

November 12, 2021

MAKENZIE AMMONS
310 N PINE ST
BELOIT, KS 67420

RE: Case No. 21-210

Dear Ms. Ammons:

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)
)
Makenzie Ammons)
)
Registration No. 24-113662)

Case No. 21-210

SUMMARY ORDER

NOW, on this 12th day of November 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Makenzie Ammons, (“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, the Board makes the following findings, conclusions and order.

FINDINGS OF FACT

1. The Board has previously issued Respondent Pharmacy Technician Registration Number 24-113662 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas (“Respondent’s Registration”).

2. On or about February 10, 2021, the Board received information regarding charges laid against Respondent on February 6, 2021, for driving under the influence, fleeing or attempting to elude a law enforcement official, and for purchase/possession/consumption of alcoholic liquor by a minor.

3. On February 11, 2021, the Board sent a letter to Respondent's address of record requesting a completed Personal History Form S-150 ("S-150") detailing the nature of the incident, as well as certified copies of the court pleadings from the case.

4. On March 8, 2021, the Board received Respondent's S-150 and a letter of reference, but included no court documents. Respondent's S-150 statement noted that she was a favorable candidate for being granted diversion in her upcoming hearing on March 24, 2021, and that she would keep the Board informed of its outcome. Respondent acknowledged her behavior in the February incident as unacceptable and showed remorse for her wrongdoing, but gave no further details regarding the nature of the incident in question.

5. Also on March 8, 2021, the Board emailed Respondent to request she provide an update to the Board within ten days of her March 24th court appearance.

6. On August 26, 2021, as the Board had received no update or corresponding court documentation from Respondent, the Board sent a letter to Respondent again requesting she provide certified copies of court pleading from the case.

7. On or about September 7, 2021, the Board received from Respondent a one-page *Motion and Order for Diversion* regarding her court case, detailing that Respondent had her prosecution deferred while she serves out a 12-month court diversion agreement that became effective on May 12, 2021.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1663, the Board may limit a 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(uuu), unprofessional conduct means conduct likely to deceive or harm the public.

4. Respondent is currently serving her court diversion and so awaiting the outcome of her charges. Respondent is therefore unable to show that she has been sufficiently rehabilitated to warrant the public trust at this time.

5. Respondent's recent arrest for her use of alcohol while both underaged and operating a motor vehicle was an incident which placed the public at risk of harm, and is therefore a basis to place Respondent's registration in a probationary status pursuant to K.S.A. 65-1627(a)(3).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Pharmacy Technician Registration is hereby PLACED UNDER A 2-YEAR PROBATIONARY STATUS. The terms of Respondent's probation are as follows:

- Respondent must continue compliance with the terms of her court diversion;
- Respondent must notify the Board of any change in her court status or outcome within 10 days of the change;
- Respondent must notify the Board of any further arrest or criminal charge within 10 days of the date of the arrest or charge;
- Respondent must notify the Board of any change in employment within 10 days of the change and obtain Board approval for the change;

- Respondent must inform employers 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
- Respondent must comply with all rules and regulations of the Pharmacy Practice Act.

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 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.

11/12/2021

Date

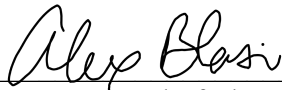


Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12th day of November 2021, 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:

MAKENZIE AMMONS
310 N PINE ST
BELOIT, KS 67420



Kansas Board of Pharmacy Staff