

BEFORE THE STATE BOARD OF PHARMACY
OF THE STATE OF KANSAS

IN RE: THE MATTER OF

MAX M. HEIDRICK,
License No. 1-09015
320 W. Main
Beloit, KS 67420

STIPULATION OF FINDING OF FACT AND ORDER

This matter comes before the State Board of Pharmacy for the State of Kansas, this 26 day of Jan, 1996.

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. Max M. Heidrick appears personally.

Max M. Heidrick states that he has been advised of his procedural rights under the Pharmacy Practice Act and Administrative Procedure Act, wherein counsel for the Board advised Max M. Heidrick of his rights to a formal hearing wherein he had a right to be represented by counsel, call witnesses on his behalf, cross-examine the Board's witnesses and other procedural rights. Counsel further advised Max M. Heidrick of the statutory sections of the

law which were allegedly violated and the statute giving the Board jurisdiction in this matter. Whereupon Max M. Heidrick waived his right to a Formal Hearing.

Max M. Heidrick further states that no issue of fact exists and wishes to stipulate to the following findings of fact and accepts the order of the State Board of Pharmacy, to-wit:

1. Max M. Heidrick is a licensed pharmacist in the State of Kansas, having License No. 1-09015.

2. That Max M. Heidrick is the Pharmacist in Charge at S & S Drug, Inc. located at 110 S. Mill, Beloit, KS 67420. S & S Drug, Inc. is presently registered in the State of Kansas.

3. S & S Drug, Inc. Registration No. 2-07284, whose address was given as 113 E. Main, Glasco, Kansas 67445, was a registered drug store in Kansas until July 1, 1995, at which time it's registration was delivered to the State Board of Pharmacy. Max M. Heidrick was Pharmacist In Charge of this pharmacy. Said pharmacy was owned by S & S Drug, Inc. of Beloit, Kansas.

4. S & S Drug Cawker City, 801 Lake Drive, Cawker City, Kansas 67430, was a registered drug store in Kansas until July 1, 1995, at which time it's registration was

delivered to the Board of Pharmacy. Max M. Heidrick was Pharmacist in Charge of this pharmacy. Said pharmacy was owned by S & S Drug Inc. of Beloit, Kansas.

5. S & S Drug Inc., Registration No. 2-05996, 110 S. Mill, Beloit, Kansas 67420, was having the pharmacist(s) at said store fill prescriptions after July 1, 1995, and using the closed pharmacies, to-wit: S & S Pharmacy Inc., Registration #2-07284, 113 E. Main, Glasco, Kansas 67445 and S & S Pharmacy Inc. Registration No. 2-06924, 801 Lake Drive, Cawker City, Kansas 67430, as pick-up stations, a violation of K.A.R. 68-2-16.

6. That the store at 113 E. Main, Glasco, Kansas, after July 1, 1995, exhibited a "DRUG" sign on the premises, a violation of K.S.A. 65-636 and K.S.A. 65-1626(s).

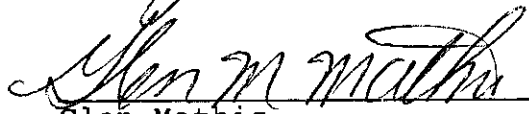
7. That the store at 801 Lake Drive, Cawker, City, Kansas, after July 1, 1995, exhibited a "DRUG" sign on the premises, a violation of K.S.A. 65-636 and K.S.A. 65-1626(s).

The State Board of Pharmacy for the State of Kansas pursuant to K.S.A. 65-1627(a)(5) & (8) and K.S.A. 65-4118(a)(3) has jurisdiction and power to revoke, suspend or place on probation and pursuant to K.S.A. 65-1658 fine said Max M. Heidrick.


IT IS THEREFORE ORDERED that Max M. Heidrick, License

No. 1-09015, be required to take the Kansas Law Examination, open book, and receive a passing score of 95%; and remove the pharmacy signs within 30 days.

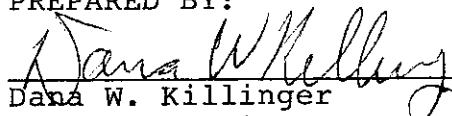
Dated this 26 day of Jan, 1996.


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

I, Max M. Heidrick, have hereby read the foregoing Stipulation and Order and fully understand the violations of which I am stipulating to and understand the terms of the Stipulation.


Max M. Heidrick

PREPARED BY:


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