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FILED  
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PHARMACY BOARD  
TOPEKA, KANSAS

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of the Application of )  
Stacy L. Davison, for a ) Case No. 11-162  
Pharmacy Technician Registration. )

SUMMARY ORDER

NOW this 16<sup>th</sup> day of November, 2011, the above captioned matter comes before the Kansas State Board of Pharmacy (“Board”) on the application of Stacy L. Davison (“Respondent”) for a Pharmacy Technician Registration. After considering the foregoing, the Board’s Investigation Member, in accordance with the authority granted to him by the Board, enters the following Summary Order:

FACTS

1. Respondent is a resident of 5274 Clark, Belton, MO 64012.
2. The Board has the authority to grant Respondent a Pharmacy Technician Registration.
3. On October 19, 2011, Respondent applied for a Pharmacy Technician Registration with the Board.
4. The Board’s application for a Pharmacy Technician Registration (“Application”) states the following: “If you do not fully and truthfully report your history, your application will be denied and/or you will be subject to other sanctions.”

5. Part IV of the application for Pharmacy Technician Registration (“Application”) asks: “Have you ever been cited, arrested for, charged with, or convicted of the commission of any crime, offense, or violation of the law in any state or by the federal government even if those charges were dismissed or expunged?” Respondent responded “YES.”

6. The Application further states: “. . . if the answer is ‘Yes’ to any part of these questions, you must provide a notarized written detailed explanation of the circumstances.

7. Respondent failed to provide any explanation to her “YES” response to the above question.

8. The Kansas Bureau of Investigation did a criminal background search on Respondent and provided the Board with an Abstract of Criminal History, more commonly known as the RAP Sheet.

9. Respondent’s RAP Sheet documents that on June 29, 2002, the Polk County Court, Livingston, Texas dismissed a charge of Theft of Property Greater than \$20.00 against Respondent.

10. Respondent’s RAP Sheet documents that on June 17, 2004, Respondent was convicted of Tampering with Government Records by the 349<sup>th</sup> Judicial District in Crockett, Texas.

#### CONCLUSIONS OF LAW AND FACT

For purposes of this order, the Board’s Investigation Member makes the following conclusions of law and fact:

1. Respondent has applied to the Board for a Pharmacy Technician Registration.

2. On June 29, 2002, the Polk County Court, Livingston, Texas dismissed a charge of Theft of Property Greater than \$20.00 against Respondent.

3. On June 17, 2004, Respondent was convicted of Tampering with Government Records by the 349<sup>th</sup> Judicial District in Crockett, Texas.

4. Part IV of the application for Pharmacy Technician Registration asks: "Have you ever been cited, arrested for, charged with, or convicted of the commission of any crime, offense, or violation of the law in any state or by the federal government even if those charges were dismissed or expunged?" Respondent responded "YES."

5. The Application further states: ". . . if the answer is 'Yes' to any part of these questions, you must provide a notarized written detailed explanation of the circumstances.

6. Respondent failed to provide any explanation to her "YES" response to the above question.

7. Pursuant to K.S.A. § 65-1663(e)(1), 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. Pursuant to K.S.A. § 65-1627(a)(15), the Board may deny a license when "(15) the licensee has failed to provide the board, its investigators any information legally requested by the board."

9. Respondent failed to disclose her prior arrests and conviction as legally requested by the Board in its Application for Pharmacy Technician Registration.

WHEREFORE, the Board, having considered the facts and law, hereby GRANTS Respondent's application for Pharmacy Technician Registration and places Respondent's registration in probationary status for a period of two (2) years, under the following conditions:

- A. Respondent shall notify the Board of any and all changes to her name, address, telephone number and/or place of employment; and
- B. Respondent shall comply with all federal, State and local laws and ordinances, including the Kansas Pharmacy Act and regulations promulgated thereunder.

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is hereby GRANTED registration as a pharmacy technician under probationary status for a period of two (2) years, pursuant to K.S.A. § 65-1627a.

#### NOTICES

Respondent is hereby notified as follows:

1. Respondent may request a hearing pursuant to the Kansas State Administrative Procedures 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.
2. If a hearing is not requested as described above, the Summary Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.
3. 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.

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

Debra Billingsley  
Executive Director  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612.

IT IS SO ORDERED.

2011-11-16

Date

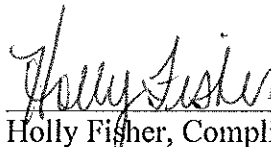


David R. Schoech

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 18<sup>th</sup> day of November, 2011, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Stacy L. Davison  
5274 Clark  
Belton, MO 64012.



Holly Fisher, Compliance Counsel