

October 28, 2021

ASHLEY GUERRICAGOITIA
19139 W 210th ST
SPRING HILL, KS 66083

RE: Case No. 21-164

Dear Ms. Guerricagoitia:

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. In addition, a civil fine has been assessed totaling \$500. Please submit a check or money order made payable to the Kansas Board of Pharmacy and include your case number in the check memo.

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 Pharmacy.Compliance@ks.gov.

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Ashley Guerricagoitia)
)
License No. 1-103074)

Case No. 21-164

SUMMARY ORDER

NOW, on this 28th day of October 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Ashley Guerricagoitia (“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 in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board has previously issued Respondent License No. 1-103074 which entitles Respondent to practice as a pharmacist in the State of Kansas.
2. Since the spring of 2017, Respondent has remained a pharmacist at Auburn Pharmacy in Paola, Kansas (“the Pharmacy of Origin”).
3. On May 5, 2021, the Board received a complaint alleging that Auburn Pharmacy in Louisburg, Kansas (“the Pharmacy of Receipt”) had received a transfer prescription (“the Prescription”) from the Pharmacy of Origin which was originally e-scribed by a prescriber for Seroquel 25mg, but had instead been dispensed as Sertraline 25mg.
4. On June 20, 2021, the Board’s Inspector investigated this allegation.

5. On June 24, 2021, the Board's Inspector submitted a summary of findings and relevant documentation which together outlined, though were not limited to, the following:

- On February 25, 2021, D. Matz was working as a pharmacy technician in the Pharmacy of Origin, though her Kansas Pharmacy Technician Registration had expired on December 5, 2020.
- On February 25, 2021, a prescriber submitted the Prescription for Seroquel to the Pharmacy of Origin.
- On February 25, 2021, D. Matz completed data entry at the Pharmacy of Origin for the Prescription and placed it on hold. Matz erroneously entered the Prescription as Sertraline.
- On February 26, 2021, while working at the Pharmacy of Origin, Respondent transferred the erroneous on-hold Prescription to the Pharmacy of Receipt.
- Respondent did not complete final verification of the Prescription and its data before making such transfer.
- On February 26, 2021 and March 30, 2021, the Pharmacy of Receipt dispensed the erroneous Prescription based on the information in Respondent's unverified transfer.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the Pharmacy Act of the State of Kansas or any other rules or regulations of the State Board of Pharmacy.

2. Pursuant to K.S.A. 65-1656(a)(2)(A), in transferring a prescription, the requested pharmacist shall provide accurately and completely to the dispensing pharmacist the name of the drug prescribed.

3. Respondent provided to the dispensing pharmacist at the Pharmacy of Receipt an inaccurate drug name of Sertraline for the Seroquel Prescription, violating K.S.A. 65-1656(a)(2)(A).

4. Said violation is basis to issue a fine to Respondent per K.S.A. 65-1658.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to **pay to the Board a \$500 fine** for the violation within 30 days from the date of this order.

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.

10/28/2021

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 28th day of October 2021, 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:

ASHLEY GUERRICAGOITIA
19139 W 210th ST
SPRING HILL, KS 66083



Kansas Board of Pharmacy Staff