

Filed
APR 28 2010
KANSAS STATE
Board of Pharmacy

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
William L. Pollard, R.Ph.)
Kansas License No. 1-12224)

Case No. 09-58

FINAL AGENCY ORDER

The Kansas Board of Pharmacy (the "Board") has received information, investigated, and held a hearing regarding the licensure of William L. Pollard. An Emergency Order was entered suspending the license of Pollard. Thereafter, a disciplinary petition was filed and a hearing was conducted before the Board on March 10, 2010. After considering the oral and written evidence, the Board enters the following final agency order.

I. FINDINGS OF FACT

1. Pollard holds a license to practice pharmacy in the state of Kansas.
2. On or about December 8, 2008, January 8, 2009, January 16, 2009, and on January 26, 2009, Pollard tested positive for prescription drugs for which he did not have valid prescriptions. Specifically, Pollard tested positive for methadone, which is a controlled substance.
3. On July 15, 2009, Pollard admitted to diversion of methadone tablets from his employer, CVS Pharmacy.

4. On or about October 26, 2009, Pollard's Missouri pharmacist license was revoked. At the March 10, 2010 hearing, disciplinary counsel for the Board introduced into evidence a certified copy of the Missouri order revoking Pollard's Missouri license.

5. At a March 10, 2010 hearing before the Kansas Board of Pharmacy, Pollard admitted to the diversion of drugs, and that his Missouri license had been revoked.

II. CONCLUSIONS OF LAW AND FACT

A. K.S.A. 65-1627(a)(12) provides that the Board may revoke, suspend, place in a probationary status or deny a renewal of any license of any pharmacist upon a finding that the licensee has had a license to practice pharmacy revoked, suspended or limited by the proper licensing authority of another state, a certified copy of the record of the action of other jurisdiction being conclusive evidence thereof. Because Pollard's Missouri license to practice pharmacy has been revoked, the Board is authorized to suspend Pollard's Kansas license.

B. K.S.A. 65-1627(a)(13) provides that the Board may revoke, suspend, place in a probationary status or deny a renewal of any license of any pharmacist upon a finding that the licensee has self-administered any controlled substance without a practitioner's prescription order or a mid-level practitioner's prescription order. Because Pollard has admitted to self-administering a controlled substance without a practitioner's prescription order, the Board is authorized to suspend Pollard's Kansas license.

C. The Board finds and concludes that Respondent's conduct, as described above, violates various provisions of the Pharmacy Act and regulations promulgated pursuant and is grounds for disciplinary action against his license to practice pharmacy in the State of Kansas pursuant to K.S.A. 65-1627(a)(12) and (13).

III. ORDER

Based upon the foregoing, Pollard's Kansas license to practice pharmacy is suspended. Pollard shall immediately enter into and participate in the Committee on Impaired Provider Practice ("CIPP") and shall continue to fully cooperate with the recommendations and requirements of the persons managing or implementing the CIPP Program, the recommendations and requirements of the persons managing or implementing the evaluation and treatment programs recommended or required by the CIPP Program and the further requirements of the Board.

Pollard shall authorize the Kansas Pharmacy Impaired Provider Program and any provider of evaluation or treatment programs he engages in to provide full and complete documentation and information regarding Pollard's involvement in the programs, his evaluations and treatment including, but not limited to, all records and medical reports.

Pollard shall undergo random drug screenings approximately 1 to 2 times per month, for a total of 5-7 tests completed before the Board's next meeting on June 10, 2010. Pollard shall appear at the June 10, 2010 Board meeting for further evaluation by the Board.

IV. NOTICES

Pollard is hereby notified as follows:

1. 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.
2. 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:

Debra Billingsley
Executive Secretary
Kansas Board of Pharmacy
900 SW Jackson, Room 560
Topeka, KS 66612-1231

IT IS SO ORDERED.

4/23/10

Date

Karen Braman

KAREN BRAMAN, R.Ph, M.S.

President

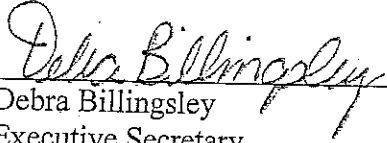
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 23 day of April, 2010, deposit in the United States mail, postage prepaid, a copy of the foregoing FINAL AGENCY ORDER, properly addressed to the following:

Justin L. McFarland
FRIEDEN & FORBES
555 S. Kansas Avenue, Suite 303
Topeka, KS 66603

William Lawrence Pollard
4617 Jefferson St., Apt. 101
Kansas City, Mo 66112



Debra Billingsley
Executive Secretary
Kansas Board of Pharmacy