

July 25, 2023

Cierra Chartier
13316 W 109th Terrace
Lenexa Kansas 66210

RE: Case No. 23-286

Dear Cierra Chartier:

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

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Cierra Chartier)
)
)
)
Applicant)

Case No. 23-286

SUMMARY ORDER OF DENIAL

NOW, on this 25th day of July 2023, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Cierra Chartier (“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 March 6, 2023, 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 question on his 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.

3. As part of Applicant's 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 Application.

4. In conjunction with Applicant's Application, Applicant submitted a partial S-150 noting a 2009 DUI, a 2011 assault on LEO, a 2015 endangerment of a child, a 2019 DUI, and a 2021 pending DUI offense. Applicant provided court documents for some of these offenses.

5. The Board received information regarding a February 2012 Assault of a law enforcement officer offense; May 2012 Municipal/County violation; other offense; June 2015 Endangering a child offense; February 2020 Assault of a law enforcement officer, Driving under influence of alcohol or drugs, misdemeanor and Operate a motor vehicle without a valid license, Improper driving on laned roadway Infraction and Unsafe turning or stopping, and Failure to give proper signal offenses against Applicant.

6. On March 9, 2023, the Board mailed Applicant a letter requesting a more detailed Personal History Form S-150, as well as all certified copies of the court pleadings from each case.

7. On or about April 5, 2023, the Board received the requested documentation, which confirmed that Applicant had been charged with and either convicted of or given diversion for two DUI offenses in 2009 and 2019 and has one pending DUI offense for which she is awaiting the outcome of pending charges. Applicant's personal statement and interview with the Board's investigator indicated that Applicant struggles with substance use disorder with alcohol as the primary substance.

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)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

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

4. Applicant's 10+ year history of criminal offenses, including repeated driving under the influence offenses, as well as Applicant's reported substance use disorder, are unprofessional conduct likely to harm the public in the pharmacy setting. Additionally, the recency of Applicant's most recent DUI conviction (2019) demonstrates less than five years since Applicant's most recent offense. These are bases 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.

7/25/2023

Date


Alex Blasi

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 25th day of July 2023, 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:

Cierra Chartier
13316 W. 109th Terrace
Lenexa Kansas 66210



Kansas Board of Pharmacy Staff