

BEFORE THE STATE BOARD OF PHARMACY  
OF THE STATE OF KANSAS

In the Matter of

LEE WAYNE WAITS,  
License No. 9925.

STIPULATION OF FINDING OF FACT AND ORDER

This matter comes before the State Board of Pharmacy for the State of Kansas, this 29<sup>th</sup> day of August, 1993.

The State Board of Pharmacy appears by Charlotte Brock, President; Hoyt Kerr, Vice-President; Dana Creitz, Pharmacist; Monte Baugher, Pharmacist; Glen Mathis, Pharmacist; and Dr. Margaret Young, Consumer Representative. Also appearing are Tom C. Hitchcock, Executive Secretary, and the attorney for the Board, Dana W. Killinger. Lee Wayne Waits appears personally.

Lee Wayne Waits states that he has been advised of his procedural rights under the Pharmacy Practice Act and Administrative Procedure Act, wherein Counsel for the Board advised Lee Wayne Waits of his rights to a formal hearing wherein he had a right to be represented by counsel, call witnesses on his behalf, cross examine the Board's witnesses and other procedural rights. Counsel further advised Lee Wayne Waits of the statutory sections of the law which were allegedly violated and the statute giving

the Board jurisdiction in the matter. Whereupon Lee Wayne Waits waived his right to formal hearing.

Lee Wayne Waits further states that no issue of fact exists and wishes to stipulate to the following findings of fact and accepts the order of the State Board of Pharmacy, to-wit:

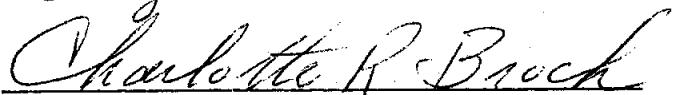
1. That Lee Wayne Waits is a licensed pharmacist in the State of Kansas, having License No. 9925.
2. That Lee Wayne Waits is the Pharmacist in Charge at the Altamont Pharmacy, Registration No. 5974, located at 502 Houston St., Altamont, Kansas 67330.
3. That between the periods of September 24, 1992 and February 9, 1993, while no pharmacist was on duty or on the premises of the pharmacy, Lee Wayne Waits allowed the pharmacy to be open to the public and accessible to non-licensed personnel and was not enclosed or secured, a violation of K.S.A. 65-1637, K.A.R. 68-1-8.
4. That between the periods of September 1992 and February 1993, and specifically on January 26, 1993, February 2 and February 3, 1993, non-licensed personnel filled prescriptions while no pharmacist was on duty, a violation of K.S.A. 65-1637 and K.A.R. 68-2-20.

That the State Board of Pharmacy of the State of

Kansas pursuant to K.S.A. 65-1627(a)(8) has jurisdiction and power to revoke, suspend or place on probation said Wayne Waits.

IT IS THEREFORE ORDERED that Wayne Waits, License No. 9925, be required to take the pharmacy law exam within thirty (30) days of the date of this order at the Board of Pharmacy office at Topeka, Kansas, and pass with a grade of 75%.

Dated this 29 day of August, 1993.



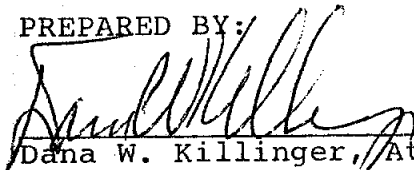
Charlotte Brock  
President  
State Board of Pharmacy of  
the State of Kansas

I, Wayne Waits, have hereby read the foregoing Stipulations

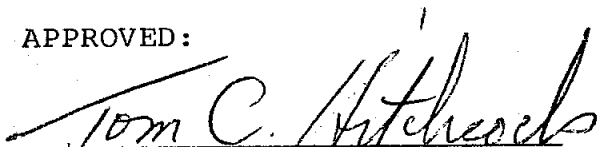
and Order and fully understand the violations to which  
I am stipulating to and understand the terms of the Stipulation.

  
\_\_\_\_\_  
Wayne Waits

PREPARED BY:

  
\_\_\_\_\_  
Dana W. Killinger, Attorney  
State Board of Pharmacy of  
the State of Kansas

APPROVED:

  
\_\_\_\_\_  
Tom C. Hitchcock  
Executive Secretary  
State Board of Pharmacy of  
the State of Kansas