

Filed By

DEC 12 2019

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of)
)
Innovida Pharmaceutique Corporation)
)
Application No. 5-110172)

Case No. 19-540

SUMMARY ORDER OF DENIAL

NOW, on this 12th day of December 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Innovida Pharmaceutique Corporation ("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 provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board enters this Summary Order of Denial in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and order:

FINDINGS OF FACT

1. On July 19, 2019, the Board received Respondent's Wholesale Distributor Registration Application ("Respondent's Application").
2. On July 19, 2019, the Board sent Respondent an email requesting certain information that was missing from Respondent's application.
3. On September 16, 2019, the Board sent Respondent a second email requesting an inspection report that was missing from Respondent's application.
4. On October 1, 2019, the Board sent Respondent a third email requesting an inspection report that was missing from Respondent's application.

5. On October 14, 2019, the Board mailed Respondent a fourth request for the inspection report that was missing from Respondent's application.

6. To date, the Board has not received the requested inspection documentation from Respondent.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1645(a) application for registration or permits under K.S.A. 65-1643, and amendments thereto, shall be made on a form prescribed and furnished by the Board. Applications for registration shall contain such information as may be required by the Board in accordance with the provisions of K.S.A. 65-1655, and amendments thereto, and K.S.A. 2017 Supp. 65-1655a and 65-1655b, and amendments thereto.

2. Respondent's failure to provide the Board with the required application information is a violation of K.S.A. 65-1645(a) and as such, a basis to deny Respondent's application.

3. Pursuant to K.S.A. 65-1655(c), the Board may deny an initial application for registration or application for renewal of a registration of a wholesale distributor if the Board determines that the granting of such registration would not be in the public interest.

4. Respondent's failure to provide the Board with the requested inspection information is a basis to deny Respondent's registration pursuant to K.S.A. 65-1655(c).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Wholesale Distributor Registration Application is hereby DENIED.

NOTICES

Respondent is hereby notified as follows:

1. 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 15 days after service of this Order. If the outcome of the hearing is adverse to Respondent, costs of the proceedings shall be charged to Respondent.

2. If a hearing is not requested as described above, the Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

3. Within 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 K.S.A. 77-613. 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

IT IS SO ORDERED.

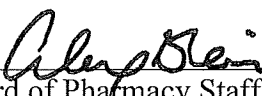
12/12/19
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12th day of December 2019, deposit in business mail a copy of the foregoing Summary Order, which is then placed in the United States Mail, postage prepaid, properly addressed to the following:

INNOVIDA PHARMACEUTIQUE CORPORATION
1018 KANAWHA BLVD E, STE 200
CHARLESTON, WV 25301



Kansas Board of Pharmacy Staff