

BEFORE THE STATE BOARD OF PHARMACY  
OF THE STATE OF KANSAS

IN RE: THE MATTER OF

THOMAS H. PHILLIPS,  
License No. 1-08605  
2257 Roach  
Salina, KS 67401

STIPULATION OF FINDING OF FACT AND ORDER

This matter comes before the State Board of Pharmacy for the State of Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 1996.

The State Board of Pharmacy appears by Glen Mathis, President and Presiding Officer; Monte Baugher, Vice-President; Charlotte Brock, Pharmacist; Karla Kneebone, Pharmacist; Barry Sarvis, Pharmacist; and Dr. Margaret Young, Consumer Representative. Also appearing are Larry Froelich, Executive Secretary, and the attorney for the Board, Dana W. Killinger. Thomas H. Phillips appears personally.

Thomas H. Phillips states that he has been advised of his procedural rights under the Pharmacy Practice Act and Administrative Procedure Act, and Thomas H. Phillips has been advised of his rights to a formal hearing wherein he has a right to be represented by counsel, call witnesses on his behalf, cross-examine the Board's witnesses and other procedural rights. Counsel further advised Thomas H. Phillips of the statutory sections of the law which

were allegedly violated and the statute giving the Board jurisdiction in the matter. Whereupon Thomas H. Phillips waived his right of Formal Hearing.

1. Thomas H. Phillips is a licensed pharmacist in the State of Kansas having License No. 1-08605.

2. That Thomas H. Phillips was employed as a pharmacist and P.I.C. at Key Rexall Pharmacy, Registration No. 2-04487, located at 2024 South Ohio, Salina, Kansas 67401, on or about March 13, 1995 and June 17, 1995.

3. That on or about March 13, 1995, someone filled Prescription No. 539142 prescribing amoxicillin 250 mg chew tabs for Chris Lohf, by practitioner Dr. Edgar Rosales, with amoxicillin 500 mg, a violation of K.S.A. 65-1637(a).

4. That no incident report was prepared for said misfilling, a violation of K.A.R. 68-7-12(d).

5. Said pharmacy does not identify who filled said prescription, a violation of K.A.R. 68-9-1(b)(2).

6. That on or about June 17, 1995, T. Lee Gruen filled Prescription No. 528521, prescribing Advil Liquid 100 mg/5ml for Amanda Lohf by practitioner, Dr. Edgar Rosales, with Sulfatrim, a violation of K.S.A. 65-1637(a).

That the State Board of Pharmacy for the State of Kansas, pursuant to K.S.A. 65-1627(a)(8) has jurisdiction and power to revoke, suspend or place on probation and

pursuant to K.S.A. 65-1658, fine said Thomas H. Phillips.

IT IS THEREFORE ORDERED that Thomas H. Phillips,  
License No. 1-08605 be

Dated: This \_\_\_\_\_ day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
Glen Mathis  
President and Presiding Officer  
State Board of Pharmacy  
for the State of Kansas

I, Thomas H. Phillips, have hereby read the foregoing  
Stipulation and Order and fully understand the violations  
to which I am stipulating to and understand the terms  
of the Stipulation.

\_\_\_\_\_  
Thomas H. Phillips

PREPARED BY:

\_\_\_\_\_  
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