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KANSAS STATE
Board of Pharmacy

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of)
) Case No. 12-31
Melisandre Pope)
Kansas Registration No. 14-10007.)

PETITION AND NOTICE OF INTENT TO REVOKE REGISTRATION

The Kansas Board of Pharmacy (the "Board") for its petition to revoke, suspend, or otherwise limit the Kansas registration as a pharmacy technician of Respondent Melisandre Pope, alleges and states as follows:

INTRODUCTION

1. The Board is a Kansas agency vested with the authority to carry out and enforce the provisions of the Kansas Pharmacy Act, K.S.A. 65-1626 *et seq.*, including conducting hearings and proceedings to revoke, suspend, limit or otherwise discipline a Kansas license to practice pharmacy.
2. Respondent is an individual who resides at 6900 22nd Rd., Udall, KS 67146.
3. Respondent is currently registered as a pharmacy technician in the State of Kansas having been issued Registration No. 14-10007.

4. Pursuant to K.S.A. § 65-1627a, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any license, registration or permit issued by the Board 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.

5. The Board's Investigative Member has received certain information, has investigated and determined that there are reasonable grounds to believe that Respondent has committed an act or acts in violation of the Kansas Pharmacy Act, K.S.A. 65-1626 *et seq.*, which would subject her registration to discipline pursuant to K.S.A. 65-1627.

INFORMATION WHICH EVIDENCES THAT RESPONDENT COMMITTED ACTS IN
VIOLATION OF THE KANSAS PHARMACY ACT AND
THE RULES AND REGULATIONS PROMULGATED THEREUNDER

6. At all times pertinent hereto, Respondent was employed as a pharmacy technician by Walgreens Pharmacy #6006, located at 9525 East 21st St., Wichita, KS 67206 (Walgreens #6006).

7. Respondent admitted to diverting the following controlled substances from Walgreens #6006 in October of 2011:

- a. Hydrocodone/apap 7.5 mg tablet, 15 tablets;
- b. Hydrocodone/apap 10 mg tablet, 15 tablets;

8. Respondent admitted to law enforcement officers that she diverted the above controlled substances.

COUNT I

9. Respondent has committed an act or acts, including the conduct identified in paragraphs 6 through 8 above, that would justify disciplinary action against her registration pursuant to K.S.A. § 65-1627(a)(3), as further defined in K.S.A. § 65-1626(rr)(5) in that she has engaged in the unlawful possession of drugs and unlawful diversion of drugs to others.

COUNT II

10. Respondent has committed an act or acts, including the conduct identified in paragraphs 6 through 8 above, that would justify disciplinary action against her registration pursuant to K.S.A. § 65-1627(a)(3), as further defined in K.S.A. § 65-1626(rr)(7) in that she has engaged in conduct that is likely to harm the public.

COUNT III

11. Respondent has committed an act or acts, including the conduct identified in paragraphs 6 through 8 above, that would justify disciplinary action against her registration pursuant to K.S.A. § 65-1627(a)(5) in that she has violated a provision of the federal or state food, drug and cosmetic act, the uniform controlled substances act or the state of Kansas, or any rule or regulation adopted under any such act.

COUNT IV

12. Respondent has committed an act or acts, including the conduct identified in paragraphs 6 through 8 above, that would justify disciplinary action against her registration pursuant to K.S.A. § 65-1627(a)(8) in that she 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 the pharmacy act.

WHEREFORE, pursuant to K.S.A. §§ 65-1663(e)(1), 65-1627 and 65-1627f, and for the reasons stated above, petition and notice is hereby given of the Board's intent to REVOKE Respondent Melisandre Pope's registration as a pharmacy technician in the State of Kansas.

RIGHT TO HEARING

Respondent may request a hearing in accordance with the provisions of the Kansas Administrative Procedures Act. A written request for a hearing must be filed **within fifteen (15) days** of service of this petition and notice as prescribed by K.S.A. § 77-542(a). The request must be submitted to the following person at the address shown. Failure to submit a timely request will result in a waiver of Respondent's right to a hearing, and this petition and notice will become a final order revoking Respondent's registration as a pharmacy technician in the State of Kansas.

Debra Billingsley
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson St., Suite 1414
Topeka, KS 66612.

IT IS SO ORDERED.

Date: 3/20/2012

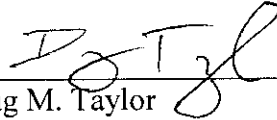


David R. Schoech, R.Ph., Investigative Member
Kansas State Board of Pharmacy
800 SW Jackson St., Ste. 1414
Topeka, KS 66612

CERTIFICATE OF SERVICE

I hereby certify that on this 28 day of March, 2012, I deposited a true and correct copy of the above and foregoing "Petition and Notice of Intent to Revoke License" in the United States Mail, postage prepaid, and addressed to:

Melisandre Pope
6900 22nd Rd.
Udall, KS 67146

A handwritten signature in black ink, appearing to read "D. M. Taylor", is written over a horizontal line.

Doug M. Taylor
Compliance Counsel
Kansas Board of Pharmacy