



misdemeanors.” The application form directs that if the applicant answers yes, the applicant must attach a Form S-150: Personal History.

3. The background report provided to the Board by the Kansas Bureau of Investigation reports that on or about August 1, 1981, Applicant was arrested for felony stealing. Applicant later plead guilty to misdemeanor stealing with one year of probation.

4. On January 20, 2017 the Board sent a letter to Applicant requesting submission of a Form S-150: Personal History to explain the Applicant’s criminal history or offenses.

5. On or about March 15, 2017, the Board received Applicant’s S-150 Personal History Form, which contained court documents referring to the 1981 stealing conviction. No other supporting documents were included. Applicant did not provide any explanation pertaining to his DUI charge, or any testimony about the events leading up to the arrest. Applicant also failed to discuss any rehabilitation efforts he has made since the arrests.

6. To date, Applicant has not provided the Board any further explanation pertaining to his DUI arrest or stealing conviction. Applicant has also provided no testimony or documentation of rehabilitative efforts following the arrests.

#### CONCLUSIONS OF LAW

7. That pursuant to K.S.A. 65-1663, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as a pharmacy technician on any ground which would authorize the board to take action against the license of a pharmacist under K.S.A. 65-1627, and amendments thereto.

8. That pursuant to K.S.A. 65-1627(a)(2), the Board may deny the granting of a license to a pharmacist if a licensee fails to show sufficient rehabilitation to warrant the public trust.

9. That pursuant to 65-1627(a)(3), the Board may deny licensure to an applicant if the licensee is found by the board to be guilty of unprofessional conduct.

10. That pursuant to K.S.A. 65-1626(ccc)(7), unprofessional conduct is defined as conduct likely to deceive, defraud or harm the public.

11. Applicant's various felony and misdemeanor arrests and lack of explanation or evidence of rehabilitation, is a basis to deny Applicant's Application for failure to comply with K.S.A. 65-1627(a)(2) and K.S.A. 65-1627(a)(3).

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

#### NOTICES

Applicant is hereby notified as follows:

12. Applicant may request a hearing pursuant to the Kansas Administrative Procedure Act by filing a written request with the Kansas Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1231 within fifteen (15) days after service of this order.

13. If a hearing is not requested as described above, the Order denying Applicant's Registration as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

14. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

15. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Alexandra Blasi, JD, MBA  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.

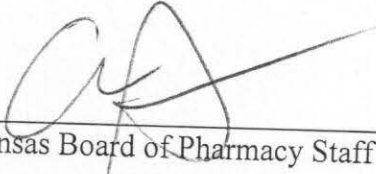
4/14/12  
Date

Alex Blasi  
Alexandra Blasi, JD, MBA  
Executive Secretary  
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 14 day of April, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Robert Cain  
8810 Cambridge Ave, Apt 903  
Kansas City, MO 64138

  
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Kansas Board of Pharmacy Staff