

May 11, 2023

Jessica Allen
1241 S Main
Independence, Missouri 64055

RE: Case No. 23-237

Dear Jessica Allen:

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.

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 BOARD OF PHARMACY

In the Matter of)
)
Jessica Allen)
)
Registration No. 14-08854)

Case No. 23-237

SUMMARY ORDER

NOW, on this 11th day of May 2023, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Jessica Allen, (“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 application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order.

FINDINGS OF FACT

1. On April 14, 2009, the Board issued Respondent registration 14-08854 to operate as a pharmacy technician in Kansas (“Respondent’s Registration”).
2. On or about November 2008, a Missouri Board of Pharmacy (MBOP) investigation revealed Respondent had improperly or illegally diverted, dispensed, withheld, removed or received pharmaceuticals in violation of Missouri law. The MBOP placed Respondent on employment disqualification for a period of five (5) years from June 13, 3009 – June 12, 2014.

3. On September 7, 2010, the Board, in Case # 10-65, filed a petition and notice to revoke Respondent's Registration pursuant to K.S.A. 65-1627(a)(12) as a direct result of the disciplinary action taken by MBOP. Case 10-65 is hereby incorporated by reference.

4. On December 2, 2010, the Board entered a Final Order revoking Respondent's Registration.

5. On June 12, 2014, the Board received a new application from Respondent for a pharmacy technician registration.

6. On November 6, 2014, the Board ultimately granted Respondent's Registration, in Case 14-60, on indefinite probation with the restriction that Respondent be prohibited, until further notice by the Board, from working as a pharmacy technician in any situation or area where Respondent would have access to drugs. Case 14-60 is hereby incorporated by reference.

7. On March 29, 2023, Respondent emailed the Board requesting release from probation and restriction, and provided a letter of support from a pharmacist.

8. On April 5, 2023, the Board directed Respondent to submit an S-150 personal history form including a statement indicating why the restriction should be released and any other supporting documentation necessary for the investigative review team to be able to move forward with a recommendation about next steps. The Board also requested Respondent complete and submit an S-100 fingerprint form and fee for a criminal background check

9. On April 18, 2023, the Board sent Respondent a second request for the S-100, which was timely received from Respondent.

10. Respondent provided no other information for the Board to consider.

CONCLUSIONS OF LAW

1. That pursuant to K.S.A. 65-1663, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as a pharmacy technician on any ground which would authorize the board to take action against the license of a pharmacist under K.S.A. 65-1627, and amendments thereto.

2. Pursuant to K.S.A. 65-1627(a)(3), the Board may place in a probationary status the license of any pharmacist who has been found guilty of unprofessional conduct.

3. Pursuant to K.S.A. 65-1626(vvv)(7), unprofessional conduct means conduct likely to deceive, defraud or harm the public.

4. Pursuant to K.S.A. 65-1627(a)(12), the Board may place in a probationary status the license of any pharmacist who has been disciplined by another state's Board of Pharmacy.

5. Though Respondent has demonstrated rehabilitation from her previous actions as evidenced by the letter of support and Respondent's good track record on Respondent's Registration currently on probation, Respondent's past conduct is so serious in nature that it warrants ongoing supervision and oversight.

6. Respondent's conduct outlined in Case 10-65 and 14-60 are bases to continue Respondent's Registration on a probationary status pursuant to K.S.A. 65-1626(a)(3) and (a)(12).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is subject to a continuing probationary status, until further order of the Board. The terms of Respondent's probation are as follows:

- Respondent may be allowed in the dispensing area of her current employer and PIC's pharmacy, but shall not have access to any controlled substances;

- Respondent shall request approval from the Board prior to any change in pharmacy technician employment;
- Respondent must notify the Board of any arrest or criminal charge within 10 days of the date of the arrest or charge;
- Respondent must respond to the Board's regular check-in requests;
- Respondent must inform her employer of the probationary status of her pharmacy technician registration;
- Respondent must obtain the signature of her pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

NOTICES

Applicant is hereby notified as follows:

1. 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.
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, JD, MBA
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

5/11/2023

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11th day of May 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:

Jessica Allen
1241 S. Main
Independence Missouri 64055



Kansas Board of Pharmacy Staff