

May 20, 2021

Cindy Garcia
140 S Parkway Blvd Apt C
Liberal KS 67901

RE: Case No. 20-192

Dear Ms. Garcia:

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)
)
Cindy Garcia)
)
Registration No. 14-100219)

Case No. 20-192

SUMMARY ORDER OF REVOCATION

NOW on this 20th day of May, 2021 comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Cindy Garcia (“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, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-17039 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas (“Respondent’s Registration”).
2. On April 29, 2020, the Board mailed Respondent a summary order imposing a fine of \$200.00 due within 30 days and proof of 38 hours of continuing education (CE) due within 60 days for failure to complete the required CE during an audited period.
3. On September 24, 2020, the Board sent an email to Respondent’s address of record requesting payment of the past-due fine and proof of the past-due CE within 30 days.

4. On November 25, 2020, the Board mailed a Final Notice to Respondent's address of record requesting the past-due fine and CE.

5. On December 8, 2020, Respondent requested additional time to pay the fine and complete her CE. The Board extended the deadline to January 31, 2021.

6. To date, the Board has not received payment or proof of the required CE.

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. That pursuant to K.S.A. 65-1627(a)(9), the licensee has failed to comply with the continuing education requirements of the board for license renewal.

3. That pursuant to K.S.A. 65-1627(a)(16), the licensee has violated or failed to comply with any lawful order or directive of the board.

4. Respondent's failure to complete the required CE is a basis to revoke Respondent's Registration pursuant to K.S.A. 65-1627(a)(9).

5. Respondent's failure to comply with the previous Summary Order is 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.

5/20/2021

Date

Alex Blasi

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 20th day of May, 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:

Cindy Garcia
140 S Parkway Blvd Apt C
Liberal KS 67901



Kansas Board of Pharmacy Staff