

BEFORE THE KANSAS BOARD OF PHARMACY

Filed

JAN 31 2008

KANSAS STATE
Board of Pharmacy

In The Matter Of)
)
JAY PARKER,)
Application.)
_____)
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Case No. 07-81

FINAL AGENCY ORDER

On December 18, 2007, the Kansas Board of Pharmacy (the "Board") held a hearing on the Application of Jay Parker ("Parker") for the reinstatement of his license to practice pharmacy in the State of Kansas. Parker appeared in person and through his Attorney, Darin M. Conklin of Alderson, Alderson, Weiler, Conklin, Burghart & Crow, LLC. B. Lane Hemsley of Frieden & Forbes acted as the Board's Disciplinary Counsel. After considering the evidence admitted at the hearing, the Board enters the following final agency order.

I. FINDINGS OF FACT

1. On September 12, 2006, the Board held a hearing on a disciplinary petition filed by the Board's Disciplinary Counsel against Parker. Following the hearing, the Board issued a Final Agency Order revoking Parker's Kansas license to practice pharmacy.
2. On May 4, 2007, the Board received an application from Parker requesting that his Kansas license to practice pharmacy be reinstated.
3. By a letter dated June 7, 2007, Parker's attorney advised the Board that Parker was withdrawing his application for reinstatement of his pharmacist license and making application for registration as a Pharmacy Technician. Parker submitted an application for registration as a Pharmacy Technician.

4. On June 12, 2007, the Board held a hearing on the Application of Parker for registration as a Pharmacy Technician. Following the hearing, the Board issued a Final Agency Order approving Parker's application for registration as a Pharmacy Technician.

5. On December 6, 2007, the Board received an application from Parker requesting that his Kansas license to practice pharmacy be reinstated.

II. CONCLUSIONS OF LAW AND FACT

6. Parker's application for the reinstatement of his license to practice pharmacy in the State of Kansas shall be approved, subject to the following restrictions:

a. Parker's license to practice pharmacy shall be placed on probation for a period of two (2) years, which shall commence on December 18, 2007 ("the license probation period");

b. During the license probation period, Parker shall continue with his criminal case probation ("the criminal probation period") and comply with the requirements of his probation officer, Mr. Gene Bilynsky, an Intensive Supervision Officer with the Shawnee County/Second Judicial District Community Corrections, or any other probation officer that may replace Mr. Bilynsky;

c. Upon Parker's successful completion of the criminal probation period, the Board shall receive a report from Mr. Bilynsky or any other probation officer that may replace Mr. Bilynsky regarding Parker's successful completion of the criminal probation period;

d. Parker shall not serve or perform the duties of a pharmacist in charge in any practice setting;

e. Parker shall not be the owner of any pharmacy; and

f. During the license probation period, the Board shall receive quarterly reports from Mr. Paul Cox, LCSCW, or any other licensed clinical social worker that may replace Mr. Cox, regarding Parker's condition and continued treatment.

III. FINAL ORDER

Based upon the evidence introduced at the hearing held December 18, 2007 and the foregoing findings and conclusions, Parker's application for reinstatement of his license to practice pharmacy in the State of Kansas is hereby granted.


Within fifteen (15) days after service of this Final Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Final Agency Order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Debra Billingsley
Executive Director
Kansas Board of Pharmacy
900 Jackson, Room #513
Topeka, KS 66612

IT IS SO ORDERED.

11/30/2008
Date


MICHAEL E. COAST, R.Ph.
President
Kansas Board of Pharmacy

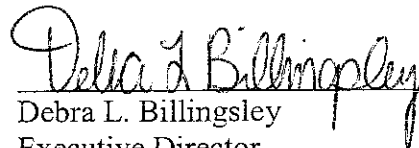
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 31 day of January, 2008, deposit in the United States mail, postage prepaid, a copy of the foregoing **FINAL AGENCY ORDER**, properly addressed to the following:

Jay Parker
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Oskaloosa, KS 66066-5040

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Debra L. Billingsley
Executive Director
Kansas Board of Pharmacy