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Receive
MAR 09 2004
Kansas State
Board of Pharmacy

BEFORE THE KANSAS BOARD OF PHARMACY

Received
MAR 09 2004
Kansas State
Board of Pharmacy

IN THE MATTER)
)
OF)
)
MARY K. JANCICH, R.Ph.)
LICENSE # 10638, Respondent)
_____)

Case No: 03-50

CONSENT AGREEMENT AND ORDER

The Kansas Board of Pharmacy through its authorized representative Frank Whitchurch and Mary K. Jancich, Licensee, hereby enter the following Consent Agreement this 9th day of March, 2004.

WITNESSETH:

WHEREAS, Mary K. Jancich, (Licensee) is properly licensed as a pharmacist pursuant to the Kansas Pharmacy Act, K.S.A. 65-1625 *et seq.*, having been issued license number 10638 which expires June 30, 2005; and

WHEREAS, the Kansas Pharmacy Board (Board) is a state agency empowered to enforce the Kansas Pharmacy Act, K.S.A. 65-1625 *et seq.*, including the use of disciplinary actions to suspend, revoke or otherwise limit the licenses of Kansas pharmacists who

violate the Act; and

WHEREAS, the parties stipulate that on or about August 1, 2003, at Reynolds Drug in Atchison, Kansas, a prescription labeled Zantac syrup was dispensed to a customer but was subsequently determined to be Zyrtec syrup; and

WHEREAS, Licensee was the pharmacist on duty who was responsible for the error and did not perform a NDC code verification check when filling the above prescription; and

WHEREAS, Licensee failed to write an incident report documenting the error until after Board compliance officers went to Reynolds Drug to investigate a consumer complaint about the error; and

WHEREAS, the above facts state violations of K.A.R. 68-7-12b(b) and K.S.A. 65-1627(a)(6) and (8) and K.S.A. 65-1637(a).

WHEREAS, Licensee and the Board mutually desire to enter this Consent Agreement and Order in lieu of formal adjudicative proceedings pursuant to the Kansas Administrative Procedure Act to resolve the report of alleged violations.

WHEREFORE, for good and valuable consideration, the Licensee and the Board agree as follows:

1. Licensee shall pay to the Kansas Board of Pharmacy an administrative fine of Five Hundred Dollars (\$500.00) within ten (10) days of the date of the Final Order; and
2. Licensee shall submit to the Board documentation of her attendance at Continuing Education offerings on the topic of prevention of errors within six (6) months of the date of the Final Order; and
3. Licensee shall advise the Board in writing within ten (10) days of the date of the

Final Order how she would prevent making this type of error in the future.

IN WITNESS WHEREOF the parties have caused this Consent Agreement and Order to be executed the day and year first above written.

APPROVED AND ADOPTED BY:

Frank Whitchurch
Investigative Member
For Petitioner Board of Pharmacy

Date

APPROVED AND ADOPTED BY:

Mark K. Sanchich, Licensee

Date

BEFORE THE STATE BOARD OF PHARMACY
900 SW Jackson, Ste. 560
Topeka, Kansas 66612-1231
(785) 296-4056

IN THE MATTER OF)
)
MARY K. JANCICH)
Registered Pharmacist)
#1-10638)
_____)

Case No. 03-50

FINAL ORDER

Upon motion duly made, seconded and passed, the Kansas Board of Pharmacy
(the "Board") approves and accepts the within CONSENT AGREEMENT AND ORDER
and incorporates the provisions thereof as the Final Order of the Board.

ENTERED AND EFFECTIVE THIS 14th day of March 2004.

KANSAS BOARD OF PHARMACY

By:

Michael R. Hurst, R.Ph.
President

CERTIFICATE OF MAILING

I do hereby certify that a true and correct copy of the above and foregoing CONSENT AGREEMENT AND ORDER and FINAL ORDER was mailed on the 16 day of March and sent by U.S. mail, postage prepaid to

the following persons:

Mary K. Jancich
1702 Freeport Road
Highland, KS 66035

Debra L. Billingsley
Executive Director