

BEFORE THE STATE BOARD OF PHARMACY
OF THE STATE OF KANSAS

STATE BOARD OF PHARMACY
OF THE STATE OF KANSAS

Plaintiff,

VS.

LESLIE D'AIR CRAFT, JR.,
License No. 1-09786.

FINAL ORDER

The above captioned matter comes before the Board for Formal Hearing this 31 day of March, 1995, at 1:00 P.M. at the Clubhouse Inn Meeting Room, 515 S. Webb, Wichita, Kansas.

The State Board of Pharmacy of the State of Kansas appears by Hoyt Kerr, President and Presiding Officer; Glen Mathis, Vice-President; Dana Creitz, Pharmacist; Monte Baugher, Pharmacist; Charlotte Brock, Pharmacist; and Dr. Margaret Young, Consumer Representative. Also appearing are Tom C. Hitchcock, Executive Secretary, and the attorney for the Board, Dana W. Killinger. Defendant appears personally and with counsel Ms. Lucy Herlocker and Ms. Ann Soderberg.

As a preliminary matter, Ms. Herlocker and Ms. Soderberg asked to approach the Board informally in an effort to settle the matter. Mr. Killinger had no objections. After offering a possible settlement agreement, the Board

went into Executive Session for quasi-judicial reasons, with Mr. Glen Mathis recusing himself from such session, to consider the offer of settlement by counsels for Defendant.

Upon return to open session, the Board advised all those involved that they wished to hear all the evidence.

Thereupon, Mr. Killinger called as witnesses Ms. Etta Williams, Dr. Marshall Bales and Ms. Patricia Bradley and rested plaintiff's case.

Thereupon, Ms. Lucy Herlocker called Dr. Howard Brodsky, Jerry LeRoy LoVern, and Defendant, Mr. Leslie Craft and rested Defendant's case.

Thereupon, the Board went into Executive Session for quasi-judicial reasons, with Mr. Glen Mathis recusing himself from such session. Upon returning to open meeting the Board made the following findings of fact and law and made the following ruling.

FINDING OF FACT AND LAW

A. Based on the testimony of Dr. Bales and Dr. Brodsky, there is substantial evidence that Defendant is mentally incapacitated to such a degree as to render Defendant unfit to practice the profession of pharmacy as meant by K.S.A. 65-1627(a)(7). This is exhibited by the facts that both Dr. Bales and Dr. Brodsky testified that by not maintaining Defendant's lithium levels he was unfit

to practice pharmacy. By the Doctors' testimony and Defendant's admission, Defendant had the lithium capsules but would not take them in accordance with directions.

Pursuant to K.S.A. 65-1627(a)(7) the State Board of Pharmacy of the State of Kansas has authority to revoke, suspend, place on probation or deny licensure renewal.

IT IS THE ORDER OF THIS BOARD that the Pharmacy License of Leslie D'Air Craft, License No. 1-09786 be revoked and that pursuant to K.S.A. 65-1627h, Defendant pay costs herein.

Pursuant to K.S.A. 77-526 the Defendant is advised of the following administrative remedies:

(a) Pursuant to K.S.A. 77-529, Defendant has Fifteen (15) days from service of the Final Order to file a Petition upon the Agency Head for reconsideration.

(B) Pursuant to K.S.A. 77-528, Defendant may submit a petition on the Agency Head for a stay of the Final Order.

(C) If no action is taken on the Petition for Reconsideration within Twenty (20) days from filing, the Petition is deemed denied, K.S.A. 77-529(b), and the Defendant has Thirty (30) days to file a Petition for Judicial Review, K.S.A. 77-613.

(D) Defendant may make application for reinstatement

of his license to practice pharmacy, One (1) Year from
the effective date of this Final Order, K.S.A. 65-1627a.

Dated this 13th day of April, 1995.



Hoyt Kerr, President
and Presiding Officer
State Board of Pharmacy of
the State of Kansas

CERTIFICATE OF MAILING

I hereby certify that a copy of the above and foregoing
Final Order was mailed, Certified, Return Receipt Requested,
on this 14 day of April, 1995, addressed
to the following:

Leslie D. Craft
739 N. Scheridan Apt. 203
Wichita, KS 67203

Lucy L. Herlocker and
Ann Soderberg
LAMB DIN, KLUGE & ZACHARIAS
830 N. Main
Wichita, Kansas 67202



Dana W. Killinger
1505 SW Harrison St.
Topeka, KS 66612-1811
(913) 232-9616
Attorney for the State
Board of Pharmacy
of the State of Kansas

BEFORE THE STATE BOARD OF PHARMACY
FOR THE STATE OF KANSAS

STATE BOARD OF PHARMACY
FOR THE STATE OF KANSAS

Plaintiff,

VS.

LESLIE D'AIR CRAFT, JR.,
License No. 1-09786,

Defendant.

ORDER GRANTING REINSTATEMENT

This matter comes regularly for hearing on the Motion for Reinstatement of Leslie D'Air Craft, Jr., for reinstatement of his pharmacy license in the State of Kansas, pursuant to K.S.A. 65-1627f.

The State Board of Pharmacy appears by Glen Mathis, President and Presiding Officer; Monte Baugher, Vice-President; Charlotte Brock, Pharmacist; Karla Kneebone, Pharmacist; Barry Sarvis, Pharmacist; and Dr. Margaret Young, Consumer Representative. Also appearing are Larry Froelich, Executive Secretary, and the attorney for the Board, Dana W. Killinger. Leslie D'Air Craft, Jr. appears in person.

Thereupon Leslie D'Air Craft, Jr. gave evidence by way of his own testimony and exhibits. The Board attorney, Dana W Killinger, entered evidence of a letter from Etta Williams. After hearing all the evidence, the Board went

into Executive Session for quasi-judicial reasons. After returning to open session, the Board made the following ruling, to-wit:

It is the Ruling and Order of the Board that upon payment by Leslie D'Air Craft, Jr. of the costs herein, that his License to practice pharmacy be reinstated.

It is further ruled and ordered that said reinstated licensee be placed on probation for the period of one year from the date of payment of costs.

Dated this 1 day of May, 1996.



Glen M. Mathis
President and Presiding Officer
State Board of Pharmacy
for the State of Kansas

CERTIFICATE OF MAILING

I hereby certify that I mailed a true copy of the foregoing Order Granting Reinstatement by mailing said copy in the United States mail, first class postage prepaid, on the 1 day of May, 1996, addressed to the following:

Leslie D'Air Craft, Jr.
3902 Narrow Lane Road
Montgomery, Alabama 76111


Glen M. Mathis