

II. CONCLUSIONS OF LAW

6. Pursuant to K.S.A. 65-1663(e)(1) the Board may revoke the registration of 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."

7. A pharmacist may be disciplined for the "unlawful possession of drugs and unlawful diversion of drugs to others. "K.S.A. 65-1627(a)(3) as defined at K.S.A. 65-1626(hh)(5).

8. Flaschel's conduct in illegally possessing and diverting drugs belonging to CVS is sufficient ground to revoke his registration as a pharmacy technician.

III. FINAL ORDER

Based upon the evidence introduced at the hearing held March 6, 2007 and the foregoing findings and conclusions, Flaschel's Kansas pharmacy technician registration is hereby indefinitely suspended until further order of the Board.

Within fifteen (15) days after service of this Final Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Final Agency Order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Debra L. Billingsley
Executive Director
Kansas Board of Pharmacy
900 SW Jackson, Suite 560
Topeka, Kansas 66612-1231

IT IS SO ORDERED.

Date

3/13/07



MAX HEIDRICK, R.PH.

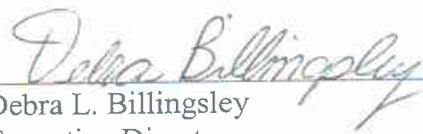
President
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing FINAL AGENCY ORDER was sent by United States Mail, postage prepaid, on this the 14 day of March, 2007, and properly addressed to the following:

Alfred J. Flaschel, Jr.
551 Prospect
Leavenworth, KS 66048

Randall J. Forbes, Esq.
Frieden & Forbes
555 South Kansas Avenue, Suite 303
Topeka, Kansas 66603



Debra L. Billingsley
Executive Director
Kansas Board of Pharmacy