

**STATE OF INDIANA
INDIANA COMMISSION ON SUPPLIER
DIVERSITY**

**IN THE MATTER OF
DENIAL OF RECIPROCAL
CERTIFICATION TO BOSWELL**

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**NOTICE OF RESOLUTION OF GRIEVANCE PURSUANT TO INDIANA CODE
§ 4-13-16.5-9**

Boswell Prescription Center ("Boswell") submitted a grievance regarding the Indiana Department of Administration Division of Supplier Diversity's ("DSD") finding that Pennsylvania lacked a race- and gender-conscious certification program and therefore Pennsylvania companies, including Boswell, did not qualify for reciprocal certification. This grievance was submitted pursuant to Indiana Code § 4-13-16.5-9(c), which states in relevant part:

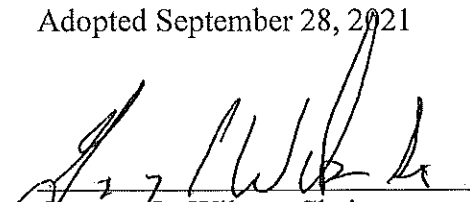
- (c) The procedures established under the rules must provide for final resolution of grievances before either of the following:
- (1) A panel of three (3) commission members. A panel formed under this subdivision must consist of at least two (2) commission members described in section 2(a)(5) of this chapter.

A panel of three (3) Commission members conducted a virtual public meeting to review Boswell's grievance on September 28, 2021, at 3:00 p.m. (EST). Representative from Boswell and DSD attended the meeting and were provided an opportunity to present information and answer panel questions. After due consideration of the materials provided by the parties, the panel voted 3-0 in favor of adopting DSD's finding that that Pennsylvania lacks a race- and gender-conscious certification program and therefore Pennsylvania companies, including Boswell, do not qualify for reciprocal certification.

THEREFORE, IT IS ORDERED THAT:

1. The Commission affirms its reciprocity policy requiring states to have a certification program substantially similar to Indiana's.
2. DSD deny reciprocal certification to Pennsylvania companies, including Boswell.
3. This order is subject to IC 4-21.5.

Adopted September 28, 2021



Gregory L. Wilson, Chair