



any state or federal court whether or not a sentence was imposed, suspended, or diverted? This includes misdemeanors.

3. On May 24, 2017, the Board received a background report from the Kansas Bureau of Investigation (“KBI”), indicating that Applicant had been arrested for “obstruct legal process” in 2005; arrested and convicted of misdemeanor domestic battery in 2008; arrested for “probable cause of warrant” in 2008; and arrested for failure to appear in 2012.

4. On June 14, 2017, the Board sent Applicant a letter requesting she submit a completed S-150 Form.

5. On November 13, 2017, the Board sent Applicant a second letter requesting she submit a completed S-150 Form.

6. Applicant has not responded to the Board’s requests for a completed S-150 Form.

#### 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)(1), the Board may deny the granting of a license to an Applicant who has attempted to obtain a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(2) the Board may deny the granting of a license to an Applicant who has been convicted of a misdemeanor involving moral turpitude or gross

immorality or any felony and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust;

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny the granting of a license to an Applicant who has been found guilty of unprofessional conduct.

5. Pursuant to K.S.A. 65-1626(sss), unprofessional conduct means conduct likely to deceive or harm the public.

6. Pursuant to K.S.A. 65-1627(a)(15), the Board may deny an application from an Applicant who has failed to furnish the board, its investigators or its representatives any information legally requested by the board;

7. Applicant's answer of "No" regarding her previous criminal history is a misrepresentation of a material fact and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(1).

8. Applicant's misdemeanor conviction for domestic battery and failure to show that she has been sufficiently rehabilitated to warrant the public trust is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(2).

9. Applicant's arrests for obstructing the legal process, domestic battery, and failure to appear are unprofessional conduct and bases to deny Applicant's Application pursuant to 65-1627(a)(3).

10. Applicant's failure to respond to the Board's request for a completed S-150 Form is a basis to deny Applicant's Application pursuant to 65-1627(a)(15).

### ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

11. 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.

12. 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.


13. 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.

14. 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.

12/29/17  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 29 day of December, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Sylvia Chavez  
205 N. Thorpe St.  
Kansas City, KS 66102

A handwritten signature in blue ink, appearing to read "Tanner Moore", is written above a horizontal line.

Kansas Board of Pharmacy Staff