

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
RACHEL DAWN HACKETT)
 Pharmacy Technician)
Registration No. 14-07238)

Case No. 15-022

Filed By
MAY 28 2015
KANSAS STATE
BOARD OF PHARMACY

SUMMARY ORDER OF REVOCATION

NOW on this 22nd day of May, 2015, comes before the Kansas Board of Pharmacy (the "Board"), through its Investigation Member, the matter of Rachel Dawn Hackett, Pharmacy Technician ("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 Investigation Member enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

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

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-07238 authorizing her to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. At all times relevant hereto, Respondent worked as a pharmacy technician in the Walgreens Pharmacy location at 10 West Fifteenth Street in Liberal, Kansas (the "Walgreens Pharmacy").

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3. Respondent has admitted that in February 2012 she stole Lortab tablets from the Walgreens Pharmacy and later traded them for a dermal piercing. Respondent was thereafter convicted of the charges of unlawful obtaining and distributing a prescription-only drug and conspiracy to commit unlawful obtaining and distributing a prescription-only drug.

CONCLUSIONS OF LAW

4. 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.

5. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

6. That K.S.A. 65-1626(ccc)(5) defines unprofessional conduct to include the unlawful possession of drugs and unlawful diversion of drugs to others.

7. The Respondent's conduct in stealing drugs from her employer and diverting them to another person in exchange for services are basis to revoke Respondent's Registration.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

NOTICES

The Respondent is hereby notified as follows:

8. The 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.

9. If a hearing is not requested as described above, the Order revoking the Respondent's Registration, as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

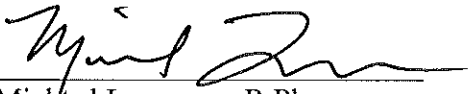
10. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

11. 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.

5-22-15
Date


Michael Lonergan, R.Ph.
Investigation Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

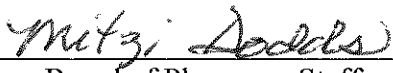
I hereby certify that I did, on the 28th day of May, 2015, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Rachel Dawn Hackett
1131 S. Sherman
Liberal, KS 67901

Randall J. Forbes
Attorney at Law
Frieden, Unrein & Forbes, LLP
1414 SW Ashworth Pl., Ste. 201
Topeka, KS 66604
Disciplinary Counsel for the Board

and the original hand delivered to:

Debra L. Billingsley
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612



Kansas Board of Pharmacy Staff