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Filed By
FEB 04 2013
KANSAS STATE
BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of }
 }
Abbey Beezley, }
Registration No. 14-07073 }

Case No.: 13-25

SUMMARY ORDER

COMES NOW, the Kansas Board of Pharmacy (the “Board”), and reviews the file on Abbey Beezley (“Respondent”).

After considering the following, the Board’s Investigative Member, in accordance with the authority granted to him by the Board, enters the following Summary Order.

FINDINGS OF FACT

For purposes of this order, the Board’s Investigative Member makes the following findings of fact:

1. The Board has previously issued Respondent Registration No. 14-07073 which entitled her to function as a pharmacy technician in the State of Kansas (“Respondent’s Registration”).
2. At all times relevant to this matter, Respondent was employed by Walgreens Pharmacy #09049 in Pittsburg, Kansas.
3. On January 25, 2013, Nathaniel Varnum, R.Ph, the Pharmacy Supervisor at Walgreens Pharmacy, contacted an inspector for the Board and stated that a pharmacy technician had diverted drugs from his pharmacy.

4. The Pittsburg Police Department incident report received by the Board for this incident documents a loss of 60 alprazolam tablets, along with several other miscellaneous items from the store's front end.

5. In an interview with Walgreens Loss Prevention on January 23, 2013, Respondent admitted to the theft and diversion of the alprazolam and other items, as well as to consuming the alprazolam in the pharmacy during her working hours.

CONCLUSIONS OF LAW

6. 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.

7. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

8. That K.S.A. 65-1626(ccc)(5) defines unprofessional conduct as unlawful possession of drugs and unlawful diversion of drugs.

9. The acts committed by Respondent are a basis for discipline of Respondent's Registration pursuant to the Pharmacy Act, K.S.A. 65-1625 *et seq.*

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Pharmacy Technician Registration is hereby REVOKED.

NOTICES

The Respondent is hereby notified as follows:

10. The Respondent may request a hearing pursuant to the Kansas State Administrative Procedures 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.

11. If a hearing is not requested as described above, the Order revoking the Respondent'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.

12. 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.


13. 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:

Debra Billingsley
Executive Director
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

2/4/13

Date



Investigative Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 4 day of February, 2013, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Abbey Beezley
107 N. Lincoln St.
Weir, KS 66781



Doug M. Taylor, Compliance Counsel
Kansas Board of Pharmacy