

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Southern Plains Vet Supply) Case No. 16-213
Registration No. 22-45045)

SUMMARY ORDER

NOW on this 22 day of January, 2018, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Southern Plains Vet Supply (“Respondent”).

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 in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board has previously issued Respondent Registration No. 22-45045, which entitles Respondent to function as a nonresident pharmacy in the State of Kansas (“Respondent’s Registration”).
2. On April 22, 2016, Respondent’s home state pharmacy registration in Oklahoma expired.
3. On June 27, 2016, Respondent applied for the renewal of Respondent’s nonresident pharmacy license for the State of Kansas. Respondent did not indicate any change in the licensure status in their home state.

4. On December 1, 2016, the Board received notification that Respondent had their Oklahoma pharmacy license cancelled due to not having a pharmacist.

5. At no time did the Board receive notification of Respondent's change in licensure status in their home state prior to or in conjunction with the June 2016 renewal application to the Board.

6. On April 26, 2017, the Board received a new nonresident license application from Applicant.

CONCLUSIONS OF LAW

7. 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.

8. Pursuant to K.S.A. 65-1657(a), a nonresident pharmacy shall annually file for the renewal of their nonresident pharmacy license.

9. Pursuant to K.S.A. 65-1657(b)(2), as a condition for granting the renewal of a nonresident pharmacy license, a nonresident pharmacy shall be registered and in good standing in their home state in which such pharmacy is located.

10. Respondent failed to comply with K.S.A. 65-1657(b)(2) by failing to retain licensure in their home state of Oklahoma, and by failing to disclose the change in home state licensure status when applying for renewal of Respondent's Registration for the State of Kansas.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine to the Board. A violation of K.S.A. 65-1657(b)(2) warrants a base fine of \$500.00.

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Respondent is hereby assessed a fine of \$500 for each individual violation of the Kansas Pharmacy Act. Respondent failed to maintain good-standing licensure in Oklahoma and failed to notify the Board of the licensure change in Oklahoma. For both violations, Respondent is hereby assessed a fine totaling \$1,000.00. Respondent has 30 days from the date of this order to pay the full \$1,000.00, or until February 25, 2018.

Upon full payment of the assessed fine to the Board, Respondent's license to operate as a nonresident pharmacy in the State of Kansas is hereby GRANTED.

NOTICES

The Respondent is hereby notified as follows:

1. The 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 fifteen (15) days after service of this order.
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 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 said statute. 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.

1/22/18
Date

Alexandra Blasi
Alexandra Blasi, JD, MBA
Kansas Board of Pharma

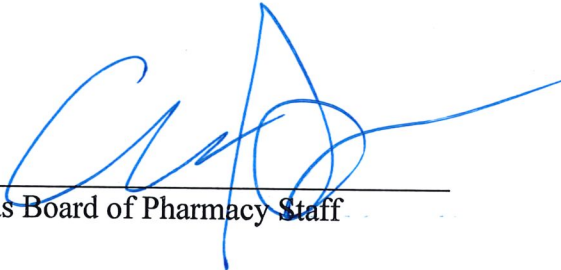
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 22 day of January, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Southern Plains Vet Supply
702 SE 3rd St
Stigler, OK 74462

and the original hand delivered to:

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



Kansas Board of Pharmacy Staff