

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of
David Yang, R.Ph.
Registration No. 1-11251

Case No. 11-192

CONSENT AGREEMENT

This Consent Agreement is voluntarily entered into by David Yang (“Defendant”), and the Kansas State Board of Pharmacy (“Board”), in lieu of further litigation based on the Petition and Notice of Intent to Revoke License (“Petition”) filed in the above-captioned matter.

WAIVER OF RIGHTS: Defendant understands that he has the following rights in this case: The right to discovery, a hearing before the Board, and if found in violation of the Kansas Pharmacy Act, the right to appear before the District Court and Kansas appellate courts pursuant to the Kansas Judicial Review Act (the “KJRA”).

Defendant hereby acknowledges his right to be represented by a lawyer of his own choosing. Knowing these rights, Defendant, by signing this agreement, knowingly and voluntarily gives up these rights, including the right to a hearing by the Board.

FACTS: Defendant neither admits nor denies the facts as presented in the Petition filed in the above-stated matter. Instead, the Board and Defendant enter into this Consent Agreement in order to minimize the economic and legal impacts of litigating the matter at a hearing in front of the Board or otherwise.

TERMS AND CONDITIONS:

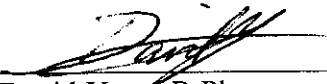
The Board hereby places Defendant’s license to practice pharmacy in the State of Kansas in probationary status under the following terms and conditions:

- a. Defendant’s license to practice pharmacy in the State of Kansas shall remain in probationary status for the term of the probation of his Colorado license;

- b. Defendant shall release copies of his records from the Colorado Peer Assistance Services program to the CIPP administrator as provided in the Board's Summary Order dated August 22, 2011; and
- c. Defendant shall formally request a hearing with the Board to terminate the probationary status placed on Defendant's license to practice pharmacy in the State of Kansas.


CONSENT OF THE KANSAS STATE BOARD OF PHARMACY: This Consent Agreement is not binding upon the Board until it has been reviewed and agreed to by the Kansas State Board of Pharmacy at its next quarterly meeting, to be held March 8 and 9, 2012.

The parties below have read this Consent Agreement, know and understand its contents, and agree to comply with its terms. Defendant specifically agrees to waive the constitutional rights enumerated above.



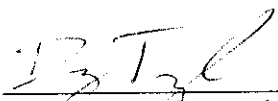
David Yang, R.Ph.
2102 Carmel Dr., Apt. 206
Colorado Springs, CO ~~80918~~ 80910

Date: 1-18-12



David R. Schoech, R.Ph.
Investigative Member
Kansas State Board of Pharmacy
800 SW Jackson St., Ste. 1414
Topeka, KS 66612

Date: 1-29-2012

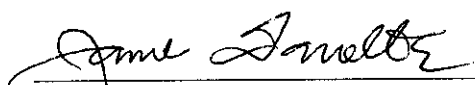


Doug Taylor
Compliance Counsel
Kansas State Board of Pharmacy
800 SW Jackson St., Ste 1414
Topeka, KS 66612

Date: 1/25/12

APPROVAL OF THE BOARD OF PHARMACY

This Consent Agreement has been reviewed by the Kansas State Board of Pharmacy and is agreed to as of the date stated below.

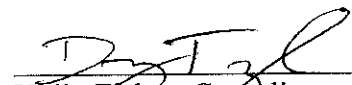

James Garrelts, Pharm.D., President
Kansas State Board of Pharmacy
800 SW Jackson St., Ste. 1414
Topeka, KS 66612

Date: 3-8-12

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12 day of March, 2012, deposit in the United States Mail, postage prepaid, a fully executed copy of the foregoing Consent Agreement, properly addressed to the following:

David Yang, R.Ph.
2102 Carmel Dr., Apt. 206
Colorado Springs, CO 80918.


Holly Fisher, Compliance Counsel
