

May 18, 2021

WILLIAM THOMAS  
507 FRAZIER ST  
EL DORADO, KS 67042

RE: Case No. 21-053

Dear Mr. Thomas:

Enclosed you will find a Summary Order issued by the Kansas Board of Pharmacy (Board) in the above-referenced matter. Please read the order in its entirety.

If you disagree with the findings of fact, you have the right to request a hearing. Instructions for filing a written request are included under the "Notices" section of the order. Hearings are held before the full Board during their regularly scheduled quarterly meetings.

According to KSA 65-1627h, the Board is required to recoup the costs of administrative hearings when the decision is adverse to the licensee. These costs may include charges for services rendered by the Board's disciplinary counsel, an administrative law judge, and, if applicable, a court reporter.

If you have any questions, feel free to contact the Board at [Pharmacy.Compliance@ks.gov](mailto:Pharmacy.Compliance@ks.gov).

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
William Thomas )  
 )  
Applicant )

Case No. 21-053

**SUMMARY ORDER**

NOW, on this 18th day of May 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of William Thomas (“Applicant”), for application for a Kansas pharmacy technician registration.

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 application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order.

**FINDINGS OF FACT**

1. On January 8, 2021, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).

2. Applicant answered “NO” to the following question on his application: *Have you been charged with or 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 misdemeanors.* The application directs that if an applicant answers “YES”, they must also submit an accompanying Form S-150: Personal History (“Form S-150”).

3. As part of Applicant's Application, he certified that the information provided was true, correct, and complete, and understood that falsification of the information provided was grounds for denying Applicant's Application.

4. On or about January 15, 2021, the Board received information regarding criminal charges laid against Applicant for a 2004 DUI offense, for a 2018 interference with law enforcement offense, and for a 2018 DUI offense that had been dismissed.

5. On January 15, 2021, the Board mailed Applicant a letter requesting a completed Form S-150, as well as certified copies of the court pleadings from each case.

6. On or about February 19, 2021, the Board received from Applicant the Form S-150 and three pages of court documents. In his Form S-150, Applicant stated that it had not been his intent to omit his criminal history, but instead that he had filled out his application whilst in a conversation with his boss and had simply skimmed over or misread the background question.

7. The 2014 DUI charge, Applicant explained, was due to his "being young and stupid" and had resulted in a guilty plea and subsequent diversion with required classes. Applicant provided a partial page of a journal entry noting this judgement, but included no diversion agreement, class completion certificates, successful diversion dismissal, nor any other documentation to support the conclusion of this case.

8. In regard to the 2018 DUI charge, though Applicant admitted to having drunk six beers in the hours prior to the incident, he noted this charge was ultimately dismissed due to what he believes was insufficient evidence. The two pages of court documents Applicant submitted concerning the 2018 case were the citation sheet and the court disposition record, the latter of which documented Applicant's plea of no contest to the interference with law enforcement charge, for which he was placed on 12-month probation. No probation order, nor the ultimate

termination of such, nor any other documentation was provided to support the resolution of this case. Applicant stated no acknowledgement of any wrongdoing in this incident but did note that he was under great stress at the time, due to work and home circumstances.

#### CONCLUSIONS OF LAW

1. 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.

2. Pursuant to K.S.A. 65-1627(a)(1), the Board may deny an application of any pharmacist who has obtained, renewed or reinstated, or attempted to obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(2), the Board may deny an application upon a finding that the licensee has been convicted of any felony or misdemeanor of gross immorality or moral turpitude, and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

5. Pursuant to K.S.A. 65-1626(uuu), unprofessional conduct means conduct likely to deceive or harm the public, and/or fraud in securing a registration.

6. Pursuant to K.S.A. 65-1627 (a)(15), the Board may take action against the license of a pharmacist if the licensee has failed to furnish to the Board, its investigators or its representatives any information legally requested by the Board.

7. Regardless of the intent, Applicant's false response to the application question was a misrepresentation of a material fact and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(1).

8. Applicant's failure to provide any documents on the successful completion of either his 2014 diversion or 2018 probation is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(2), as he has not shown himself sufficiently rehabilitated to warrant the public trust.

9. Applicant's choice to have driven while under the influence of alcohol, as well as his demonstrated inability to focus on the task at hand as evidenced by the scenario given for his application omission, are unprofessional conduct and bases to deny Applicant's Application pursuant K.S.A. 65-1627(a)(3). These actions risk endangerment of the public, most in considering the pharmacy setting, where the exercise of faulty choice or the accidental omission of a task could ultimately affect the health and well-being of the public.

10. Applicant's failure to supply, as requested by the Board, either complete court records or otherwise a certified letter that no such records exist, is a basis to deny Applicant's Application pursuant to 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:

1. 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.

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

IT IS SO ORDERED.

5/18/2021

\_\_\_\_\_  
Date

*Alex Blasi*

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 18th day of May 2021, 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:

WILLIAM THOMAS  
507 FRAZIER ST  
EL DORADO, KS 67042

*Alep Blasi*

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Kansas Board of Pharmacy Staff