

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
1 Stop Pharmacy)
_____)

Case No. 17-063

SUMMARY ORDER OF DENIAL

NOW on this 22 day of March, 2017, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the application of 1 Stop Pharmacy, Inc. ("Respondent") for registration as a Non-Resident Pharmacy.

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 Executive Secretary enters this Summary Order of Denial in the above-captioned matter. After reviewing the application 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. Respondent is currently registered as a resident pharmacy in Texas.
2. On January 10, 2017, the Board received Respondent's application for registration as a non-resident pharmacy in the State of Kansas ("Respondent's Renewal Application").

3. On February 14, 2017, the Board notified Respondent that there was an incomplete required portion on the submitted application requesting an Inspection Report within the last two years.

4. On March 1, 2017, the Board made several attempts to contact the owner and pharmacy at the phone numbers listed in the Application. All listed numbers were non-working.

5. On March 2, 2017, the Board sent Respondent a Final Notice letter, requesting the missing Inspection Report described above, and requesting a working 1-800 contact number for the pharmacy, to be received by the Board no later than March 17, 2017.

6. To date, the Board has not received any contact or requested documentation from Respondent.

CONCLUSIONS OF LAW

7. That pursuant to K.S.A. 65-1643(a), a pharmacy wishing to operate in the State of Kansas shall remain in full compliance with the law and rules and regulations of the Board.

8. That pursuant to K.S.A. 68-7-12a(g), the pharmacy shall maintain an incoming toll-free telephone number for use by Kansas customers to facilitate personal communication with a pharmacist with access to patient records.

9. That pursuant to K.S.A. 68-7-12a(i), the facilities and records of the pharmacy shall be subject to inspection by the Board, with inspections requiring similar standards as the Board being allowed.

10. That pursuant to K.S.A. 65-1627(a)(15), an applicant shall provide the Board with any information legally requested.

11. Respondent's failure to provide a working toll-free telephone number for prospective Kansas customers is a basis to deny Respondent's application pursuant to K.S.A. 68-7-12a(g).

12. Respondent's failure to provide a previous inspection result to the Board is a basis to deny Respondent's application pursuant to K.S.A. 68-7-12a(i).

13. Respondent's failure to provide the Board with a working telephone number or inspection reports per request by the Board is a basis to deny Respondent's application.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Renewal 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 Respondent's Registration as a non-resident pharmacy 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.

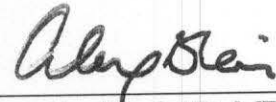
17. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

3/22/17

Date

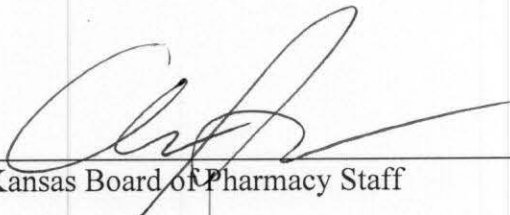


Alexandra Blasi, JD, MBA
Investigation Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 22 day of March, 2017, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

1 Stop Pharmacy
11725 W Bellfort
Staffard, TX 77477



Kansas Board of Pharmacy Staff