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Filed
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KANSAS STATE
Board of Pharmacy

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of the Application of)
David Knittel, for a) Case No. 12-66
Pharmacy Technician Registration.)

SUMMARY ORDER

NOW this 24 day of May, 2012, the above captioned matter comes before the Kansas State Board of Pharmacy ("Board") on the application of David Knittel ("Respondent") for a Pharmacy Technician Registration. After considering the foregoing, the Board's Investigation Member, in accordance with the authority granted to him by the Board, enters the following Summary Order:

FACTS

1. Respondent is a resident of 603 Rockledge Rd., Lawrence, KS 66049.
2. The Board has the authority to grant Respondent a Pharmacy Technician Registration.
3. On April 24, 2012, Respondent applied for a Pharmacy Technician Registration with the Board.
4. The Kansas Bureau of Investigation did a criminal background search on Respondent and provided the Board with an Abstract of Criminal History, more commonly known as the RAP Sheet.

5. Respondent's RAP Sheet documents that on November 13, 2010, Respondent was arrested by the Riley County Police Department on the following charges:

- a. Distribution of certain hallucinogens, a severity level 3, non-person felony in violation of K.S.A. 21-5705;
- b. Use or possession of paraphernalia with intent to cultivate a controlled substance, a severity level 4 non-person felony in violation of K.S.A. 21-5709; and
- c. Purchase or consumption of liquor/CMB by a minor, a Class C misdemeanor in violation of K.S.A. 41-0727.

6. Respondent's RAP sheet documents that on March 2, 2011, these charges were prosecuted as follows:

- a. One count of use or possession of paraphernalia with intent to cultivate a controlled substance; and
- b. One count of Possession of Certain Hallucinogenic Drugs, a Class A non-person misdemeanor in violation of K.S.A. 21-5706.

7. Respondent entered into a diversion on these charges for a period of three years, to be completed on March 2, 2014.

CONCLUSIONS OF LAW

For purposes of this order, the Board's Investigative Member makes the following conclusions of law:

1. Respondent has applied to the Board for a Pharmacy Technician Registration.
2. Pursuant to K.S.A. § 65-1663(e)(1), 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.

WHEREFORE, the Board, having considered the facts and law, hereby DENIES Respondent's application for Pharmacy Technician Registration.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is hereby DENIED a Pharmacy Technician Registration pursuant to K.S.A. § 65-1663.

NOTICES

Respondent is hereby notified as follows:

1. 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.
2. If a hearing is not requested as described above, the Summary 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 § 77-613. 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.

5/21/2012

Date

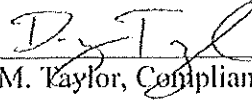


David R. Schoech

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 24 day of May, 2012, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

David Knittel
603 Rockledge Rd.
Lawrence, KS 66049



Doug M. Taylor, Compliance Counsel