

BEFORE THE KANSAS BOARD OF PHARMACY

File By

APR 05 2007

KANSAS STATE  
Board of Pharmacy

*In The Matter Of* )  
 )  
CARLOS ARREOLA )  
Pharmacy Technician Application )  

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 )

Case No. 07-17

**AGENCY ORDER**

CARLOS ARREOLA (the "Respondent") has applied for a pharmacy technician registration in the State of Kansas.

The Board has received certain information that Respondent has been convicted of a felony in the State of Kansas.

After considering the foregoing, the Board's Investigation Member, in accordance with the authority granted to her by the Board, enters the following agency order.

**I. FINDINGS OF FACT**

For purposes of this order, the Board's Investigation Member makes the following findings of fact:

1. The Board received an application from the Respondent requesting to be registered as a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. That the Respondent was convicted in Sedgwick County, Kansas on December 7, 2006 of felony Aggravated batter; Intentional, bodily harm and felony Attempted Conspiracy Solicitation and was placed on 24 months probation.

## II. CONCLUSIONS OF LAW AND FACT

For purposes of this order, the Board's Investigation member makes the following conclusions of law and fact:

1. That the Respondent applied for a registration with the Kansas Board of Pharmacy on January 16, 2007..

2. That pursuant to K.S.A. 65-1663 the Board may consider a felony conviction when determining whether to register a pharmacy technician.

3. That pursuant to K.S.A. 65-1663 the Board may revoke, suspend, or place on probationary status or deny the issuance or renewal of the registration of a pharmacy technician on any ground that would authorize the Board to take action against the license of a pharmacist under K.S.A. 65-1627.

4. That the K.S.A. 65-1627 (2) states that a license may be denied if the licensee has been convicted of a felony and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

## II. ORDER

Based upon the foregoing findings and conclusions, Respondent's Registration is hereby denied.

## III. NOTICES

The Respondent is hereby notified as follows:

1. The Respondent may request a hearing pursuant to the Kansas State Administrative Procedure Act by filing a written request with the Kansas Board of Pharmacy, 900 SW Jackson, Ste. 560, Topeka, Kansas 66612-1231 within fifteen (15) days after service of this Order.

Administrative Procedure Act by filing a written request with the Kansas Board of Pharmacy, 900 SW Jackson, Ste. 560, Topeka, Kansas 66612-1231 within fifteen (15) days after service of this Order.

2. If a hearing is not requested as described above, the Order denying 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.

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:

Debra Billingsley  
Executive Director  
Kansas Board of Pharmacy  
900 SW Jackson, Ste. 560  
Topeka, KS 66612-1231

IT IS SO ORDERED.

4/3/07  
Date

JoAnne Gilstrap  
JoAnne Gilstrap, R.Ph.  
Investigation Member  
Kansas Board of Pharmacy

**CERTIFICATE OF SERVICE**

I hereby certify that I did, on the 5 day of <sup>April</sup>~~February~~, 2007, deposit in the United States mail, postage prepaid, a copy of the foregoing AGENCY ORDER, properly addressed to the following:

Carlos Arreola  
2247 S. Washington  
Wichita, KS 67211

  
Debra Billingsley  
Executive Director  
Kansas Board of Pharmacy  
900 SW Jackson, Ste. 560  
Topeka, KS 66612-1231