

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Jami Pitts )  
 )  
License No. 1-111332 )

Case No. 20-262

**SUMMARY ORDER OF REVOCATION**

NOW on this 15<sup>th</sup> day of October, 2020 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Jami Pitts ("Respondent").

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 authorized Executive Secretary enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and Order:

**FINDINGS OF FACT**

1. On March 16, 2020, the Board issued Respondent Pharmacist License Number 1-111332 authorizing Respondent to perform the functions of a pharmacist in the State of Kansas ("Respondent's License").

2. On February 10, 2020, the Board received Respondent's application for licensure as a Kansas pharmacist by reciprocity ("Respondent's Application").

3. Respondent's Application included a Form S-150 Personal History on which Respondent disclosed that in September 2009 she entered the Pharmacists Assisting Pharmacists of Arizona ("PAPA"), the Arizona Board of Pharmacy's ("ABP") monitoring program for recovering pharmacists as a voluntary/confidential member. Respondent indicated the ABP placed Respondent's Arizona pharmacist license on probation from October 2010 through January 2016

for violating the PAPA agreement. Respondent's violation of the PAPA agreement was related to obtaining a prescription for controlled substances other than Respondent's primary care provider and missing scheduled drug screens.

4. Respondent's Application indicated her Arizona pharmacist license was active and in good standing, and that all terms of her probation were fulfilled. Respondent's Application indicated that she was granted a Missouri pharmacist license in 2018 and it was active and in good standing.

5. As part of Respondent's Application, Respondent certified that the information provided was true, correct and complete.

6. Based on Respondent's Application, the Board staff granted Respondent's approval to test for the Multistate Pharmacy Jurisprudence Examination ("MPJE").

7. Respondent attempted and passed the Kansas MPJE on March 12, 2020.

8. On July 8, 2020, the Board received an online complaint submission with information regarding suspension of Respondent's Arizona pharmacist license for diversion of controlled substance medications resulting in termination of her employment as a pharmacist.

9. On July 8, 2020, the Board received a copy of the ABP Order dated March 26, 2020 with the following facts and licensure action:

- a. Respondent was employed as the Pharmacy Manager by Bashas' Pharmacy, Store #55.
- b. The Board office received from Bashas' Loss Prevention a memorandum relating to an investigation into 10,958 missing Tramadol pills at Bashas #55 and suspicious activity of Respondent captured on video relating to the shortages.

- c. Video footage revealed several instances in which Respondent was the only employee in the Pharmacy and was observed to have removed a prescription bottle from the Pharmacy and taken into the restroom. When Respondent exited the restroom, sometimes she would no longer have the prescription bottle and other times she would return with the prescription bottle and return it to the shelves. In another instance, Respondent was observed removing her cell phone from her purse and taking a photograph of a page of the Perpetual Inventory binder.
- d. Respondent's Arizona pharmacist license was suspended pending further Order of the Board.

10. Respondent voluntarily signed the ABP Order on March 18, 2020, two days after Respondent's Kansas pharmacist license was issued.

11. To date, no further ABP Order has been issued and Respondent's Arizona pharmacist license remains suspended.

12. To date, Respondent has not notified the Board of the ABP Order.

#### CONCLUSIONS OF LAW

1. The Board may take action against the license of a pharmacist that has violated any of the provisions of the pharmacy act of the state of Kansas or any rule and regulation adopted by the Board pursuant to the provisions of such pharmacy act, as set forth in K.S.A. 65-1627(a)(8).

2. Pursuant to K.A.R. 68-7-25(c), each pharmacist shall notify the Board in writing within 30 days of the date of occurrence of any denial, limitation, suspension, revocation, voluntary surrender, or other disciplinary action taken by another jurisdiction against any pharmacy, pharmacist, pharmacy intern, or pharmacy technician application, license, registration, or permit held by the registrant or licensee.

3. The Board may take action against the license of a pharmacist that has had a license to practice pharmacy revoked, suspended or limited, has been censured or has had other disciplinary action taken, or voluntarily surrendered the license after formal proceedings have been commenced, or has had an application for license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof as set forth in K.S.A. 65-1627(a)(12).

4. Respondent's failure to notify the Board of the ABP Order suspending her Arizona pharmacist license is a violation of K.A.R. 68-7-25(c) and is a basis to revoke Respondent's License pursuant to K.S.A. 65-1627(a)(8).

5. The ABP's suspension of Respondent's Arizona pharmacist license is a basis for the Board to revoke Respondent's License pursuant to K.S.A. 65-1627(a)(12).

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's License is hereby REVOKED.

#### NOTICES

The Respondent is hereby notified as follows:

1. The Respondent 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.

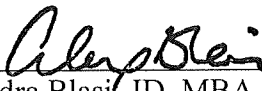
3. Within fifteen (15) days after entry of a final agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

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  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.


10/11/2020  
\_\_\_\_\_  
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 1<sup>st</sup> 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:

Jami Pitts  
12035 McGee St  
Kansas City MO 64145

  
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Kansas Board of Pharmacy Staff