

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Caprock Pharmacy ) Case No. 18-095  
 )  
Registration No. 22-101088 )

**SUMMARY ORDER**

NOW on this 28 day of March, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Caprock Pharmacy ("Respondent").

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 Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board's Executive Secretary enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

**FINDINGS OF FACT**

1. The Board has previously issued Respondent Registration No. 22-16474, which entitles Respondent to function as a pharmacy in the State of Kansas ("Respondent's Registration").
2. On January 23, 2018, the Board attempted to reach Respondent via letter, informing of state policy changes affecting non-resident pharmacies.
3. The letter sent to Respondent was returned as undeliverable to the Board's offices.

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4. The Board subsequently attempted to contact Respondent's telephone numbers and company website, all of which were unreachable. An internet search also listed Respondent's location registered with the Board as permanently closed.

5. To-date, Respondent has not contacted the Board in any capacity regarding a change of location or explanation as to the out-of-date contact information.

#### CONCLUSIONS OF LAW

6. That pursuant to K.S.A. 65-1627(e)(1), the Board may revoke, suspend, place in probationary status or deny a renewal of the registration of a pharmacy upon a finding that such pharmacy has been operated in such manner that violations of the provisions of the pharmacy act of the state of Kansas.

7. That pursuant to K.A.R. 68-7-12a(4), each pharmacy shall designate a pharmacist-in-charge ("PIC"), who shall be named in the application and who shall be responsible for receiving communications from the board.

8. Pursuant to K.A.R. 68-2-10, each registrant that ceases operations at the particular location for which the registration was received shall, within five days after termination of operations at that location, deliver to the executive secretary of the board the registration and a written explanation of the disposition of the remaining stocks of drugs.

9. Respondent's failure to maintain a PIC tasked with receiving communications from the Board is a violation of K.A.R. 68-7-12a(4).

10. Respondent's closure of its location as registered with the Board, and the subsequent failure to inform the Board of any changes in their operation location within

30 days, are grounds to revoke Respondent's licensure pursuant to K.S.A. 65-1627(e)(1), and K.A.R. 68-2-10.

### ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's registration to operate as a non-resident pharmacy in the State of Kansas is hereby REVOKED.

### NOTICES

The Respondent is hereby notified as follows:

1. The Respondent 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.
2. If a hearing is not requested as described above, the Order revoking the Respondent'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.
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 said statute. The agency officer designated to receive service of a petition for judicial review is:

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

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IT IS SO ORDERED.

3/28/18  
Date

Alex Blasi  
Alexandra Blasi, JD, MBA  
Kansas Board of Pharma

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 28 day of March, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Caprock Pharmacy  
3007 50<sup>th</sup> St  
Lubbock, TX 79413

and the original hand delivered to:

Alexandra Blasi  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Ste. 1414  
Topeka, KS 66612

  
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Kansas Board of Pharmacy Staff