

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Mallory Lantz)
)
Application No. 14-111227)

Case No. 20-007

SUMMARY ORDER

NOW, on this 21st day of February 2020, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Mallory Lantz, ("Applicant"), for 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 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 21, 2020, 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.* The application directs that if the applicant answers yes, she must attach a Form S-150 Personal History ("S-150").

3. The Board received information regarding June 2017 charges of DUI & possession of marijuana, and March 2019 charges of disorderly conduct & battery.

4. In her S-150, Applicant had fully disclosed the above charges and submitted all relevant court documentation. It was concluded that Applicant had successfully completed diversion for the 2017 charges, but that she is currently in the midst of serving out a twelve month probation period for the 2019 offenses.

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)(2), the Board may place in a probationary status the license of any pharmacist upon a finding that the licensee has been convicted of any felony or misdemeanor of gross immorality or moral turpitude, and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

3. Applicant's recent offenses are a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(2), as she is still on probation and therefore, unable to show that she has been sufficiently rehabilitated to warrant the public trust at this time.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby GRANTED subject to a 2-year probationary status. The terms of Applicant's probation are as follows:

- Applicant must continue compliance with the terms of her court probation;

- Applicant must notify the Board of any change in her court probation status within 10 days of the change;
- Applicant must notify the Board of any change in employment within 10 days of the change and obtain Board approval for the change;
- Applicant must inform employers of the probationary status of her pharmacy technician registration;
- Applicant must obtain the signature of her pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

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.

2/21/2020
Date


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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 21st day of February 2020, 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:

MALLORY LANTZ
4749 NW ROCHESTER RD
TOPEKA, KS 66617



Kansas Board of Pharmacy Staff