

Filed By
OCT 10 2013
KANSAS STATE
BOARD OF PHARMACY

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of)
LORIE BRINKMAN)
Application for Licensure) Case No. 13-57
_____)

SUMMARY ORDER OF DENIAL

NOW on this 9th day of October, 2013, comes before the Kansas State Board of Pharmacy (hereinafter referred to as "Board") through its investigative member on the application of Lorie Brinkman (hereinafter referred to as "Applicant") to engage in the practice of pharmacy in the state of Kansas.

Pursuant to the authority granted to the Board by the Kansas Pharmacy Act, K.S.A. 65-1625, *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board's Investigative Member enters this Summary Order in the above-captioned matter. After reviewing the renewal materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Applicant was previously licensed in Kansas having been issued license number 1-11787 on July 27, 1992.
2. That on December 7, 2004 the Board issued an Order for mental, and if warranted physical examination by which as soon as feasible Applicant was to submit to a mental

examination as directed by the Committee on Impaired Pharmacy Providers and to provide said results to the Board of Pharmacy.

3. That on October 5, 2005 a Final Order of Revocation was issued based on the Applicant's mental capacity to practice pharmacy.

4. On or around May 22, 2013, Applicant submitted an application for reinstatement to engage in the practice of pharmacy in the State of Kansas.

5. That Applicant did not provide the information requested from the December 7, 2004 Board Order.

6. That on July 22, 2013 the Board advised the Applicant by letter that her license would not be considered until she was able to provide verification of psychiatric or physiological treatment and a recommendation by the treating physician that she would be able to practice safely and competently.

7. That a second and final notice was mailed to the Respondent the end of August 2013 advising the Applicant that she had until September 30, 2013 to provide the requested information or the Board would deny the reinstatement application.

8. That the Applicant contacted the Board office and requested additional time and the Board gave her until October 30, 2013 to demonstrate that she could safely resume the practice of pharmacy.

Confidential

9. [REDACTED]

10. Due to the correspondence received by the Board from the Applicant the Board concludes that there is reasonable suspicion that the Applicant is mentally or physically incapacitated to such a degree as to render her unable to practice the profession of pharmacy and that Applicant is unable to demonstrate that she can resume the practice of pharmacy with reasonable skill and safety to patients pursuant to K.S.A. 65-1627.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF PHARMACY that Applicant's application for reinstatement of her license to engage in the practice of pharmacy in the state of Kansas is hereby DENIED.

IT IS SO ORDERED THIS 9 DAY OF OCTOBER 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Chad Ullom, RPh., Investigative Member
Kansas State Board of Pharmacy

NOTICE OF RIGHTS

Applicant is hereby notified as follows:

1. Applicant may request a hearing pursuant to the Kansas State Administrative Procedures Act by filing a written request with Debra Billingsley, Executive Secretary, Kansas Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612-1244, 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.

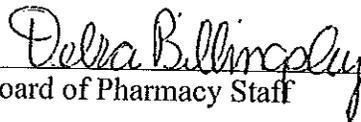
4. Within the time limits established in K.S.A. § 77-613, either party may seek judicial review of a final agency order, pursuant to § 77-613. The agency officer designated to receive service of a petition for judicial review is:

Debra Billingsley
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612-1244

IT IS SO ORDERED.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **SUMMARY ORDER DENYING LICENSURE** was served this 10 day of October, 2013 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:


Board of Pharmacy Staff