

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
LISA VERNON) Case No. 16-062
)
) *Pharmacy Technician*)
)
Registration No. 14-07160)

SUMMARY ORDER OF REVOCATION

NOW on this 19th day of July, 2016, comes before the Kansas Board of Pharmacy (the “Board”), through its Investigation Member, the matter of Lisa Vernon, Pharmacy Technician (“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 Investigation Member enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation 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:

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-07160 authorizing her to perform the functions of a pharmacy technician in the State of Kansas (“Respondent’s Registration”).
2. On March 30, 2016, an inspector for the Board received a call from Alan DeFever, owner and Pharmacist in Charge (“PIC”) of Prescription Shop in Coffeyville, Kansas.

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3. Mr. DeFever informed the inspector that he believed Respondent was diverting controlled substances and that he had contacted the police and had filed a DEA-106 form with initial losses.

4. The inspector told Mr. DeFever to inventory other controlled substances in order to determine the extent of the loss.

5. After performing the inventory, Mr. DeFever discovered more controlled substances were missing. He filed another DEA-106 form with the new discoveries.

6. Mr. DeFever provided a video to the Board showing Respondent diverting the drugs.

7. When asked about her actions, Respondent provided a confession to the Coffeyville police, which was videotaped, admitting to diverting the drugs.

8. Respondent is alleged to have taken the following drugs: Hydrocodone/Acetaminophen, Oxycodone/Acetaminophen, Alprazolam, and Carisoprodol.

CONCLUSIONS OF LAW

9. 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.

10. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

11. That K.S.A. 65-1626(ccc)(5) defines unprofessional conduct to include the unlawful possession of drugs.

12. That K.S.A. 65-1626(ccc)(7) defines unprofessional conduct to include conduct likely to deceive, defraud, or harm the public.

13. That the Board may take action against the license of a pharmacist for diverting controlled substances as set forth in K.S.A. 65-1627(a)(5).

14. That K.S.A. 65-4107 includes oxycodone as a Schedule II controlled substance.

15. The Respondent's conduct in stealing oxycodone and other drugs from her employer and the Respondent's disregard for the potential harmful effects of her actions on the public are bases to revoke Respondent's Registration.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

NOTICES

The Respondent is hereby notified as follows:

16. 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.

17. If a hearing is not requested as described above, the Order revoking the Respondent'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.


18. 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.

19. 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.

7/19/16
Date



Michael Lonergan, R.Ph.
Investigation Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 19th day of July, 2016, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Lisa Vernon
120 W. Jackson
Coffeyville, KS 67337

and the original hand delivered to:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612



Kansas Board of Pharmacy Staff