

Filed By

OCT 29 2020

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Alexander Reese )  
 )  
License No. 1-106576 )

Case No. 20-250

**SUMMARY ORDER**

NOW, on this 29th day of October 2020, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Alexander Reese (“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 Executive Secretary enters this Summary Order in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

**FINDINGS OF FACT**

1. The Board has previously issued Respondent License No. 1-106576 which entitles Respondent to practice as a pharmacist in the State of Kansas.
2. On November 18, 2019, Respondent served his last day as Pharmacist-in-Charge (“PIC”) at Meds in Motion (22-44959).
3. On October 12, 2020, the Board received a Change in PIC Form BA-50 (“PIC change”) from Meds in Motion, notifying of their change in PIC, effective November 19, 2019, due to Respondent’s final day as PIC on November 18, 2019.
4. On or about October 12, 2020, the Board processed the PIC change.

5. To date, the Board has received no notification from Respondent of his ceasing to serve as PIC.

#### CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the pharmacy act of the state of Kansas or any other rules or regulations of the state board of pharmacy.

2. Pursuant to K.A.R. 68-2-5, each pharmacist shall notify the board in writing within five days of ceasing to serve as the pharmacist-in-charge at a pharmacy or registrant required to have a pharmacist-in-charge. The notice shall include the pharmacist's name, the name and address of the pharmacy or registrant, and the date the pharmacist ceased to serve as the pharmacist-in-charge.

3. Respondent had five days to notify the Board of his ceasing to serve as PIC effective November 18, 2019, or until November 23, 2019.

4. To date, now 320+ days past the deadline, Respondent has failed to notify the Board of his ceasing to serve as PIC.

5. Respondent violated K.A.R. 68-2-5 by failing to notify the Board of his ceasing to serve as PIC within five days.

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine to the Board. A violation of K.A.R. 68-2-5 warrants a base fine of \$5.00 per day that Respondent is in violation of the regulation, not to exceed \$200.00. Because Respondent has failed to date to provide any notice to the Board – now 320+ days past the deadline – the total fine is \$200. Respondent has 30 days from the date of this order to pay the fine.

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.

10/29/2020

Date

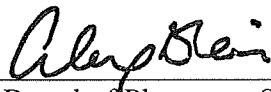


Alexandra Blasi, JD, MBA  
Executive Secretary  
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 29th day of October 2020, 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:

ALEXANDER REESE  
12853 COTTAGE OAK DR  
RIVERTON, UT 84096



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Kansas Board of Pharmacy Staff