

surrendered to, denied, disciplined, censured, suspended, limited, placed on probation, or revoked by any state or federal government?” That answer was false.

4. On March 2, 2020, Applicant signed a Consent Order with the Louisiana Board of Pharmacy (“Louisiana Board”), which Consent Order provided for the discipline of Applicant’s Louisiana pharmacy permit (“Louisiana Consent Order”). The Louisiana Consent Order was adopted as a final order of the Louisiana Board on May 27, 2020.

5. Applicant’s owner failed to advise the Kansas Board of the Louisiana Consent Order within 30 days of its issuance as required by K.A.R. 68-2-23.

6. On June 11, 2019, the Kansas Board entered a Stipulation and Consent Order disciplining Applicant for operating as a non-resident pharmacy without a Kansas registration in violation of K.S.A. 65-1657(a).

7. On March 12, 2020, the Kansas Board entered a Stipulation and Consent Order disciplining Applicant for its owner’s failure to notify the Kansas Board of discipline entered against Applicant by the Kentucky Board of Pharmacy within 30 days of the issuance of the discipline as required by K.A.R. 68-2-3.

CONCLUSIONS OF LAW

8. Pursuant to K.S.A. 65-1627(e)(1), the Kansas Board may deny the renewal of a pharmacy registration if the pharmacy has been operated in a manner that violates the Pharmacy Act or the Kansas Board’s regulations.

9. Pursuant to K.S.A. 65-1627(e)(4), the Kansas Board may deny the renewal of a pharmacy registration if the pharmacy has been disciplined by the registering authority in another state.

10. The Applicant's falsification of the answer in the Applicant's Application, the failure to disclose the Louisiana Consent Order, the discipline by the Louisiana Board and the Applicant's disciplinary history in Kansas are all basis to deny Applicant's Application.

ORDER

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

NOTICES

The Applicant is hereby notified as follows:

11. The 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.

12. If a hearing is not requested as described above, this Summary Order denying Applicant's Application for renewal of its registration as a non-resident pharmacy shall become a final order of the Kansas Board, effective upon the expiration of the time to request a hearing.

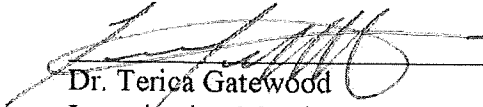
13. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

14. 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 Director
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

9/14/2020
Date


Dr. Terica Gatewood
Investigation Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 21st day of September, 2020, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

BET Pharm
1501 Bull Lea Rd., Suite 102B
Lexington, KY 40511



Representative of the
Kansas Board of Pharmacy