

January 24, 2022

DELANTIS HAIRSTON
2115 SW 72nd ST
TOPEKA, KS 66619

RE: Case No. 22-008

Dear Mr. Hairston:

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)
)
Delantis Hairston)
)
Applicant)

Case No. 22-008

SUMMARY ORDER OF DENIAL

NOW, on this 24th day of January 2022, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Delantis Hairston (“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 September 13, 2021, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).
2. As part of the application, Applicant answered “NO” to the question: *Have you ever 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.* The application directs that if the applicant answers “YES”, they must attach a Form S-150: Personal History (“S-150”).

3. Subsequently, the Board received information regarding the following charges laid against Applicant: 2010 possessions of simulated controlled substance, drug paraphernalia and depressant/stimulant/hallucinogenic/steroids; 2011 distribution of opiate/narcotic/stimulant within 1000 feet of a school, and; 2012 possession of certain hallucinogenic drugs.

4. On September 14, 2021, the Board sent a letter to Applicant's address of record requesting a completed S-150 as well as certified copies of the court pleadings from each case. Applicant did not respond to the Board's request.

5. On October 19, 2021, the Board sent a second letter to Applicant's address of record, again requesting a completed S-150 and court records. Applicant did not respond to the Board's second request.

6. On November 22, 2021, the Board sent to a final letter to Applicant's address of record, requesting the S-150 and court documents one final time.

7. To date, the Board has received from Applicant neither a completed S-150 nor any court documentation, nor any correspondence.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1663(f)(1), the Board may deny an application for issuance 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)(15), the Board may deny an application of any license of any pharmacist upon a finding that the licensee has failed to furnish to the Board, its investigators, or its representatives any information legally requested by the Board.

3. Applicant's failure to supply the Board with the documents requested to complete his Application is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(15).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

NOTICES

The 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
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

1/24/2022

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 24th day of January 2022, 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:

DELANTIS HAIRSTON
2115 SW 72nd ST
TOPEKA, KS 66619



Kansas Board of Pharmacy Staff