

Holly L. Fisher, KS Bar #24023
Kansas State Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612
(785) 296-4056 (tel.)
(785) 296-8420 (fax)
holly.fisher@pharmacy.ks.gov

Filed

DEC 01 2011

KANSAS STATE
Board of Pharmacy

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of

Walgreens Pharmacy No. 09424
Kansas Registration No. 2-10032
12601 Pflumm Rd.
Overland Park, Kansas 66213.

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Case No. 11-109

CONSENT AGREEMENT

COMES NOW, the Kansas Board of Pharmacy ("Board") and reviews the file on Defendant Walgreens Pharmacy No. 09424 ("Defendant").

THEREUPON, being duly advised in the matter, the Board and Defendant agree as follows:

WAIVER OF RIGHTS: Defendant understands that it has the following rights in this case: The right to discovery, a hearing before the Board, and if found in violation of the Kansas Pharmacy Act, the right to appear before the District Court and Kansas appellate courts pursuant to the Kansas Judicial Review Act (the "KJRA").

Respondent hereby acknowledges its right to be represented by a lawyer of its own choosing. Knowing these rights, Defendant, by signing this agreement, knowingly and voluntarily suspends these rights at this time, including the right to a hearing by the Board.

FACTS: Defendant neither admits nor denies the facts as presented in the Petition filed in the above-stated matter, and the Board and Defendant agree to enter into this Consent Agreement

in order to minimize the economic and legal impacts of litigating the matter at a hearing in front of the Board or otherwise.

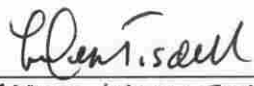
TERMS AND CONDITIONS: Defendant agrees to pay a civil fine in the amount of Three Thousand Five Hundred Eighty and no/100 Dollars (\$3,580.00) which is calculated as follows for its violation of K.S.A. § 65-1637 and K.A.R. 68-1-2a:

\$1,000.00 plus \$20.00 per day for 129 days (Defendant did not have a registered pharmacist in charge from March 23, 2011 until September 28, 2011 for a total of 189 days; less the 30-day notice period; less a 30-day extension which would be granted by the Board, for a total of 129 days).


CONSENT OF THE KANSAS STATE BOARD OF PHARMACY: This Consent Agreement is not binding upon the Board until it has been reviewed and agreed to by the Kansas State Board of Pharmacy at its next quarterly meeting, to be held November 30 and December 1, 2011.

The parties below have read this Consent Agreement, know and understand its contents, and agree to comply with its terms. Respondent specifically agrees to waive the constitutional rights enumerated above.

WALGREENS PHARMACY NO. 09424

By: 
Printed Name: LORINDA TISDELL
Title: EXECUTIVE DIRECTOR, PHARMACY OPERATIONS

Date: 11/7/11



Date: 11-21-2011

David R. Schoech, R.Ph.
Investigative Member
Kansas State Board of Pharmacy
800 SW Jackson St., Ste. 1414
Topeka, KS 66612

Holly Fisher

Holly L. Fisher, Compliance Counsel
Kansas State Board of Pharmacy
800 SW Jackson St., Ste 1414
Topeka, KS 66612

Date: 11/16/11

CERTIFICATE OF SERVICE

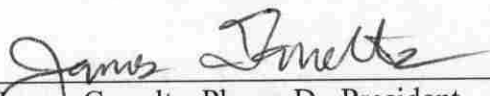
I hereby certify that I did, on the ____ day of _____, 2011, deposit in the United States Mail, postage prepaid, a fully executed copy of the foregoing Consent Agreement, properly addressed to the following:

Walgreens Pharmacy No. 09424
12601 Pflumm Rd.
Overland Park, KS 66213.

Holly Fisher, Compliance Counsel

APPROVAL OF THE BOARD OF PHARMACY

This Consent Agreement has been reviewed by the Kansas State Board of Pharmacy and is agreed to as of the date stated below.


James Garrelts, Pharm.D., President
Kansas State Board of Pharmacy
800 SW Jackson St., Ste. 1414
Topeka, KS 66612

Date: 11/30/2011

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 30th day of December, 2011, deposit in the United States Mail, postage prepaid, a fully executed copy of the foregoing Consent Agreement, properly addressed to the following:

Walgreens Pharmacy No. 09424
12601 Pflumm Rd.
Overland Park, KS 66213.


Holly Fisher, Compliance Counsel