

Doug M. Taylor, KS Bar #23690
Kansas State Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612
(785) 296-4056 (tel.)
(785) 296-8420 (fax)
doug.taylor@pharmacy.ks.gov

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KANSAS STATE
Board of Pharmacy

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of the Application of)
Daina E. Dorsey, for a) Case No. 12-105
Pharmacy Technician Registration.)

SUMMARY ORDER

NOW this 23 day of July, 2012, the above captioned matter comes before the Kansas State Board of Pharmacy (“Board”) on the application of Daina E. Dorsey (“Respondent”) for a Pharmacy Technician Registration. After considering the foregoing, the Board’s Investigative Member, in accordance with the authority granted to him by the Board, enters the following Summary Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is currently a resident of 2800 SW Villa West Dr., #41, Topeka, KS 66614.
2. The Board has the authority to grant Respondent a Pharmacy Technician Registration.
3. On June 6, 2012, Respondent applied for a Pharmacy Technician Registration with the Board.
4. The Board’s application for a Pharmacy Technician Registration (“Application”) states the following: “If you do not fully and truthfully report your history, your application will be denied and/or you will be subject to other sanctions.”

5. Part IV of the application for Pharmacy Technician Registration (“Application”) asks: “Have you ever been cited, arrested for, charged with, or convicted of the commission of any crime, offense, or violation of the law in any state or by the federal government **even if those charges were dismissed or expunged?**” Respondent responded “NO.”

6. The Kansas Bureau of Investigation did a criminal background search on Respondent and provided the Board with an Abstract of Criminal History, more commonly known as the RAP Sheet.

7. Respondent’s RAP Sheet documented the following arrests and charges:

- a. A February 8, 2007, arrest for Attempted Violation of a Protective Order (violation of K.S.A. 21-3843).
- b. An November 17, 2008, arrest for Violation of Protective Order From Stalking (violation of K.S.A. 21-3843).
- c. An August 28, 2009, arrest for Criminal Threat (violation of K.S.A. 21-3419) and Harassment by Telephone (violation of K.S.A. 21-4113).

8. Respondent did not provide a written notarized explanation of any of these arrests or charges as requested by the Board on its application form.

9. Pursuant to K.S.A. § 65-1663(e)(1), 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.

10. Pursuant to K.S.A. § 65-1627(a)(15), the Board may deny a license when “the licensee has failed to provide the board or its investigators any information legally requested by the board.”

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's application for registration as a pharmacy technician in the State of Kansas is hereby DENIED.

NOTICES

Respondent is hereby notified as follows:

1. 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.

2. If a hearing is not requested as described above, the Summary 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 § 77-613. 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.

07-18-2012
Date



David R. Schoech
Investigative Member

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 23 day of July, 2012, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Daina E. Dorsey
2800 SW Villa West Dr. #41
Topeka, KS 66614



Doug Taylor, Compliance Counsel