

October 12, 2021

JULIUS MOORE  
741 S GROVE DR  
WICHITA, KS 67211

RE: Case No. 21-108

Dear Mr. Moore:

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

In the Matter of )  
 )  
Julius Moore )  
 )  
Applicant )

Case No. 21-108

**SUMMARY ORDER OF DENIAL**

NOW, on this 12th day of October 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Julius Moore (“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 of Denial in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order.

**FINDINGS OF FACT**

1. On April 5, 2021, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).

2. Applicant answered “NO” and “YES”, respectively, to the following questions on his 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.* and *Have you ever been charged with or convicted of (includes plea of guilty or no contest) or charged with a violation of any federal or state drug*

*law(s) or rule(s) whether or not a sentence was imposed, suspended, or diverted?* The application instructs that if the applicant gives an answer of “YES”, he or she must include a Form S-150: Personal History (“S-150”).

3. On his S-150, Applicant stated that he had received a marijuana charge sometime between 2008 and 2010, and that he was placed on diversion, underwent drug treatment and counseling, and that this was his first and last drug charge incident. Applicant included no court documentation to support this charge and its outcome, nor did he include any letters of reference or character recommendations.

4. On or about April 8, 2021, the Board received information regarding the following misdemeanor charges laid against Applicant: November 2007 alcohol or drug DUI (presumably the incident Applicant disclosed) for which diversion was completed in April of 2009; March 2008 possession of depressant/stimulant/hallucinogenic/steroid for which Applicant was convicted; domestic battery offenses in 2012 and 2017, the first having been dismissed without prejudice, and; misdemeanors related to Applicant’s driver’s license and vehicle insurance frequent enough to record him as “driving while a habitual violator” in 2019 and the most recent of which was charged in August of 2020.

5. On April 8, 2021, the Board mailed to Applicant’s address a letter requesting he provide the Board with a more detailed explanation regarding these offenses, as well as provide certified copies of the court pleadings from each case.

6. On or about April 23, 2021, the Board received from Applicant his statement of explanation and several court documents. The Board subsequently deemed the court records provided as insufficient, as they included only the dismissal without prejudice of the 2012 battery.

7. On April 26, 2021, the Board mailed Applicant a second letter, this time requesting specifically that he provide certified copies of all court pleadings from Wichita Municipal Court where his charges in question had been incurred.

8. On May 14, 2021, the Board received a two-page records check from Applicant listing all findings on his cases. No further documents were provided by Applicant.

9. Applicant's documents were subsequently forwarded to the Board's Individual License Evaluator ("the Evaluator"), who then conducted a phone interview with Applicant.

#### CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1663, the Board may deny an application for issuance 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 license of any pharmacist upon a finding that the licensee 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 or professional incompetency.

4. Pursuant to K.S.A. 65-1626(uuu), unprofessional conduct includes conduct likely to deceive, defraud, or harm the public.

5. Applicant's S-150 responses to the disciplinary question(s) on Applicant's Application included on one of many criminal offense violations for which arrests were made and charges were filed. This constitutes a misrepresentation of material fact on an application and a basis to deny Applicant's Application as a violation of K.S.A. 65-1627(a)(1).

6. In addition, Applicant failed to acknowledge the nature and seriousness of his cumulative offenses, which show a pattern and practice of disregard for the law over the past fourteen years.

7. Applicant's criminal offense history demonstrates a pattern and practice of breaking laws, failure to follow clear rules, and endangering the public which has the potential to place the public at risk in the pharmacy setting. Applicant's repeated criminal offenses, including his drug possession conviction, are bases to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(3).

#### 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.

10/12/2021

\_\_\_\_\_  
Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12th 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:

JULIUS MOORE  
741 S GROVE DR  
WICHITA, KS 67211



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Kansas Board of Pharmacy Staff