

BEFORE THE KANSAS BOARD OF PHARMACY

Filed By
JUN 13 2007
KANSAS STATE
Board of Pharmacy

In The Matter Of)
)
STACY L. BURGESS,)
REGISTRATION NO. 14-03181)
_____)

Case No. 07-44

AGENCY ORDER

STACY L. BURGESS (the "Respondent") is currently authorized to function as a pharmacy technician in the State of Kansas by reason of the Kansas Board of Pharmacy (the "Board") having issued her Registration No. 14-03181.

It has come to the attention of the Board's Investigative Member that Respondent diverted drugs and took merchandise and cash from her employer.

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 has previously issued Respondent Registration No. 14-03181 which entitled her to function as a pharmacy technician in the State of Kansas ("Respondent's Registration").

2. That the Respondent was employed at Wal-Mart pharmacy

in Topeka, Kansas. While employed the Respondent diverted Ambien, Phentermine, Albuterol, and Tramadol for her own use. The Respondent also took merchandise and cash from the store.

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 was originally issued a registration number 14-03181 on February 14, 2006 pursuant to K.S.A. 65-1663.
2. That pursuant to K.S.A. 65-1663 (f) 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.
3. The acts committed by Respondent are a basis for discipline of Respondent's Registration pursuant to the Pharmacy Act, K.S.A. 65-1627 (a), (3), (5), & (8).

II. ORDER

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

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.

1. 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.

2. 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.

3. 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.

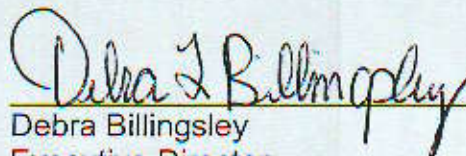
6/12/07
Date

Shirley Anne Pharms
Investigation Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 13 day of June, 2007, deposit in the United States mail, postage prepaid, a copy of the foregoing AGENCY ORDER, properly addressed to the following:

Stacy Burgess
3113 SE Adams
Topeka, KS 66605



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