigator for the Office of the Indiana Attorney General, Medicaid Fraud Control Unit, have probable cause to believe that Brandy Nicole Rifner, in the County of Madison, State of Indiana, did commit the following crimes:

I.C. 35-48-4-14(c) Obtaining a Controlled Substance by Fraud, a Level 6 Felony
I.C. 35-48-4-14(b)(3) Furnishing False or Fraudulent Information, a Level 6 Felony

- 1) I participated in the investigation of the criminal offenses described in this affidavit. The statements contained in this affidavit are founded, in part, on information provided to me through conversations or written statements and information from employees of Community Health Network (CHN) and Community Hospital Anderson (CHA), and medical records related to this investigation. I believe these witnesses to be truthful and credible.
- 2) Because this affidavit is being submitted for the purposes of filing criminal charges, I have not included all facts that have been revealed during the course of this investigation. I have set forth only the facts that are believed to be necessary to establish the required foundation for probable cause.
- 3) Brandy Nicole Rifner (Rifner) was born on [REDACTED]. She is a Registered Nurse (RN), License Number 28173661A, and was licensed in the State of Indiana on June 20, 2007. As a Registered Nurse, as defined by Indiana Code 25-23-1-27.1, she is a "licensed health professional". She is still employed by Community Health Network.
- 4) Community Hospital Anderson is located at 1515 N Madison Ave, Anderson, IN 46011. Community Hospital Anderson is registered with the Indiana State Board of Pharmacy to dispense controlled substances. Under both state (I.C. 35-48-3-3 (e)(1)) and federal law (21 C.F.R. 1301.22), Rifner is exempted from registering separately with the state or federal government to handle controlled substances due to being an authorized employee of a registered party, to wit: Community Hospital Anderson, as long as she is acting in the usual course of her employment.
- 5) Community Hospital Anderson and its employees or agents, acting in the usual course of their employment, are required to maintain complete and accurate records under both Indiana and Federal laws pertaining to the dispensation of all controlled substances. Specifically, Indiana Code (I.C) 35-48-3-7 mandates that records be kept in conformance with the record-

keeping requirements of federal law and regulation and with any additional rules the Indiana State Board of Pharmacy issues such as 856 IAC 1-28.1-12. Title 21 United States Code (U.S.C.) 827(a)(3) and Title 21 Code of Federal Regulations (C.F.R.) 1304.22 (21 C.F.R. §1304.22) require a complete and accurate record be maintained for the dispensing or administration of a controlled substance to a patient, including:

- a. Number of units or volume of drug dispensed
- b. Name and address of the person to whom it was dispensed
- c. Date of dispensing
- d. Number of units or volume dispensed
- e. Written or typewritten name or initials of the individual who dispensed or administered the substance

In addition, Federal Regulation 21 C.F.R. § 1317.95(d) mandates any controlled substance that is removed for dispensing, but not actually given to the patient must be witnessed by another staff member and may be destroyed. If destroyed, then a drug destruction record must be made.

- 6) Community Hospital Anderson and their in-house pharmacy utilize an Omnicell automated medication dispensing system to store and dispense medications to patients within their facility. Assigned nurses remove medications from the Omnicell machine per a physician order and dispense to the patients. Nurses remove medication from the Omnicell machine by entering their fingerprint and/or a unique identification code assigned to them. When drugs are removed from the Omnicell, and dispensed to a patient, the nurse completes a Medication Administration Record (MAR) which documents the date, time and quantity of the drug remaining in the Controlled Substance Record/Report (CSR). After the medication has been dispensed to the patient, nurses scan the patients' wristband to document the medication was given to the patient.
- 7) A MAR is the report that serves as a legal record of the drugs administered to a patient by a health care professional. The MAR and the CSR are a part of a patients' permanent record in their medical chart. The health care professional is required to document in the MAR and the CSR each time that medication is administered. Any controlled substance that is removed from the Omnicell for dispensing, but not actually given to the patient must be witnessed by another staff member and must be destroyed. The staff member would then fill out a corresponding drug destruction record.
- 8) Community Health Network (CHN) Corporate Investigator, Denzil Lewis (Lewis) submitted a complaint on Rifner. In the complaint, Lewis explained that "this investigation has definitively uncovered the fact that RN Rifner was diverting (stealing) controlled substances to wit: Fentanyl and Hydromorphone for personal use". Additionally, in the complaint, Lewis explained that on 11/24/2025 the urine drug screen (UDS) results were published by the medical review officer (MRO). Those results showed a positive (Dilute) UDS for Fentanyl and Norfentanyl.
- 9) CHN provided various records from their internal investigation. One of those records was an Investigative Summary that was written by CHN Corporate Investigator, Lewis.
- 10) On 10/24/2025, CHN Corporate Investigator, Lewis, received an email from Community Hospital Anderson's (CHA) Director of Pharmacy (DOP), Homand Bahrami (DOP Bahrami), regarding the nursing practice concerns of Rifner. During a monthly review of

control check data, it was noted that Rifner had several anomalies and discrepancies which were cause for concern.

- 11) The investigation uncovered several concerning anomalies and discrepancies regarding Rifner's nursing practice. These include but are not limited to high access of controlled substances, life crisis, unreasonable time between dispensing, administering and wasting of controlled substances, back charting, overriding AI software, beginning of shift dispenses, going to the restroom after dispensing and before administration or before wasting, spending excessive time in the restroom, and wearing long sleeves every day.
- 12) A Drug Diversion Investigative Response Team (DDIRT) was scheduled for 11/10/2025 via Webex to examine the evidence and discuss next steps. During the DDIRT, the first issue that was presented was the statistical concerns relating to Rifner's dispensing and administration of controlled substances. CHN utilizes AI software control check to gather data relating to the dispense, administration and wasting of controlled substances. According to control check data, Rifner was the #1 dispenser of Fentanyl (a Schedule II Controlled Substance), Hydromorphone and Morphine for the 90-day period. The 90-day period review was of controlled substance dispenses in the Emergency Department of CHA. The time-period was from 7/23/2025-10/21/2025.
- 13) Rifner had dispensed 3,900mcg of Fentanyl. The second highest was 1,700mcg and the third highest was 1,150mcg. Rifner's dispense of Fentanyl is (approximately) 129% higher than the #2 registered nurse in the same unit. The difference between the #2 and #3 registered nurse is (approximately) 48%. Furthermore, Rifner dispensed 63.5mg of Hydromorphone. The second highest was 16mg and the third highest was 15.5mg. Rifner dispensed (approximately) 279% more Hydromorphone than the second highest dispenser. The difference between the second and third highest dispensers of Hydromorphone is (approximately) 3.2%.
- 14) Additionally, during the DDIRT meeting, there were seven suspicious incidents reviewed. While these anomalies were not the only evidence in this case, they were the only ones presented during the DDIRT meeting in the interest of time and repetitiveness. The investigation uncovered the fact that RN Rifner repeatedly dispensed Fentanyl and prior to wasting, she spends unreasonable amounts of time in the fast-track bathroom.
- 15) At the conclusion of the DDIRT meeting members voted on next steps, and the group unanimously voted that Rifner should be interviewed by corporate investigators pursuant to the Drug Free Workplace policy. The decision was made that Rifner should be interviewed at the end of her shift on 11/12/2025 at 7am.
- 16) On 11/12/2025, CHN Corporate Investigators, Lewis and Charlie Driver (Driver), interviewed Rifner. Additionally, Allison Wilson (Director of Nursing: ER Department) and Kendall Osborn (ER Unit Manager) were present during the interview of Rifner. During the interview, Rifner admitted to diverting Fentanyl and Hydromorphone from CHA. When asked where she was injecting the medications, she informed Lewis and Driver that she was injecting them in her muscles in her legs.
- 17) On 11/12/2025, after Rifner was interviewed by CHN Corporate Investigators, she was taken for a urine drug screen. She tested positive (Dilute) for Fentanyl and Norfentanyl. The results were verified on 11/24/2025 by medical review officer, Suma Kharidi, MD.

- 18) An Inspect report for Rifner was generated from 4/9/2023 to 4/9/2026. The Inspect report does not show any prescriptions of fentanyl or hydromorphone for Rifner.
- 19) After reviewing the investigation records provided by CHN, there were multiple instances where Rifner would document a waste of Fentanyl. The following are a few of those transactions.
- 20) On 8/9/2025, Rifner dispensed 50mcg's of Fentanyl for patient [REDACTED] at 8:24pm. She documented administering 8.5mcgs of Fentanyl at 8:32pm. Then, she documented administering another 8.5mcg's at 8:36pm. Rifner documented wasting 33mcg's of Fentanyl at 10:28pm.
- 21) On 10/3/2025, Rifner dispensed 100mcg's of Fentanyl for patient [REDACTED] at 7:53pm. She documented administering 50mcg's of Fentanyl at 7:56pm. Then, Rifner documented wasting the remaining 50mcg's of Fentanyl at 10:29pm. The documented waste by Rifner occurred 2 hours and 36 minutes after the dispense and 2 hours and 33 minutes after she documented the administration.
- 22) On 10/22/2025, Rifner dispensed 100mcg's of Fentanyl for patient [REDACTED] at 8:22pm. She documented administering 75mcg's of Fentanyl at 8:23pm. Then, Rifner documented wasting the remaining 25mcg's of Fentanyl at 9:00pm.
- 23) On 11/3/2025, Rifner dispensed 50mcg's of Fentanyl for patient [REDACTED] at 5:20am. Rifner documented wasting 50mcg's of Fentanyl at 6:20am.
- 24) On 1/7/2026, Rifner emailed a response regarding the complaint forwarded by CHN following their internal investigation. In the beginning on her response, Rifner said "I acknowledge that I identified a personal health issue related to substance use at the time of the events described and that I requested assistance once the concern was identified. I take responsibility for addressing my condition and for fully complying with all required monitoring and treatment."
- 25) On 4/8/2026, Investigator Todd Knowles and I interviewed Rifner at 8720 Castle Creek Pkwy. E. Dr., Suite 250, Indianapolis, IN 46250. During the interview, Rifner admitted to diverting injectable Fentanyl and Hydromorphone from CHA. She said that she would usually inject the medication in her left leg (muscle on the thigh). She denied injecting the medications in the bathroom at CHA but admitted to diverting the medications in her car when she got home.
- 26) Rifner said that she did not divert the portion of the medication that was supposed to go to the patient, but she did divert the portion of the medication that was supposed to be wasted. She informed Investigator Knowles and I that not every single waste was diverted. She was diverting intermittently, and it was not every shift that she worked. Rifner was asked when she started to divert medications from CHA, and she said she was not exactly sure, but it was probably around the end of July 2025 or the beginning of August 2025. She continued to divert medications up until she was spoken to by CHN Corporate Investigators, which was on 11/12/2025.
- 27) Rifner informed Investigator Knowles and I that she knew she was going to test positive on the drug screen for Fentanyl. I told Rifner that she did not test positive for Hydromorphone on her drug screen and asked her if that was because it had been a while since she had used Hydromorphone. Rifner said probably. Rifner did not remember specific patients that she diverted medications from or specific dates that she remembered diverting medications.

28) During the interview, I brought up an instance that occurred on 10/3/2025. Rifner dispensed 100mcg of fentanyl at 7:28pm. She documented administering 50mcg of fentanyl at 7:42pm to patient [REDACTED]. Then, she documented wasting 50mcg of Fentanyl at 7:49pm. I told Rifner that after she dispensed the medication, she entered the restroom at 7:31pm and exited the restroom at 7:35pm while she was in possession of Fentanyl. Then, she documented administering and documented wasting the medication. I asked Rifner if this could have been an instance where she diverted the left-over waste of Fentanyl. She said it could be.

29) This investigation reveals on at least one occasion between August 9, 2025, and November 3, 2025, Brandy Nicole Rifner knowingly or intentionally acquired possession of a controlled substance; to wit: fentanyl, by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact in violation of I.C. 35-48-4-14(c).

30) This investigation reveals that on at least one occasion between August 9, 2025, and November 3, 2025, Brandy Nicole Rifner knowingly or intentionally furnished false or fraudulent material information in or omitted material information from a report or other document required to be kept or filed under I.C. 35-48 as to the documentation of the dispensing or administration of controlled substances in violation of I.C. 35-48-4-14(b)(3).

I swear, under the penalty for perjury as specified by I.C. 35-44.1-2-1 that the foregoing is true to the best of my information and belief.

/s/ Justin White
Affiant, Justin White
Drug Diversion Investigator
OAG-MFCU