800 SW Jackson St., Suite 1414 Topeka, KS 66612

Alexandra Blasi, Executive Secretary

October 11, 2023

Brylee Davis 1005 S 15th St Burlington KS 66839

RE: Case No. 23-335

Dear Ms. Davis:

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 <u>Pharmacy.Compliance@ks.gov</u>.

Sincerely,

Kansas Board of Pharmacy

Enclosure



Laura Kelly, Governor

BEFORE THE KANSAS BOARD OF PHARMACY

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In the Matter of

Brylee Davis

Registration No. 24-117594

Case No. 23-335

SUMMARY ORDER OF REVOCATION

NOW on this 11th day of October, 2023 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Brylee Davis ("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 of Revocation in the abovecaptioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board has issued Respondent Pharmacy Technician Registration Number 24-117594 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").

2. On or about September 27, 2023, the Board received information regarding a September 2023 theft offense against Respondent.

3. On October 3, 2023, the Board sent an email to Respondent's address of record requesting a completed Personal History Form S-150, as well as certified copies of the court pleadings from each case. Respondent did not respond to the Board's request.

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4. On October 3, 2023, the Board received an email from Respondent with the following statement: "The theft occurred in May of 2022, not September of 2023. I do not have plans to renew my pharmacy technician certification so I will not be sending any documents."

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. That pursuant to K.S.A. 65-1627 (a)(15), the Board may take action against the license of a pharmacist if the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

3. Respondent's refusal to supply the Board with the requested documentation is a violation of K.S.A. 65-1627(a)(15) and a basis to revoke Respondent's Registration.

<u>ORDER</u>

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

NOTICES

The Respondent is hereby notified as follows:

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

IT IS SO ORDERED.

10/11/2023 Date alep Bloss

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

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CERTIFICATE OF SERVICE

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

Brylee Davis 1005 S 15th St Burlington KS 66839

<u>CUep Selosi</u> Kansas Board of Pharmacy Staff