

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Hannah Inman)
_____)

Case No. 18-649

SUMMARY ORDER OF DENIAL

NOW on this 29 day of April, 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Hannah Inman, ("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, 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. On or about September 26, 2019, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application"). Applicant had also previously been registered with the Board as a pharmacy technician from 2013 to 2015.

2. As part of Applicant's Application, she answered "No" to the question: "Have you ever been convicted of (includes plea of guilty or no contest) a criminal offense or is there

any 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.”

3. The Board received additional information regarding a 2012 driving under the influence of alcohol and driving while suspended offense, a 2016 driving under the influence of alcohol and driving while suspended offense, and a 2017 driving while suspended offense.

4. On October 9, 2018, the Board mailed Applicant a letter requesting she provide a Personal History Form S-150 to explain the offenses, as well as the certified court documents from each case.

5. On October 15, 2018, the Board received an email from Applicant stating that she had already sent in the S-150 before receiving the Board’s letter. The S-150 received by the Board addressed the DUI offense and a May 2016 possession of a controlled substance offense. Applicant stated in her email that she only has the one DUI offense from 2012 and that in 2017 she was charged with driving while suspended from 2016.

6. Upon more extensive review of Applicant’s criminal history and the documents provided by Applicant, the Board concluded Applicant’s previous criminal history is as follows: a 2011 DUI offense for which she received a diversion (diversion later revoked); a 2012 DUI conviction and driving while suspended; a 2016 driving while suspended conviction and driving under the influence of alcohol conviction; a 2016 felony charge for possession of a controlled substance (methamphetamines) and unlawful use of drug paraphernalia; two 2016 failure to appear offenses; and a 2017 driving while suspended for which she received probation.

7. On or about February 15, 2018, the Board's Individual License Evaluator conducted a phone interview with Applicant. During that phone interview, Applicant reported extensive treatment for substance abuse in 2017. Applicant also presented the Board with documents of completion from 2017; however, Applicant reported she is not currently attending support and recovery meetings. The phone interview revealed that the possession of a controlled substance offense from 2016 is still pending. Applicant also addressed that there were current legal proceedings pending with an unknown outcome due to a domestic dispute that occurred in January 2019.

8. The Board's Evaluator noted that Applicant has an extensive list of unlawful activity dating back to the age of 12, as well as previous failed diversion and probation attempts. Additionally, Applicant's length of sobriety has been relatively short given the extensive nature of her substance abuse history and that Applicant has no current plan for support of treatment and recovery.

CONCLUSIONS OF LAW

9. 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.

10. Pursuant to K.S.A. 65-1627(a)(2), the Board may deny the application of a pharmacist if the licensee has been convicted of a misdemeanor involving moral turpitude or gross immorality or any felony and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

11. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny the application of a pharmacist if licensee is found by the Board to be guilty of unprofessional conduct.

12. Pursuant to K.S.A. 65-1626(ttt), unprofessional conduct includes conduct likely to harm the public.

13. Applicant's previous convictions for driving under the influence of alcohol and driving while suspended and failure to show that she has been sufficiently rehabilitated to warrant the public trust given that she currently has charges pending and lacks a current plan for treatment is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(2).

14. Applicant's previous arrests for driving under the influence of alcohol, driving while suspended, failure to appear, and possession of a controlled substance is unprofessional conduct and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(3).

15. Applicant's pattern of disregarding the law is a danger to the public in the pharmacy setting, where pharmacy technicians have access to controlled substances, and a basis to deny Applicant's Application.

ORDER

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

NOTICES

Applicant is hereby notified as follows:

16. 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.

17. 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.

18. 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.

19. 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 Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

4/29/19

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 29 day of April, 2019 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

HANNAH INMAN
16945 W 67th Terr, Apt 333
Shawnee, KS 66217



Kansas Board of Pharmacy Staff