

August 8, 2022

Tabitha Campos  
1504 Ave K - Apt 212  
Dodge City KS 67801

RE: Case No. 22-195

Dear Ms. Campos:

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](mailto:Pharmacy.Compliance@ks.gov).

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Tabitha Campos )  
 )  
Applicant )

Case No. 22-195

**SUMMARY ORDER OF DENIAL**

NOW, on this 8th day of August, 2022, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Tabitha Campos (“Applicant”), for application for a Kansas pharmacy technician registration.

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 Denial in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order.

**FINDINGS OF FACT**

1. On February 15, 2021, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s 2021 Application”).
  - a. Applicant answered “No” to the following question on the application: Have you been charged with or convicted of (includes plea of guilty or no contest) a criminal offense or is there any criminal charge now pending against you (other than minor traffic violations) in any state or federal court whether or not a sentence was imposed, suspended, or diverted? This includes misdemeanors.

2. The Board received information concerning several criminal offenses not reported by Applicant.

3. On July 14, 2021, the Board issued a Summary Order of Denial for Applicant's 2021 Application, which cited a violation of K.S.A. 65-1627 for failure to supply the Board with requested documentation in conjunction with Applicant's 2021 Application related to Applicant's unreported criminal offenses. The Summary Order of Denial became final and effective on August 2, 2021.

4. On April 4, 2022, the Board received Applicant's new application for registration as a pharmacy technician in the State of Kansas ("Applicant's 2022 Application").

5. Applicant answered "Yes" to the following question on her application: Have you been charged with or convicted of (includes plea of guilty or no contest) a criminal offense or is there any criminal charge now pending against you (other than minor traffic violations) in any state or federal court whether or not a sentence was imposed, suspended, or diverted? This includes misdemeanors. The application instructs that if a "Yes" answer is provided, the applicant should attach an S-150 Personal History Form.

6. In conjunction with Applicant's 2022 Application, Applicant provided an S-150 citing "theft in 2006, 2011, 2012," two letters of support, and court documents outlining the following criminal offenses by Applicant:

- a. A 2003 failure to appear charge after tickets issued in a routine traffic violation offense, for which Applicant pleaded no contest.
- b. A 2005 driving while suspended charge for which Applicant pleaded no contest and paid costs.

- c. Multiple 2007 theft charges for actions occurring over multiple years for which Applicant pleaded guilty, paid fines and costs, and served 60 days in jail.
  - d. A 2009 driving while suspended, 2<sup>nd</sup> offense charge for which Applicant pleaded guilty, and her exceeding maximum speed charge was dismissed. Applicant served 12 months of probation.
  - e. A 2010 domestic battery offense for which Applicant completed a 12-month diversion agreement in April 2012.
  - f. A 2012 theft charge in Finney County for which Applicant served probation/parole which was completed in April 2014.
7. As part of Applicant's 2022 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 2022 Application.
8. On April 6, 2022, the Board received a second S-150 statement from Applicant which stated: "Previous information has been sent but I failed to answer question 6 'the amount of time that has elapsed since misconduct.' It has been close to 11 years since my last misconduct. Have not been in any other trouble since 2011/2012."
9. On April 8, 2022, 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.
10. On May 6, 2022, the Board mailed Applicant a second letter requesting the aforementioned information.
11. On or about May 6, 2022, the Board received the requested documentation. Applicant provided a more detailed personal statement and court documents which outlined the above offenses and provided the following information:

- a. Applicant's 2006 theft offense involved her husband "buying things" and she "wouldn't scan and charge him for everything." She also took cash. Applicant was an employee of the store from which the theft occurred.
- b. Applicant's 2010 domestic battery involved her husband hitting her and then Applicant hitting her husband.
- c. Applicant's 2011 theft offense involved her taking payments from patients at Plaza Medical, where she was employed as the receptionist, and only applying part of the payment to the patient record and keeping the remainder of the payment for herself. Applicant was charged with 18 counts of non-person felony theft.
- d. Applicant's 2012 theft offense involved Applicant taking a pre-paid phone card from her employer, Presto, which she believed she could pay for when she got her paycheck. Applicant alleged this was a misunderstanding.

#### 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. Pursuant to K.S.A. 65-1627(a)(2), the Board may deny an application upon a finding that the licensee has been convicted of any felony or misdemeanor of gross immorality

or moral turpitude, and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

5. Pursuant to K.S.A. 65-1626(vvv)(7), unprofessional conduct means conduct likely to deceive, defraud or harm the public.

6. Applicant's answer of "no" to the disciplinary question(s) on Applicant's 2021 Application was a misrepresentation of material fact on an application and a basis to take action against Applicant as a violation of K.S.A. 65-1627(a)(1). Applicant's 2022 Application contained material omissions and incomplete answers on her S-150 personal statement, which further demonstrates that Applicant has repeatedly attempted to obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact, and a basis to deny Applicant's 2022 Application pursuant to K.S.A. 65-1627(a)(1).

7. The Board's issuance of a Summary Order of Denial against Applicant's 2021 Application, in which application was denied for failure to respond to three (3) letters from the Board requesting explanation and documentation for criminal offenses further emphasizes Applicant's inability to comply with Kansas laws and regulations and could put the public in danger in the pharmacy setting.

8. Applicant has a criminal offense history spanning nearly 10 years from 2003 to 2012, including multiple felony convictions for theft directly from Applicant's employer and, in one circumstance, theft in collusion with another individual. With 10 years has elapsed since Applicant's last offense, the severity of the offenses was particularly troublesome when viewed from the pharmacy practice perspective, where pharmacy technicians are regularly in contact

with patient payment, insurance, and other personal identify information as well as controlled substances that have a high street value and increased incidence of diversion. Applicant has not sufficiently demonstrated rehabilitation from her repeated theft offenses to warrant the public trust in the pharmacy setting. Applicant's felony convictions are bases to deny Applicant's 2022 Application pursuant to K.S.A. 65-1627(a)(2).

9. In addition, Applicant's 2003 failure to appear, 2005 driving while suspended offense, 2007 theft charges (18 counts) and convictions, 2009 driving while suspended, 2nd offense, 2010 domestic battery offense and diversion, and 2012 theft offense are unprofessional conduct demonstrating a pattern and practice of failure to comply with Kansas laws and regulations placing the public at risk and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(3).

#### 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.

8/8/2022

\_\_\_\_\_  
Date



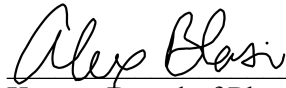
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Alexandra Blasi, JD, MBA  
Executive Secretary  
Kansas Board of Pharmacy



CERTIFICATE OF SERVICE

I hereby certify that I did, on the 8th day of August, 2022, 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:

Tabitha Campos  
1504 Ave K - Apt 212  
Dodge City KS 67801



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Kansas Board of Pharmacy Staff