

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Krista Nunn)
)
Registration No. 14-109245)

Case No. 19-322

SUMMARY ORDER

NOW, on this 23rd day of October 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Krista Nunn, ("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 April 18, 2019, 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. On or about May 2, 2019, the Board received information regarding a 2006 battery arrest, an April 2012 theft, and June 2012 charges of theft of property/services, attempted possession of drugs or stimulants, and possession of drug paraphernalia.

4. On May 7, 2019, the Board mailed Applicant a letter requesting a completed Personal History Form S-150 detailing Applicant's charges, as well as certified copies of the court pleadings from each case.

5. On or about June 10, 2019, the Board received the requested documentation. Applicant's personal statement and court documents showed that Applicant accepted full responsibility for her actions, completed her sentences, or otherwise had proved to be in the wrong place at the wrong time.

6. Subsequently, the Board's Individual License Evaluator conducted a phone interview with Applicant. Evaluator noted that amount of time elapsed since Applicant's misconduct has been six years, and that Applicant's present moral fitness is proven through the maturity she has gained, as well as through the successful completion of court-mandated classes and non-reporting probation.

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 misdemeanor convictions are a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(2).

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 notify the Board of any change in her 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.

Date

10/23/19


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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 23rd day of October 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:

KRISTA NUNN
4235 S ELIZABETH AVE, #3
WICHITA, KS 67217



Kansas Board of Pharmacy Staff