

October 17, 2022

Kyle Carr  
7917 W 19th St North  
Wichita KS 67212

RE: Case No. 22-232

Dear Mr. Carr:

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 )  
 )  
Kyle Carr )  
 )  
Applicant )

Case No. 22-232

**SUMMARY ORDER OF DENIAL**

NOW, on this 17th day of October, 2022, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Kyle Carr (“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 May 19, 2022, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).
2. Applicant answered “Yes” to the following questions on his application:
  - a. 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.

- b. Are you now or have you in the last five years been treated for a drug or alcohol addiction or participated in any substance abuse rehabilitation program?
3. In conjunction with Applicant's Application, Applicant provided court documents for the 2021 offense and provided a Personal History Form S-150 noting the following:
  - a. On March 27, 2021, Applicant fractured a family member's arm as a result of his addiction to alcohol, which resulted in a criminal offense and Applicant accepted a plea.
  - b. Applicant has a master of public administration degree.
  - c. Applicant has a history of substance use issues, has received treatment, and has completed anger management courses.
4. The Board received information regarding Applicant's aggravated battery offense, a person felony, to which Applicant pleaded guilty on June 10, 2021, and completed 12 months of probation. In addition, the Board received information regarding a July 2016 domestic battery offense, knowing or reckless bodily harm to a family member.
5. On May 23, 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.
6. On May 25, 2022, the Board received updated Application pages from Applicant.
7. On June 8, 2022, the Board received the requested documentation. Applicant's personal statement and court documents indicated that on July 22, 2016, Applicant was engaged in an altercation with a family member and scratched that individual's arm. Applicant agreed to a deferred judgment to pay court costs, complete an alcohol safety program, and participate in counseling, after which the charge was dismissed.

## 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)(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.

3. 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.

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

5. Applicant's felony, person, aggravated battery plea is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(2), as he is unable to show that he has been sufficiently rehabilitated to warrant the public trust at this time. While Applicant acknowledges and is conscious of his wrongful conduct, Applicant has only completed his court-mandated requirements within the past six months, indicating not enough time has elapsed since the offense and he has had insufficient time to demonstrate and establish a pattern of rehabilitation. This is also concerning because Applicant had a previous domestic violence incident.

6. Applicant's repeated domestic issues, as well as his history of substance use issues associated with alcohol, are unprofessional conduct 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.

10/17/2022

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 17th day of October, 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:

Kyle Carr  
7917 W 19th St North  
Wichita KS 67212



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Kansas Board of Pharmacy Staff