



or federal court whether or not a sentence was imposed, suspended, or diverted? This includes misdemeanors.”

3. Applicant included a completed S-150 Personal History Form with her Application, explaining the conditions leading to several arrests.

4. In her S-150, Applicant details events surrounding two theft arrests and a possession of marijuana arrest, as well as explaining the attendance of counseling programs that were mandated by the court after these arrests.

5. The background report provided to the Board by the Kansas Bureau of Investigation reports the following offenses:

- a. 2004 Theft by Deception
- b. 2006 Theft
- c. 2015 Felony Possession of Opiate / Other Stimulant
- d. 2015 Possession of Paraphernalia
- e. 2016 Failure to Appear

#### CONCLUSIONS OF LAW

6. 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.

7. That pursuant to K.S.A. 65-1627(a)(2), the Board may deny the granting of a license to a licensee who fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

8. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny the granting of a license to an Applicant who has been found guilty of unprofessional conduct.

9. Pursuant to K.S.A. 65-1626(sss), unprofessional conduct means conduct likely to deceive or harm the public.

10. Applicant's various arrests involving theft and possession of narcotics, and lack of sufficient evidence of rehabilitation is a basis to deny Applicant's Application for failure to comply with K.S.A. 65-1627(a)(2) and K.S.A. 65-1627(a)(3).

11. Though Applicant demonstrated several rehabilitation efforts, both the nature of the offenses as well as the recent felony narcotics charge present a potential danger to the public if the individual was placed in a pharmacy technician setting.

#### 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:

12. 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.

13. If a hearing is not requested as described above, the Order denying Applicant'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.

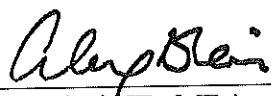
14. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

15. 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.

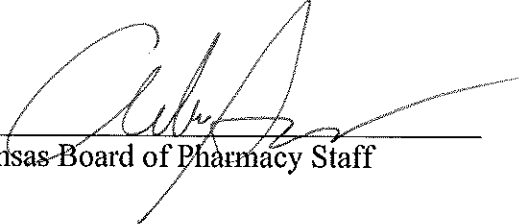
9/11/17  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11 day of September, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Theresa Capaldi  
625 N Mathewson Ave  
Wichita, KS 67214

  
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Kansas Board of Pharmacy Staff