

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Jennifer Fraticelli )  
 )  
License No. 1-113194 )

Case No. 23-324

**SUMMARY ORDER**

NOW on this 27th day of September 2023, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Jennifer Fraticelli (“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 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**

1. The Board had previously issued Respondent License No. 1-113194 which entitles Respondent to practice as a pharmacist in the State of Kansas.
2. On August 31, 2023, Respondent ceased to serve as Pharmacist-in-Charge (“PIC”) at CVS/Pharmacy #11340.
3. On September 6, 2023, the Board received a Change in PIC Form BA-50, notifying the Board that Respondent had ceased to serve as PIC effective August 31, 2023. The BA-50 did not contain Respondent’s signature; on the BA-50, the following was written: “NOT AVAILABLE TO SIGN NO LONGER WITH THE COMPANY”.
4. On or about September 6, 2023, the Board processed the PIC change.

## CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the pharmacy act of the state of Kansas or any other rules or regulations of the state board of pharmacy.

2. Pursuant to K.A.R. 68-1-9, each pharmacist shall submit to the Board, on a form provided by the Board, notice of ceasing to serve as the pharmacist-in-charge at a pharmacy or facility required to have a pharmacist-in-charge no later than five days after ceasing to serve as the pharmacist-in-charge.

3. Respondent had five days to notify the Board of Respondent's resignation as PIC effective August 31, 2023, or until September 5, 2023.

4. Respondent failed to notify the Board of Respondent's resignation as PIC.

5. Respondent violated K.A.R. 68-1-9 by failing to notify the Board of Respondent's resignation as PIC.

## ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine of \$200 to the Board within 30 days from the date of this Order.

## 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.

\_\_\_\_\_  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 27th day of September 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:

Jennifer Fraticelli  
754 NW 90th Terr.  
Plantation FL 33324

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Kansas Board of Pharmacy Staff