

July 14, 2021

BRENNA MOUNTFORD
122 E WILSON ST
CARTERVILLE, MO 64835

RE: Case No. 21-080

Dear Ms. Mountford:

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.

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Brenna Mountford)
)
Applicant)

Case No. 21-080

SUMMARY ORDER OF DENIAL

NOW, on this 14th day of July 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Brenna Mountford (“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 December 16, 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 instructs that if the applicant answers “YES”, he or she must include a Form S-150 Personal History (“S-150”).

3. In her S-150, Applicant stated that she was placed on supervised probation in July 2017 for a forgery charge which she deemed a “dumb mistake.” She noted that the probationary period, which suspended the imposition of a sentence, was to last five years and stipulated that she pay restitution. Applicant also stated that her probation officer had recently request she be taken off probation early, and that she would not be a convicted felon. Applicant included no court documents to support this charge or its outcome, nor any explanation of the incident surrounding the charge.

4. On December 31, 2020, the Board mailed Applicant a letter requesting certified copies of the court pleadings from the case, including but not limited to the probation order and the release from probation documents. Applicant did not respond to the Board’s request.

5. On February 1, 2021, the Board mailed Applicant a second letter, again requesting the aforementioned court documents.

6. On March 4, 2021, the Board received from Applicant a letter of recommendation by her attorney, stating that Applicant had been released from supervision in regard to her probation. However, no court documentation was available from Applicant save a certificate stating no record was found by the county clerk. Applicant provided to the Board no details regarding the circumstances or nature of the initial charge, no evidence of rehabilitation since the time of this self-acknowledged mistake, and no further information regarding interim release from, or anticipated termination of, her probation and its terms.

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)(2), the Board may deny an application 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. 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. Pursuant to K.S.A. 65-1627(a)(15), the Board may deny an application of any pharmacist who has failed to furnish to the Board any information legally requested by the Board.

6. Applicant's forgery charge is a basis to deny Applicant's application pursuant to K.S.A. 65-1627(a)(2), as she has failed to show the termination of her court diversion agreement or that she is no longer awaiting the outcome of this offense, rendering Applicant therefore unable to show that she has been sufficiently rehabilitated to warrant the public trust at this time.

7. Applicant's act of forgery is a basis to deny Applicant's application pursuant to K.S.A. 65-1627(a)(3), as such an act constitutes conduct likely to deceive and holds the potential to cause harm to the public, placing the pharmacy community at risk in an environment where pharmacy technicians have significant access to highly confidential and sensitive information.

8. Applicant's failure to supply the Board with court documentation as requested, or a Form S-150 unveiling the nature of her misconduct, is a basis to deny Applicant's Application pursuant to K.S.A 65-1627(a)(15).

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.

7/14/2021

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 14th day of July 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:

BRENNA MOUNTFORD
122 E WILSON ST
CARTERVILLE, MO 64835



Kansas Board of Pharmacy Staff