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SEP 21 2009  
BOARD OF PHARMACY

**BEFORE THE KANSAS STATE BOARD OF PHARMACY**

*In the Matter of* }  
 }  
Cristina D. Gray, }  
Registration No. 1-14434 }  
\_\_\_\_\_ }

Case No.: 09-85

**AMENDED SUMMARY ORDER**

Cristina D. Gray (the "Respondent") is currently authorized to practice as a pharmacist in the State of Kansas by reason of the Kansas Board of Pharmacy (the "Board"), having issued her License No. 1-14434.

It has come to the attention of the Board that Respondent's license to practice pharmacy was placed on five year's probation by the Missouri Board of Pharmacy.

After considering the foregoing, the Board enters the following Summary Order.

**FINDINGS OF FACT**

For purposes of this order, the Board's Investigation Member makes the following findings of fact:

1. The Kansas State Board of Pharmacy ("Kansas Board") is charged with the administration of the Kansas Pharmacy Act (K.S.A. 65-1626, et seq.) and with the enforcement of the rules and regulations promulgated thereunder, (K.A.R. 68-1-1a et seq).
2. The Board has previously issued Respondent Registration No. 1-14434 which entitled her to function as a pharmacist in the State of Kansas ("Respondent's License").

3. Respondent Cristina D. Gray, R.Ph. currently resides at 4926 McCoy, Shawnee, Kansas 66226.

4. Respondent is subject to all laws and regulations pertaining to the practice of pharmacy administered by the Kansas Board.

5. On April 19, 2010, the Missouri Board of Pharmacy ("Missouri Board") issued a Disciplinary Order involving Respondent in a case captioned Missouri Board of Pharmacy v. Cristina D. Gray, Case No.: 09-0201 PH ("Missouri Disciplinary Order"). The Missouri Board placed Respondent on probation for five (5) years and established numerous terms with which Respondent must comply during the course of her probationary period. Included in Respondent's terms of probation are mandatory drug testing/urinalysis, alcohol/drug abuse counseling and treatment, and regular attendance at Alcoholics Anonymous/Narcotics Anonymous meetings. A certified copy of the Missouri Disciplinary Order is attached hereto as Exhibit "A" and is hereby incorporated by reference.

6. The Order of the Missouri Board of Pharmacy has withstood judicial scrutiny and the Missouri Board's Order was affirmed in Cristina Gray v. Missouri Board of pharmacy, Case No. 09AC-CC00321 (Cole County, Missouri, March 24, 2011) which is attached hereto as Exhibit "B" and is hereby incorporated by reference.

#### CONCLUSIONS OF LAW AND FACT

For purposes of this Order, the Board's Investigation member makes the following conclusions of law and fact:

7. That the Respondent was originally issued license number 1-14434 pursuant to K.S.A. 65-1631.

8. That pursuant to K.S.A. 65-1627(a)(12) the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as a pharmacist upon a finding that: "(12) the licensee has had a license to practice pharmacy revoked, suspended or limited, has been censured or has had other disciplinary action taken, or voluntarily surrendered the license after formal proceedings have been commenced, or has had an application for license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

9. The respondent had disciplinary action taken against her by the Missouri State Board of Pharmacy placing her license on probation.

10. The acts committed by Respondent are a basis for discipline of Respondent's Registration pursuant to the Pharmacy Act, K.S.A. 65-1625 *et seq.*

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, the respondent is placed on probation under the terms and conditions of the action taken by the Missouri Board. The probation shall run concurrently with the Order of the Missouri Board.

The Respondent is further ordered that:

1. Respondent shall provide a copy of this Order to the manager(s) of the Missouri FirstLab Health Monitoring Program and release all testing information, including drug testing/urinalysis results, to the manager(s) of the Kansas Pharmacy Impaired Provider Program.
2. Respondent must comply with the terms of the Missouri Disciplinary Order.
3. Respondent further is ordered to inform the Kansas Board of Pharmacy:

- a. whether the respondent successfully completes the terms of her probation in Missouri;
  - b. if the Missouri Board lifts it probation over the respondent's license;
  - c. of any new disciplinary actions or orders issued by the Missouri Board or other state or territorial professional boards in the United States involving her.
4. Upon successful completion of probation in Missouri Order, and the Missouri Board lifting probation in said matter, this order placing the respondent on probation in Kansas shall be lifted with no further action necessary by the respondent or the Kansas Board.
5. If Respondent fails to comply with the terms of the Missouri Order, her Kansas License No. 1-14434 shall be revoked.

#### NOTICES

The Respondent is hereby notified as follows:


11. The Respondent may request a hearing pursuant to the Kansas State Administrative Procedures 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.
12. If a hearing is not requested as described above, the Order placing the respondent on probation for five years to run concurrently with the term of the Missouri Disciplinary Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.
13. 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.

14. 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:

Debra Billingsley  
Executive Director  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.

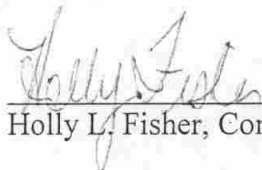
09-21-2011  
Date

  
David R. Schoech  
Investigation Member  
Kansas State Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 21<sup>st</sup> day of September, 2011, deposit in the United States Mail, postage prepaid, a copy of the foregoing Amended Summary Order, properly addressed to the following:

Cristina D. Gray  
4926 McCoy  
Shawnee, KS 66226.

  
Holly L. Fisher, Compliance Counsel