

BEFORE THE KANSAS BOARD OF PHARMACY

Filed By
NOV 25 2015
KANSAS STATE
BOARD OF PHARMACY

In the Matter of)
)
JENNIFER L. EVANS)
)
 Pharmacy Technician)
)
Registration No. 14-02156)

Case No. 15-123

SUMMARY ORDER OF REVOCATION

NOW on this 20th day of November, 2015, comes before the Kansas Board of Pharmacy (the "Board"), through its Investigation Member, the matter of Jennifer L. Evans, Pharmacy Technician ("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 Investigation Member enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

For purposes of this order, the Board's Investigative Member makes the following findings of fact:

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-02156 authorizing her to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. During the relevant period of time, Respondent worked as a pharmacy technician in the Dillons Pharmacy in Junction City, Kansas (the "Dillons Pharmacy").

3. Respondent has admitted that she stole various drugs including a controlled substance for which she did not have a valid prescription from the Dillons Pharmacy and self-administered them. Finally, Respondent has admitted that she is addicted to one or more of the drugs she stole.

CONCLUSIONS OF LAW

4. 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.

5. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

6. That K.S.A. 65-1626 (ccc)(5) defines unprofessional conduct to include the unlawful possession of drugs.

7. That the Board may take action against the license of a pharmacist, pursuant to K.S.A. 65-1627(a)(13), for self-administering any controlled substance without a practitioner's prescription order or mid-level practitioner's order. That additionally, the Board may take action against the license of a pharmacist, pursuant to K.S.A. 65-1627(a)(4), for being addicted to such a degree as to render the pharmacist unfit to practice the profession of pharmacy.

8. The Respondent's conduct in stealing drugs from her employer, self-administering the drugs and being addicted to one or more of the drugs she stole are each a basis to revoke Respondent's Registration.

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:

9. The Respondent may request a hearing pursuant to the Kansas State 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.

10. If a hearing is not requested as described above, the Order revoking the Respondent'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.

11. 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.

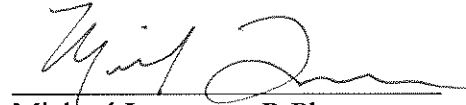
12. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Alexandra Blasi, JD, MBA
Executive Director
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

11-20-15

Date




Michael Lonergan, R.Ph.
Investigation Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 25th day of November, 2015, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Jennifer L. Evans
1330 S. Jackson St.
Junction City, KS 66441



Kansas Board of Pharmacy Staff