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Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

February 18, 2021

SUZANNE VAUGHN
131 S COLBY ST, APT #58
VALLEY CENTER, KS 67147

RE: Case No. 21-022

Dear Ms. Vaughn:

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.

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Suzanne Vaughn)
)
Applicant)

Case No. 21-022

SUMMARY ORDER OF DENIAL

NOW, on this 18th day of February 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Suzanne Vaughn (“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 of Denial 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. The Board had previously issued Applicant Pharmacy Technician Registration no. 14-100113 (“Applicant’s Registration”), which had entitled Applicant to perform the duties of a pharmacy technician in the state of Kansas.
2. On August 20, 2019, and after her failure to respond to repeated legal requests by the Board for information concerning an April 2019 DUI charge laid against her, the Board issued to Applicant a Summary Order of Revocation in case #19-131, revoking Applicant’s registration and the rights and privileges granted thereof, effective September 9, 2019.

3. On October 5, 2020, the Board received Applicant's application for the reinstatement of her registration as a pharmacy technician in the State of Kansas ("Applicant's Application").

4. As part of the application, Applicant answered "Yes" to the question: *Has there been a denial, revocation, suspension, voluntary surrender, or any other disciplinary action taken by the State of Kansas or any other jurisdiction against any professional or occupational license or registration held by you?* This answer was congruent with the revocation order in case #19-131. However, Applicant 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 misdemeanors.* This answer was incongruent with the very reason Applicant had received the revocation order in case #19-131.

5. The application directs that if the applicant gives any answer of "Yes", the applicant must attach a Form S-150: Personal History ("S-150"). Despite her answers recognizing the revocation but denying any criminal offense history, Applicant attached a forthcoming S-150 and supporting court documents for the April 2019 DUI charge.

6. The Board subsequently received additional information regarding felony charges in December of 2019 for the distribution of a hallucinogenic or marijuana, and for no drug tax stamp for marijuana or a controlled substance.

7. On October 8, 2020, the Board sent a letter to Applicant's address of record requesting a more thorough S-150 regarding December 2019 felony charges, certified copies of the court pleadings from the same, and a statement detailing why she had *originally* failed to respond to the Board's requests for information on the April 2019 DUI charge.

8. On November 24, 2020, the Board sent a second letter, this time to Applicant's email address of record, repeating the request.

9. On December 28, 2020, the Board mailed a final request to Applicant's address of record, repeating the request.

10. To date, the Board has received from Applicant neither a more thorough S-150 with court documents concerning the December 2019 felony case, nor the requested statement concerning her previous failure to respond to the Board, nor any correspondence.

CONCLUSIONS OF LAW

1. 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.

2. That 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 the board, its investigators or its representatives any information legally requested by the board.

3. Applicant's failure, and not for the first time, to supply the Board with the requested documentation is a violation of K.S.A. 65-1627(a)(15) and a basis to deny Applicant's Application.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

NOTICES

The Applicant is hereby notified as follows:

1. The 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
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

2/18/2021

Date



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

CERTIFICATE OF SERVICE

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

SUZANNE VAUGHN
131 S COLBY ST, APT #58
VALLEY CENTER, KS 67147



Kansas Board of Pharmacy Staff