

Filed By

FEB 20 2019

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
IGGY HERNANDEZ)
 Pharmacy Technician)
Registration No. 14-101150)

Case No. 18-138

SUMMARY ORDER OF REVOCATION

NOW on this 20 day of February, 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Iggy Hernandez, Pharmacy Technician ("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 above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

For purposes of this order, the Board's Executive Secretary makes the following findings of fact:

1. The Board has previously issued Respondent Pharmacy Technician Registration Number 14-101150 authorizing him to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").

2. On or about April 27, 2018, the Board mailed Respondent a summary order imposing a fine of \$100.00 and 20 hours of continuing education (CE) for failure to complete his required CE during an audited period.

3. On or about July 17, 2018, the Board mailed Respondent a demand letter for the \$100.00 fine payment and additional 20 hours of penalty CE.

4. On or about September 11, 2018, the Board mailed Respondent a final demand letter for the \$100.00 fine payment and additional 20 hours of penalty CE.

5. On or about September 14, 2018, the Board received a phone message from Respondent asking if he could set up a payment plan. The Board responded to this phone message with an email to Respondent. The Board informed Respondent that the Board could give Respondent until December 31, 2018 to pay the \$100.00 fine. The Board stated that Respondent could either send the payment in installments or pay the entirety at any time before December 31, 2018.

6. To date, the Board has not received the \$100.00 fine payment from Respondent or the additional 20 hours of penalty CE.

CONCLUSIONS OF LAW

7. 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.

8. That pursuant to K.S.A. 65-1627(a)(16), the Board may revoke the license of a pharmacist upon a finding that the licensee has violated or failed to comply with any lawful order or directive of the board.

9. Respondent's failure to pay the fine and complete the additional CE imposed is a failure to comply with a lawful board order and a basis to revoke Respondent's Registration pursuant to K.S.A. 65-1627(a)(16).

ORDER

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:

10. 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.

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.

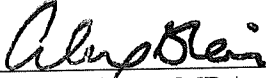
12. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

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:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

Date 2/20/19



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 20 day of February, 2019, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Iggy Hernandez
8340 W 108th Terr Apt B
Overland Park, KS 66210

and the original hand delivered to:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612



Kansas Board of Pharmacy Staff