

BEFORE THE KANSAS BOARD OF PHARMACY
800 SW Jackson, Suite 1414
Topeka, KS 66612-1231

In the Matter of)
)
Ashley Burns,)
Kansas License No. 14-18744)
Pharmacy Technician)
_____)

Case No. 17-157

SUMMARY ORDER OF SUSPENSION

NOW on this 17 day of January, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, Ashley Burns ("Respondent") an individual currently registered by the Board as a pharmacy technician.

Pursuant to the authority granted to the Board by the Kansas Pharmacy Act, K.S.A. 65-1625, *et seq.*, and in accordance with the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board's Executive Secretary enters this Summary Order of Suspension in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board has previously granted Respondent registration no. 14-18744, authorizing Respondent to function as a pharmacy technician in the State of Kansas.
2. On or about August 18, 2017, the Board received a background report from the Kansas Bureau of Investigation ("KBI"), indicating that Respondent had been arrested for petty theft in June of 2017.
3. On August 18, 2017, the Board sent Respondent a request for submission of a S-150 Personal Form, to explain the theft arrest incident.

4. On October 12, the Board received Respondent's completed S-150, explaining the circumstances surrounding the theft arrest. Respondent detailed fraudulent use of rewards dollars at her workplace used to purchase groceries. Respondent was arrested after the conduct was discovered by her employer. Respondent was terminated from employment and charged with theft.

CONCLUSIONS OF LAW

5. 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.

6. That pursuant to K.S.A. 65-1627(a)(3), the Board may take action against the license of a pharmacist for unprofessional conduct.

7. That K.S.A. 65-1626 (ccc)(7) defines unprofessional conduct to include conduct likely to deceive or harm the public.

8. Respondent's conduct in fraudulently obtaining goods from her workplace and the resulting theft charges, constitutes unprofessional conduct in violation of K.S.A. 65-1627(a)(3).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Kansas Registration Number 14-18744 is hereby SUSPENDED for a period of six (6) months. This suspension shall be held in abeyance if Respondent retains an active technician registration for a period of one year from the date of this order, and Respondent successfully complies with all

programs ordered by the court and refrains from any future criminal and/or pharmacy infractions.

NOTICES

Registrant is hereby notified as follows:

9. Registrant 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.

10. If a hearing is not requested as described above, the Summary Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

11. 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.

12. 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.

Date

1/17/18




Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 17 day of January, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Suspension, properly addressed to the following:

Ashley Burns
4 S. Nelson St
Hutchinson, Kansas 67501



Kansas Board of Pharmacy Staff