

misdemeanors.” and “Have you ever been convicted of (includes plea of guilty or no contest) or charged with a violation of any federal or state drug law(s) or rule(s) whether or not a sentence was imposed, suspended, or diverted?”. The application form directs that if the applicant answers yes to any of the above questions, the applicant “must attach Form S-150: Personal History.”

3. Within Applicant’s Form S-150, Applicant details a plea of guilty on January 9, 2015 to Sell/Offer for Sell/Use/Possess W/ Intent to Use a Simulated Controlled Substance or Paraphernalia, whereas Applicant was sentenced to pay a fine and serve one-year probation.

4. The background report provided to the Board by the Kansas Bureau of Investigation (“KBI”) reports that on or about November 30, 2015, Applicant was arraigned in Municipal Court of Belton, Missouri, on one count of possession of marijuana, which was dismissed by the state, and one count of possession of drug paraphernalia”, to which Applicant plead guilty and was sentenced to pay a fine.

5. The KBI background report also reports that on or about January 9, 2015, Applicant was convicted of possession of depressants/stimulants/hallucinogenic/anab steroids”, classified as a level 4 felony, and was sentenced to one-year probation.

6. As part of Applicant’s Application, she certified that the information provided was true, correct and complete and that she understood that withholding relevant information was grounds for denying her application.

CONCLUSIONS OF LAW

7. 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.

8. That pursuant to K.S.A. 65-1627(a)(2), the board may deny registration if the licensee has been convicted of a felony and... fails to show sufficient rehabilitation to warrant the public trust.

9. That pursuant to K.S.A. 65-1627(a)(3), the board may deny registration if the applicant is found by the board to be guilty of unprofessional conduct.

10. That pursuant to K.S.A. 65-1626(ccc)(1), unprofessional conduct means fraud in securing a registration or permit.

11. That pursuant to K.S.A. 65-1626(ccc)(5), unprofessional conduct means unlawful possession of drugs.

12. That pursuant to K.S.A. 65-1626(ccc)(7), unprofessional conduct means conduct likely to deceive, defraud, or harm the public.

13. Applicant's omission of multiple incidents, convictions for both felony and misdemeanor possession of drugs, and offering no evidence to show any rehabilitation to warrant the public trust, is a basis to deny Applicant's Application for failure to comply with K.S.A. 65-1627(a)(2) and (a)(3).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

14. Applicant 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.

15. If a hearing is not requested as described above, the Order denying Applicant'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.

16. 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.

17. 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.


11/6/14
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 8 day of November, 2016, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

BRIANNE ALEXANDRA KNIGHT
114 REDBUD LANE
BELTON, MO 64012



Kansas Board of Pharmacy Staff