



BEFORE THE STATE BOARD OF PHARMACY
OF THE STATE OF KANSAS

IN RE: THE MATTER OF

WENDY L. KESSINGER WURTZ
License No. 1-11934
Rt. 2 Box 4
Alma, Kansas 66401

STIPULATION OF FINDING OF FACTS AND ORDER

This matter comes before the State Board of Pharmacy for the State of Kansas, this 23rd day of August, 1996.

The State Board of Pharmacy appears by Karla Kneebone, President and Presiding Officer; Barry Sarvis, Vice-President; Dan Katzer, Pharmacist; Vicki Schmidt, Pharmacist; Lori Moore, Pharmacist; and Dr. Margaret Young, Consumer Representative. Also appearing are Larry Froelich, Executive Secretary, and the attorney for the Board, Dana W. Killinger. Wendy Wurtz appears personally.

Wendy Wurtz states that she has been advised of her procedural rights under the Pharmacy Practice Act and Administrative Procedure Act, wherein counsel for the Board advised Wendy Wurtz of her rights to a formal hearing wherein she had a right to be represented by counsel, call witnesses on her behalf, cross-examine the Board's witnesses and other procedural rights. Counsel further advised Wendy Wurtz of the statutory sections of the law

which were allegedly violated and the statute giving the Board jurisdiction in this matter. Whereupon Wendy Wurtz waived her right to a Formal Hearing.

Wendy Wurtz further states that no issue of fact exists and wishes to stipulate to the following findings of fact and accepts the order of the State Board of Pharmacy, to-wit:

1. That Wendy Wurtz is a licensed pharmacist in the State of Kansas having License No. 1-11934.

2. That Wendy Wurtz is owner and Pharmacist in Charge at H & S Drug Store, Registration No. 2-08457, 327 Missouri Avenue, Alma Kansas 66401.


3. That sometime in April or May of 1996, Wendy Wurtz closed the H & S Drug Store and did not deliver it's registration to the Board office within five (5) days as required by K.A.R. 68-2-10. On May 8, 1996, Wendy Wurtz was informed of K.A.R. 68-2-10 and Wendy Wurtz stated to Inspector Jim Kinderknecht that she would send in H & S Drug Store registration. By June 11, 1996, said Wendy Wurtz had failed to send in H & S Drug Store registration, all in violation of K.A.R. 68-2-10.

The State Board of Pharmacy for the State of Kansas pursuant to K.S.A. 65-1627(a)(8) has jurisdiction and power to revoke, suspend or place on probation and pursuant

to K.S.A. 65-1658 fine said Wendy Wurtz.

IT IS THEREFORE ORDERED that Wendy Wurtz, License No. 1-11934, be in violation of Count 3; that Wendy Wurtz must take the PIC examination in the Board office within 30 days, closed book, and receive a passing score of 85%; that Ms. Wurtz's license be placed on probation for one (1) year; and may not be PIC at any pharmacy for one (1) year.

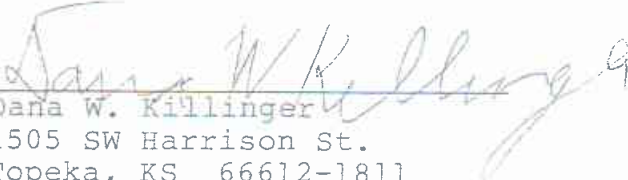
Dated this 23rd day of August, 1996.


Karla Kneebone
President and Presiding Officer
State Board of Pharmacy
for the State of Kansas

I, Wendy Wurtz, have hereby read the foregoing Stipulation and Finding of Facts and Order and fully understand the violations of which I am stipulating to and understand the terms of the Stipulation.


Wendy Wurtz

PREPARED BY:


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