BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)	
Suzanne Simpson)	Case No. 16-200

SUMMARY ORDER OF DENIAL

NOW on this <u>Q</u> day of April, 2017, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Suzanne Simpson, ("Applicant"), for application for a Kansas pharmacy technician application.

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 of Denial in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order.

FINDINGS OF FACT

For purposes of this order, the Board's Investigative Member makes the following findings of fact:

- On October 17, 2016, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
- 2. As part of Applicant's Application she answered "No" to the question: "Have you ever been convicted of (includes plea of guilty or no contest) a criminal offense or is there any criminal charge now pending against you (other than minor traffic violations) in any state or federal court whether or not a sentence was imposed, suspended, or diverted? This includes

In the Matter of Suzanne Simpson 16-200 SUMMARY ORDER OF DENIAL Page 1 of 5 misdemeanors." The application form directs that if the applicant answers yes, the applicant must attach a Form S-150: Personal History.

- 3. The background report provided to the Board by the Kansas Bureau of Investigation reports that on June 7, 2006, Applicant was arrested for Felony possession of a Depressant / Stimulant / Hallucinogenic substance. Applicant was convicted and paid a fine.
- 4. On November 9, 2016, the Board sent a letter to Applicant requesting a completion of a S-150 Personal Form to explain the charge.
- 5. On December 27, the Board sent a final request for submission of an S-150 Personal History Form. The final notice listed a final submission date of January 24, 2017.
- 6. To date, the Board has not received a completed S-150 Personal History form from Applicant or any other correspondence.

CONCLUSIONS OF LAW

- 7. That pursuant to K.S.A. 65-1663, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as a pharmacy technician 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.
- 8. That pursuant to K.S.A. 65-1627(a)(2), the Board may deny the granting of a license to a pharmacist if a licensee has been convicted of a felony and the licensee fails to show sufficient rehabilitation to warrant the public trust.
- 9. That pursuant to K.S.A. 65-1627(a)(15), the Board may deny the granting of a license to a pharmacist if the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

In the Matter of Suzanne Simpson 16-200 SUMMARY ORDER OF DENIAL Page 2 of 5 10. Applicant's felony arrest and lack of explanation or evidence of rehabilitation is a basis to deny Applicant's Application for failure to comply with K.S.A. 65-1627(a)(2) and

K.S.A. 65-1627(a)(5).

11. Applicant's failure to provide the Board with legally requested information

concerning applicant's felony arrest via the S-150 Personal History form is a basis to deny

Applicant's Application for failure to comply with K.S.A. 65-1627(a)(15).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's

Application is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

12. Applicant 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.

13. If a hearing is not requested as described above, the Order denying Applicant's

Registration as a pharmacy technician shall become a final order of the Board, effective upon

the expiration of the time to request a hearing.

14. 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.

15. 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:

In the Matter of Suzanne Simpson 16-200
SUMMARY ORDER OF DENIAL
Page 3 of 5

Alexandra Blasi, JD, MBA Executive Secretary Kansas Board of Pharmacy 800 SW Jackson, Suite 1414 Topeka, KS 66612

IT IS SO ORDERED.

Date

Alexandra Blasi, JD, MBA Executive Secretary

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Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the _____ day of April, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Suzanne Simpson 12201 W 76th St, #204 Lenexa, KS 66216

Kansas Board of Pharmacy Staff

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