

February 14, 2023

Conversio Health
720 Aerovista Pl, Ste D
San Luis Obispo CA 93401

RE: Case No. 22-282

Dear Attn: PIC Hailey Barba:

Enclosed you will find a Summary Order issued by the Kansas Board of Pharmacy (Board) in the above-referenced matter. Please read the order in its entirety. In addition, a civil fine has been assessed totaling \$5,000. Please submit a check or money order made payable to the Kansas Board of Pharmacy and include your case number in the check memo.

If you disagree with the findings of fact, you have the right to request a hearing. Instructions for filing a written request are included under the "Notices" section of the order. Hearings are held before the full Board during their regularly scheduled quarterly meetings.

According to KSA 65-1627h, the Board is required to recoup the costs of administrative hearings when the decision is adverse to the licensee. These costs may include charges for services rendered by the Board's disciplinary counsel, an administrative law judge, and, if applicable, a court reporter.

If you have any questions, feel free to contact the Board at Pharmacy.Compliance@ks.gov.

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of)	
)	Case No. 22-282
Conversio Health)	
)	
<u>Registration No. 22-13085</u>)	

SUMMARY ORDER

NOW, on this 14th day of February, 2023, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Conversio Health ("Respondent"), 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 provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board enters this Summary Order in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and order:

FINDINGS OF FACT

1. The Board has issued Respondent registration number 22-13085 to operate as a non-resident pharmacy in Kansas (“Respondent’s Registration”).
2. On June 29, 2022, Respondent renewed Respondent’s Registration online through June 30, 2023. Respondent answered “No” to the following question on Respondent’s renewal: “Has any license or registration, currently or previously held by the applicant or the PIC been surrendered to, denied, disciplined, censured, suspended, limited, placed on probation, or revoked by any state or federal government?”
3. The Board received information from the Texas Board of Pharmacy that

Respondent's Texas pharmacy registration was placed on a three-year probation status.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the pharmacy act of the state of Kansas or any other rules or regulations of the state board of pharmacy.

2. Pursuant to K.S.A. 65-1657(f), the Board may limit, condition, revoke, suspend or place in a probationary status a registration or deny an application for issuance or renewal of any nonresident pharmacy registration on any ground that would authorize the board to take action against the registration of a pharmacy under K.S.A. 65-1627, and amendments thereto.

3. Pursuant to K.S.A. 65-1627(e)(1), the Board may deny an application or renewal, limit, condition, revoke, suspend or place in a probationary status the registration of any pharmacy upon a finding that such pharmacy has been operated in such manner that violations of the provisions of the pharmacy act of the state of Kansas or of the rules and regulations of the board have occurred in connection therewith.

4. Pursuant to K.S.A. 65-1627(e)(4), the Board may deny an application or renewal, limit, condition, revoke, suspend or place in a probationary status the registration of any pharmacy upon a finding that the registrant has had a registration revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for registration denied, by the proper registering authority of another state.

5. Pursuant to K.S.A. 65-1627(e)(5), the Board may deny an application or renewal, limit, condition, revoke, suspend or place in a probationary status the registration of any pharmacy upon a finding that the registrant has obtained, renewed or attempted to obtain or renew a registration by false or fraudulent means, including misrepresentation of a material fact or falsification of any

application.

6. Pursuant to K.A.R. 68-2-23, each pharmacy owner shall notify the board in writing within 30 days of any denial, limitation, suspension, revocation, voluntary surrender, or other disciplinary action taken by the state of Kansas or another jurisdiction against the pharmacy or the pharmacy owner or any application, license, registration, or permit held by the pharmacy owner.

7. Respondent failed to notify the Board of the Texas disciplinary action placing Respondent's Texas registration on a three-year probation in violation of K.A.R. 68-2-23, and is a basis to take action against Respondent's Registration pursuant to K.S.A. 65-1627(e)(1).

8. Respondent's Texas probation status is a basis to take action against Respondent's Registration pursuant to K.S.A. 65-1627(e)(4).

9. Respondent's "No" answer to the disciplinary question on Respondent's renewal application was a misrepresentation of material fact and a basis to take action against Respondent's Registration as a violation of K.S.A. 65-1627(e)(5).

10. failure to disclose discipline in another state on Respondent's Application is a violation of K.S.A. 65-1627(f)(1) and is a basis to take action against Respondent's Application pursuant to K.S.A. 65-1658.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is hereby ordered to pay a fine to the Board in the amount of \$5,000 within 30 days from the date of this order.

NOTICES

Respondent is hereby notified as follows:

1. Respondent 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 15 days after service of this Order. If the outcome of the hearing is adverse to Respondent, costs of the proceedings shall be charged to Respondent.

2. If a hearing is not requested as described above, the Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

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

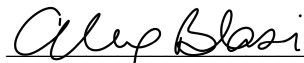
4. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to K.S.A. 77-613. The agency officer designated to receive service of a petition for judicial review is:

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

IT IS SO ORDERED.

2/14/2023

Date

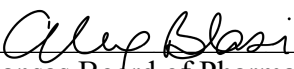


Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 14th day of February, 2023, deposit in business mail a copy of the foregoing Summary Order, which is then placed in the United States Mail, postage prepaid, properly addressed to the following:

Conversio Health
720 Aerovista Pl, Ste D
San Luis Obispo CA 93401



Kansas Board of Pharmacy Staff