

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Ronciia Langham)
14-102767)
_____)

Case No. 17-087

SUMMARY ORDER OF DENIAL

NOW on this 29 day of December, 2017, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Ronciia Langham, ("Applicant"), for her application for registration as a Kansas pharmacy technician.

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 Denial 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

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

1. On or about April 17, 2017, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
2. Applicant answered "No" 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. Applicant answered “Yes” to the following question on her application: Have you ever had a felony or misdemeanor conviction expunged from your record? In addition, Applicant submitted a completed S-150 Form disclosing a 2003 offense.

4. On April 25, 2017, the Board received a background report from the Kansas Bureau of Investigation (“KBI”), indicating that Applicant had been arrested for felony stealing in 1998; arrested for failure to appear on felony in 1999; arrested and convicted of misdemeanor theft in 1999; arrested for felony tampering with a motor vehicle in 2000; arrested for misdemeanor tampering with property in 2001; arrested for theft and criminal trespass in 2001; arrested and convicted of felony tampering with a motor vehicle in 2002; arrested for misdemeanor theft, driving without a valid license, without valid registration, and without insurance in 2003; completed a diversion for driving without liability insurance in 2004; and arrested for driving while cancelled/suspended/revoked in 2011.

5. On April 26, 2017, the Board sent Applicant a letter requesting she provide the Board with court pleadings from the 2003 offense she disclosed on her S-150 Form.

6. On June 14, 2017, the Board sent Applicant a second letter requesting she provide the Board with court pleadings from the 2003 offense she disclosed on her S-150 Form.

7. On June 22, 2017, the Board received an e-mail “testimony” from Applicant, but did not receive the requested court pleadings.

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 the granting of a license to an Applicant who has attempted to obtain a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(2), the Board may deny the granting of a license to an Applicant who has been convicted of a misdemeanor involving moral turpitude or gross immorality or any felony and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny the granting of a license to an Applicant who has been found guilty of unprofessional conduct.

5. Pursuant to K.S.A. 65-1626(sss), unprofessional conduct means conduct likely to deceive or harm the public.

6. Pursuant to K.S.A. 65-1627(a)(15), the Board may deny an application from an Applicant who has failed to furnish the board, its investigators or its representatives any information legally requested by the board;

7. Applicant's answer of "No" regarding previous criminal history and her omission regarding all but one of her previous offenses on her S-150 Form are misrepresentations of material fact and bases to deny Applicant's application pursuant to K.S.A. 65-1627(a)(1).

8. Applicant's previous arrests for theft, stealing, tampering with a motor vehicle, driving without a valid license and registration, driving without insurance, and driving while cancelled/suspended/revoked and failure to show that she has been sufficiently rehabilitated to

warrant the public trust are bases to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(2).

9. Applicant's previous arrests for theft, stealing, tampering with a motor vehicle, driving without a valid license and registration, driving without insurance, and driving while cancelled/suspended/revoked are unprofessional conduct and bases to deny Applicant's Application pursuant to 65-1627(a)(3).

10. Applicant's failure to respond to the Board's request for court pleadings is a basis to deny Applicant's Application pursuant to 65-1627(a)(15).

11. Applicant's prior criminal history disregard for the law poses a danger to the public in the pharmacy setting, and is a basis to deny Applicant's Application.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

12. 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.

13. If a hearing is not requested as described above, the Order denying Applicant'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.


14. 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.

15. 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.

12/29/17
Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 29 day of December, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Ronciia Langham
4279 E 60th Terrace
Kansas City, MO 64130



Kansas Board of Pharmacy Staff