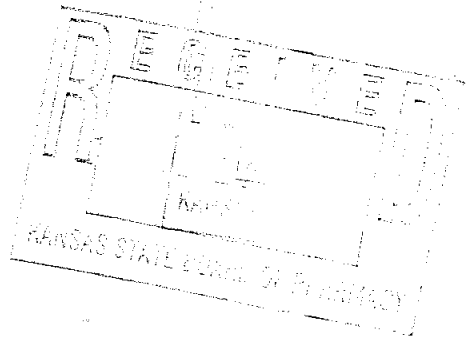


Steve Phillips, #14130  
Assistant Attorney General  
120 S.W. 10<sup>th</sup> Street, Second Floor  
Topeka, Kansas 66612  
785/296-2215



**BEFORE THE KANSAS STATE BOARD OF PHARMACY**

IN THE MATTER )  
 )  
OF )  
 )  
JEFFERY F. MANOUCHERI )  
 )  
\_\_\_\_\_ )

Case No: 02-13

**SUMMARY PROCEEDING ORDER SUSPENDING LICENSES**

Pursuant to K.S.A. 47-830(m) and K.S.A. 77-537

Now on this 19<sup>th</sup> day of July 2002, the above-captioned matter comes before Max Heidrick, Investigative Board Member, to consider Jeffery F. Manoucheri's (Manoucheri) licensure as a pharmacist in Kansas. After considering the matters contained in the Board's files and other matters, the following Summary Proceeding Order is entered:

1. The Board Investigative Member is duly authorized by the Board to enter Summary Proceeding Orders.
2. Manoucheri is currently licensed as a pharmacist in Kansas, License No. 1-08562.
3. Manoucheri is currently licensed as a pharmacist in Nebraska, with the original license issued on February 16, 1967.
3. Manoucheri was disciplined by the Nebraska Board of Pharmacy. The Nebraska disciplinary proceedings stemmed from allegations that between the late 1980's to the mid 1990's,

Manoucheri purchased prescription drugs samples at prices well below wholesale price from a pharmaceutical representative. Manoucheri commingled the purchased drugs into the pharmacy stock, selling the drugs to his customers in the ordinary course of business and at regular price.

4. Manoucheri's license to practice as a registered pharmacist in Nebraska was suspended for a period of 90 days. A copy of the Nebraska Petition and Findings of Fact Conclusion of Law and Order are attached to this Order and accepted by reference. He was ordered to pay a civil penalty in the amount of \$5,000. Further, Manoucheri was placed on probation, subject to conditions. Among the conditions placed on Manoucheri's license were that any pharmacy he retains an ownership interest in or any pharmacy in which he is employed, will be subject to random audits of controlled substances. Manoucheri must reimburse the Department of Health and Human Services for costs associated with the audit. Additionally, Manoucheri is required to provide notification of the disciplinary action to all pharmacy employers, pharmacy practice partners, and any state licensing authority where he currently has, applies for or obtains an active pharmacy license.

#### **CONCLUSIONS OF LAW AND FACT**

5. The Kansas Pharmacy Act provides that,

The board may revoke, suspend, place in probationary status or deny a renewal of any license of any pharmacist upon a finding that: the licensee has had a license to practice pharmacy revoked, suspended or limited ...by the proper licensing authority of another state.

K.S.A 65-1627(a)(12).

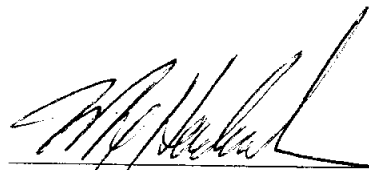
6. This Board adopts the Department of Health and Human Services, Regulation and Licensure, for the State of Nebraska findings of fact and law.

ORDER

1. Manoucheri shall comply with all terms and conditions of the Nebraska Order.
2. Manoucheri's license to practice pharmacy in the State of Kansas will be placed upon probation for a period of three (3) years subject to the following conditions.
3. During the three year probationary period, any pharmacy in Kansas in which Manoucheri retains an ownership interest in or any pharmacy in which he is employed, will be subject to random audits of controlled substances. He shall fully cooperate with any audit and shall provide the Kansas Board with access to any records. Manoucheri shall reimburse the Kansas State Board of Pharmacy for costs associated with the audit within thirty (30) days after receiving notice of the cost.
4. Additionally, Manoucheri is required to provide notification of the disciplinary action to all pharmacy employers, pharmacy practice partners and any state licensing authority where he currently has, applies for or obtains an active pharmacy license.
6. Manoucheri shall not supervise pharmacy interns nor serve as a preceptor for pharmacy interns.
7. Manoucheri shall promptly respond to all requests and inquiries by the Board concerning his compliance with the terms of his probation.

IT IS SO ORDERED.

Dated this 19<sup>th</sup> day of July, 2002.



\_\_\_\_\_  
Max Heidrick, Investigative Board Member

**NOTICE OF RELIEF FROM THIS SUMMARY PROCEEDING ORDER**

Pursuant to K.S.A. 77-537 this Summary Proceeding Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for hearing to:

Susan Linn  
Executive Director  
Kansas Board of Pharmacy  
LSOB  
900 SW Jackson, Rm 513  
Topeka, KS 66612-1231

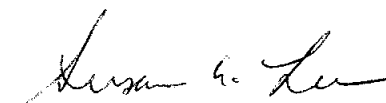
This written request must be filed within fifteen (15) days from the date indicated in the below Certificate of Service. If you do not request a hearing in the time and manner stated, this Summary Proceeding Order becomes final and effective upon the expiration of the time for requesting a hearing.

## CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 22 day of July, 2002, a true and correct copy of the above and foregoing Notice of Hearing was sent by FedEx Priority Overnight deliver service, delivery charges prepaid and addressed as follows:

Jeffrey F. Manoucheri  
316 E Hwy 20  
O'Neill, NE 68763

Steve Phillips  
Assistant Attorney General  
Memorial Building  
120 SW 10<sup>th</sup> Ave  
2<sup>nd</sup> Floor  
Topeka, KS 66612



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Susan A. Linn  
Executive Director