

4. On February 19, 1992, the Board filed a Petition for the Revocation, Suspension, Probation and Non-Renewal of License against Sims, alleging that he failed to actively participate and cooperate in an impaired drug program.

5. On March 20, 1992, the Board entered an Agreed Order, whereby Sims agreed to the indefinite suspension of his license for failure to comply with the conditions of probation as set out in the September 9, 1991 Stipulation in Lieu of Formal Hearing. Sims executed the Agreed Order on March 12, 1992.

6. On December 5, 2006, the Board held a hearing on Sims' petition for reinstatement of his license to practice pharmacy. After the hearing, the Board entered a Final Agency Order denying Sims' request for reinstatement and indicating it would not again consider such an application until Sims came into compliance with the Agreed Order dated March 20, 2002.

7. Sims has come into compliance with the Agreed Order dated March 20, 2002 and presented evidence of rehabilitation.

II. CONCLUSIONS OF LAW AND FACT

Sims' application for reinstatement of his license to practice pharmacy in the State of Kansas should be granted contingent upon his providing proof acceptable to the Board of his compliance with certain requirements.

III. FINAL ORDER

Based upon the evidence introduced at the hearing held June 12, 2007 and the foregoing findings and conclusions, Sims' application for reinstatement of his license to practice pharmacy in the State of Kansas is hereby granted, subject to the following conditions:

1. Before the reinstatement of Sims' pharmacy license is effective, he must provide proof acceptable to the Board that, subsequent to the entry of this order, he took and passed the NAPLEX and MPJE examinations.

2. If the reinstatement of Sims' pharmacy license becomes effective, he shall, thereafter, within five days of changing employment, advise the Board of the change in writing.

3. If the reinstatement of Sims' pharmacy license becomes effective, he shall remain in compliance with all requirements of the Pharmacy Impaired Provider Program and all requirements placed on him by the Heart of America Professional Network.

IV. NOTICES

Within fifteen (15) days after service of this Final Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Final Agency Order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Debra Billingsley
Executive Director
Kansas Board of Pharmacy
900 Jackson, Room #513
Topeka, KS 66612

IT IS SO ORDERED.

10/9/07
Date

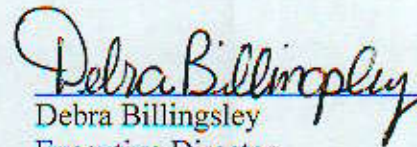

MICHAEL E. COAST, R.Ph.
President
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12 day of October, 2007, deposit in the United States mail, postage prepaid, a copy of the foregoing FINAL AGENCY ORDER, properly addressed to the following:

Robert C. Sims
2936 Atchison Circle
Lawrence, KS 66047

Randall J. Forbes, PA
FRIEDEN, HAYNES & FORBES
555 South Kansas Avenue, Suite 303
Topeka, KS 66603



Debra Billingsley
Executive Director
Kansas Board of Pharmacy