

October 11, 2023

Susan Bell
2101 W MacArthur, Lot 936
Wichita KS 67217

RE: Case No. 23-411

Dear Ms. Bell:

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

3. As part of Applicant's Application, Applicant certified that the information provided was true, correct and complete, and understood that falsification of the information provided was grounds for denying Applicant's Application.

4. The Board received information regarding the following offenses charged against Applicant: a January 2001 sale etc. of opiates, opium or narcotic drugs, 1st offense; an August 2007 possession of opiates, opium or narcotic drugs, possession of depressants/stimulants/hallucinogenics/anabolic steroids, 1st conviction, possession of simulated controlled substances or drug paraphernalia, license to be carried and exhibited upon demand, defective tail lamp on motor vehicle, and arrest by law enforcement officer offenses; and March 2011 driving while license cancelled/suspended/revoked and defective tail lamp on motor vehicle offenses.

5. On June 21, 2023, the Board mailed Applicant a letter requesting a completed Personal History Form S-150, as well as certified copies of the court pleadings from each case.

6. On or about July 19, 2023, the Board received the requested documentation. Applicant's personal statement and court documents indicated Applicant was found guilty of possession of drug paraphernalia in 2001; Applicant was found guilty of driving on a suspended, revoked, or cancelled license in 2011 for which Applicant was placed on 6mo probation; Applicant was charged with possession of controlled substances in 2011 but the charges were later dismissed; and Applicant was arrested in 2007 for drug paraphernalia and possession of controlled substances. Applicant did not provide any letters of recommendation.

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. Pursuant to K.S.A. 65-1627(a)(1), the Board may deny an application of any pharmacist who has obtained, renewed or reinstated, or attempted to obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact.

3. Applicant's answer of "no" on Applicant's Application was a material misrepresentation given her lengthy criminal history and pattern of offenses, and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(1).

ORDER

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

NOTICES

Applicant is hereby notified as follows:

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

IT IS SO ORDERED.

10/11/2023

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11th day of October, 2023, 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:

Susan Bell
2101 W MacArthur Lot 936
Wichita KS 67217



Kansas Board of Pharmacy Staff