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Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

July 12, 2019

Jacquelyn Jackson  
14916 W 64th Ter  
Shawnee KS 66216

RE: Case No. 19-049

Dear Ms. Jackson:

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 [Pharmacy.Compliance@ks.gov](mailto:Pharmacy.Compliance@ks.gov).

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

Filed By

JUL 12 2019

KANSAS STATE BOARD OF PHARMACY

Case No. 19-049

In the Matter of )  
 )  
Jacquelyn Jackson )  
 )  
Applicant )

**SUMMARY ORDER**

NOW on this 12<sup>th</sup> day of July, 2019 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Jacquelyn Jackson ("Applicant"), for application for a Kansas pharmacy technician registration.

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 application materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order.

**FINDINGS OF FACT**

1. On January 22, 2019, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
2. Applicant answered "Yes" to the following question on her application: Have you been charged with or convicted of (includes plea of guilty or no contest) a criminal offense or is there any criminal charge now pending against you (other than minor traffic violations) in any state or federal court whether or not a sentence was imposed, suspended, or diverted? This includes misdemeanors.

3. As part of Applicant's Application, Applicant certified that the information provided was true, correct and complete, and understood that falsification of the information provided was grounds for denying Applicant's Application.

4. Applicant attached a Personal History Form S-150 with her application indicating she had the following offenses on her criminal record: driving under the influence of alcohol and an offense she described as "CCW" on June 9, 2018, as well as a grand larceny conviction in 1986.

5. The Board received information regarding the following additional offenses on Applicant's criminal record: a 1979 felony aggravated assault offense; a 1980 felony making a false writing offense; a 1980 felony forgery offense; a 1980 misdemeanor theft offense; a 1984 stealing/larceny offense; a 1987 forgery/passing a bad check offense; a 1988 probation violation offense; five 1991 shoplifting arrests; a 1991 theft arrest; a 1996 theft offense; and a 2009 unlawful possession, transport, manufacture and driving while intoxicated offense.

6. On February 18, 2019, the Board mailed Applicant a letter requesting a more detailed explanation for all offenses, including the offenses she disclosed, as well as certified copies of the court pleadings from each case.

7. On or about March 14, 2019, the Board received the requested documentation, as well as letters of recommendation. Applicant indicated in her explanation that her previous disclosure of a 2018 DUI offense was a mistake and that no such charge exists. The Board received no information to corroborate whether or not such a charge exists.

8. On or about June 20, 2019, the Board's Individual License Evaluator conducted a phone interview with Applicant. Applicant acknowledged wrongfulness of her past crimes in the interview and stated that she has now changed her life.

## 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 an application of any pharmacist who has obtained, renewed or reinstated, or attempted to obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

4. Pursuant to K.S.A. 65-1626(tt), unprofessional conduct means conduct likely to deceive or harm the public, and/or fraud in securing a registration.

5. Applicant's failure to report her entire criminal history on her application was a misrepresentation of a material fact and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(1).

6. Applicant's lengthy criminal history of arrests and convictions for both felonies and misdemeanors indicates instances of unprofessional conduct and is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(3).

7. Although Applicant provided letters of recommendation and acknowledged the wrongfulness of her previous criminal acts, Applicant's extensive 40-year criminal history shows a habitual disregard for the law and is a danger to the public in the pharmacy setting and a basis to deny Applicant's Application.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

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

IT IS SO ORDERED.

7/12/19  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12<sup>th</sup> day of July, 2019, 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:

Jacquelyn Jackson  
14916 W 64<sup>th</sup> Terr  
Shawnee, KS 66216

  
\_\_\_\_\_  
Kansas Board of Pharmacy Staff