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Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

July 9, 2021

KASEY CAVENDER
40 S 134th ST
BONNER SPRINGS, KS 66012

RE: Case No. 21-092

Dear Ms. Cavender:

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.

Sincerely,

Kansas Board of Pharmacy

Enclosure

Filed By
JUL 9 2021
KANSAS STATE
BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Kasey Cavender)
)
Registration No. 14-111002)

Case No. 21-092

SUMMARY ORDER OF REVOCATION

NOW, on this 9th day of July 2021, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Kasey Cavender ("Respondent").

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

FINDINGS OF FACT

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-111002 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. On April 15, 2020, the Board issued to Respondent a Summary Order ("the Disciplinary Order") imposing discipline against her registration in Case 19-609 for unprofessional conduct.
 - The Disciplinary Order, which became final on May 4, 2020, granted Respondent's Registration, subject to a two-year probationary status ("Probation") lasting through May 4, 2022.

- The terms laid out in the Disciplinary Order stated that, while on Probation, Respondent must comply with all rules and regulations of the Pharmacy Practice Act of the State of Kansas.

3. On May 16, 2021, the Board received an email from the Missouri Board of Pharmacy notifying of a Notice of Employment Disqualification that it had issued to Respondent as discipline in its Case No. 2020-002635 (“the Missouri Discipline”).

- The Missouri Discipline stated that an investigation had been conducted into Respondent’s pharmacy technician activities under her Missouri licensure.
- The findings of fact from the investigation revealed that Respondent had “improperly or illegally diverted, dispensed, removed, or received drugs from the pharmacy without authorization or a valid prescription. Additionally, [Respondent] created/altered or caused to be created/altered, prescriptions for personal use without authorization and/or contrary to pharmacy policies and procedures. The drugs included, but may not be limited to, alprazolam.”
- The subsequent conclusions of law outlined that this conduct by Respondent violated multiple Missouri Revised Statutes & Regulations.
- For such delineated violations, the Missouri Discipline ordered Respondent be placed on the Missouri Pharmacy Technician Employment Disqualification List, meaning that effective April 15, 2021, Respondent could “not act or be employed as a pharmacy technician in the state of Missouri for a period of five (5) years”, and that she was to “return all indicia of [Missouri registration]” to their Board office.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1663(f)(1), the Board may revoke a 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)(12), the Board may revoke the license of any pharmacist upon a finding that the licensee has had a license to practice pharmacy revoked, suspended or limited, has been censured or has had other disciplinary action taken, or voluntarily surrendered the license after formal proceedings have been commenced, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

3. Pursuant to K.S.A. 65-1627(a)(3), the Board may revoke any license of any pharmacist upon a finding that such licensee is guilty of unprofessional conduct or profession incompetency.

4. Pursuant to K.S.A. 65-1626(uuu), unprofessional conduct includes the unlawful possession of drugs and/or conduct likely to deceive, defraud, or harm the public.

5. Pursuant to K.S.A. 65-1627(a)(16), the Board may revoke any license of any pharmacist upon a finding that the licensee has violated or failed to comply with any lawful order or directive of the Board.

6. The Missouri Discipline issued is conclusive evidence of Respondent's license to practice pharmacy having been disciplined by the proper licensing authority of another state, and so is a basis to revoke Respondent's Registration, pursuant to K.S.A. 65-1627(a)(12).

7. The unauthorized drug and prescription actions carried out by Respondent, as outlined in the Missouri Discipline's findings of fact, are unprofessional conduct and bases to revoke Respondent's Registration, pursuant to K.S.A. 65-1627(a)(3).

8. Respondent's failure to comply with the preceding statutes of the Pharmacy Practice act are a violation of Respondent's Probation directives set forth in the Disciplinary Order, and a basis to revoke Respondent's Registration pursuant to K.S.A. 65-1627(a)(16).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

NOTICES

The Respondent is hereby notified as follows:

1. The Respondent 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
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

7/9/2021
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 9th day of July 2021, 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:

KASEY CAVENDER
40 S 134th ST
BONNER SPRINGS, KS 66012



Kansas Board of Pharmacy Staff