

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Charese Fisher )  
 )  
Registration No. 14-19842 )

Case No. 19-385

**SUMMARY ORDER**

NOW, on this 16<sup>th</sup> day of March 2020, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Charese Fisher, ("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 in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order.

**FINDINGS OF FACT**

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-19842 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. On or about July 12, 2019, the Board received information regarding domestic violence charges against Respondent for criminal restraint, battery, and child abuse in an incident on June 29, 2019.
3. On July 15, 2019, the Board sent a letter to Respondent's address of record requesting a completed Personal History Form S-150 ("S-150"), as well as certified copies of the court pleadings from the case.

4. On August 16, 2019, the Board received the requested documents from Respondent, which were forwarded on August 21, 2019, to the Board's Individual License Evaluator ("the Evaluator") for investigation. The Evaluator subsequently conducted a phone interview with Respondent.

5. On February 24, 2020, the Evaluator concluded the investigation, which found that, on January 8, 2020, Respondent had plead nolo contendere and was sentenced as guilty to the amended misdemeanor charges of criminal damage to property and disorderly conduct. Respondent was ordered by the court to serve 60 days detention and undergo six months of unsupervised probation. The Evaluator believed, based on Respondent's documents and phone interview, that Respondent supports every aspect of the necessary integrity to be a part of the profession, with several years' experience in the field.

#### CONCLUSIONS OF LAW

1. That pursuant to K.S.A. 65-1663, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as 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.

2. Pursuant to K.S.A. 65-1627(a)(2), the Board may place in a probationary status the license of any pharmacist upon a finding that the licensee has been convicted of any felony or misdemeanor of gross immorality or moral turpitude, and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

3. Respondent's misdemeanors are bases to place Respondent's registration in a probationary status pursuant to K.S.A. 65-1627(a)(2), as she is still under court detention and

probation and therefore, unable to show that she has been sufficiently rehabilitated to warrant the public trust at this time.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby placed on a 2-year probationary status. The terms of Respondent's probation are as follows:

- Respondent must continue compliance with the terms of her court detention & probation, and must notify the Board of any change in such within 10 days of the change;
- Respondent must notify the Board of any change in employment within 10 days of the change and obtain Board approval for the change;
- Respondent must inform employers of the probationary status of her pharmacy technician registration;
- Respondent must obtain the signature of her pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Respondent must comply with all rules and regulations of the Pharmacy Practice Act.

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 fifteen (15) days after service of this order.

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.

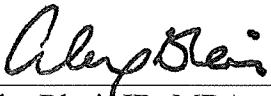
3. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

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, JD, MBA  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.


3/16/2020  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 16<sup>th</sup> day of March 2020, 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:

CHARESE FISHER  
105 BARRY ST  
MILFORD, KS 66514

  
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Kansas Board of Pharmacy Staff