

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Christopher Ball)
1-107362)
_____)

Case No. 18-611

SUMMARY ORDER OF APPROVAL

NOW on this 26 day of December, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Christopher Ball, ("Applicant"), for his pharmacist by reciprocity application in the State of Kansas.

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

FINDINGS OF FACT

For purposes of this order, the Board's Executive Secretary makes the following findings of fact:

1. On or about August 16, 2018, the Board received Applicant's license application for pharmacist by reciprocity.
2. Applicant disclosed that in April of 2006, he had action taken against his pharmacy intern license due to a hydrocodone addiction. Applicant indicated that the addiction resulted from a 2005 respiratory infection for which he was prescribed a hydrocodone-containing cough syrup. Applicant stated that he continued taking the medication after the

symptoms were alleviated and eventually began taking the medication from the Kroger Pharmacy where he worked for personal use until his employer discovered his actions.

3. As a result of his actions related to the hydrocodone, the Ohio State Board of Pharmacy suspended his intern license from April of 2006 to August of 2007 and later placed a 5-year probationary term on his pharmacist license.

4. Applicant stated that he entered an intensive outpatient treatment program in May of 2006 and completed the 6-month program, as well as 6 months of aftercare. Applicant stated he received treatment in lieu of a criminal conviction for any pending charges and also joined the Ohio Pharmacist Rehabilitation Organization. Applicant stated he completed his contract with the Ohio Pharmacist Rehabilitation Organization in August of 2012 and restored his pharmacist license to good standing with the Ohio Board of Pharmacy.

5. On or about August 16, 2018, a Board Individual License Evaluator conducted a phone conversation with Applicant. Applicant described his plan to prevent relapse and demonstrated his commitment to continuing to work a complete program of recovery.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1627(a)(3), the Board may revoke, suspend, place in a probationary status or deny an application or renewal of any license of a pharmacist upon a finding that the licensee is found by the board to be guilty of unprofessional conduct.

2. Pursuant to K.S.A. 65-162(ttt), unprofessional conduct includes unlawful possession of drugs.

3. Pursuant to K.S.A. 65-1627(a)(12), the Board may revoke, suspend, place in a probationary status or deny an application or renewal of any license of a pharmacist upon a finding that the licensee has had a license to practice pharmacy revoked, suspended or limited,

has been censured or has had other disciplinary action taken or voluntarily surrendered the license after formal proceedings have been commenced, or has had an application for license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

4. Applicant's diversion of hydrocodone from Kroger Pharmacy is an unlawful possession of drugs, which is unprofessional conduct pursuant to K.S.A. 65-1626(ttt), and is a basis to limit Applicant's license pursuant to K.S.A. 65-1627(a)(3).

5. Applicant's discipline in the state of Ohio, as evidenced by Ohio Board of Pharmacy orders dated May 11, 2006 and November 8, 2006, is a basis to limit Applicant's pharmacist license pursuant to K.S.A. 65-1627(a)(12).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Pharmacist License by Reciprocity is hereby GRANTED with the restriction that Applicant may not serve as a Pharmacist in Charge (PIC).

NOTICES

Applicant is hereby notified as follows:

6. 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.

7. If a hearing is not requested as described above, the Order denying Applicant's Registration as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.


8. 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.

9. 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.

12/26/18
Date




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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 26 day of December, 2018 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Approval, properly addressed to the following:

Christopher Ball
7249 Bridge Point Pass
Cincinnati, OH 45248



Kansas Board of Pharmacy Staff