

October 5, 2021

Cathy Johnson
3993 CR 3600
Independence KS 67301

RE: Case No. 21-189

Dear Ms. Johnson:

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. In addition, a civil fine has been assessed totaling \$1,360. Please submit a check or money order made payable to the Kansas Board of Pharmacy and include your case number in the check memo.

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)
)
Cathy Johnson)
)
License No. 1-10121)

Case No. 21-189

SUMMARY ORDER

NOW, on this 5th day of October 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Cathy Johnson, (“Applicant”), for application for reinstatement as a pharmacist licensed in the state of Kansas.

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 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. The Board has previously issued Applicant License No. 1-10121 which entitled Respondent to practice as a pharmacist in the State of Kansas through June 30, 2021, at which point Applicant’s license expired for nonrenewal.

2. Applicant self-reported that she had worked as a pharmacist at Porter Drugs, registration number 2-10096, on 18 different occasions in July and August after her license expired.

3. On September 16, 2021, the Board received Applicant’s application for reinstatement of her pharmacist license in the State of Kansas (“Applicant’s Application”).

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the pharmacy act of the state of Kansas or any other rules or regulations of the state board of pharmacy.

2. Pursuant to K.S.A. 65-1627(a)(8), the Board may take action against the license of any pharmacist upon a finding that the licensee has violated any of the provisions of the pharmacy act of the state of Kansas or any regulation adopted by the Board.

3. Pursuant to K.S.A. 65-1631(a), it shall be unlawful for any person to practice as a pharmacist in this state unless such person is licensed by the board as a pharmacist.

4. Since Applicant continued to work as a pharmacist from July 1, 2021 to August 25, 2021 (18 unique days) during which time her Kansas pharmacist license was expired and she had not yet filed a renewal or reinstatement application.

5. Applicant practiced as a pharmacist in Kansas without a Kansas pharmacist license in violation of K.S.A. 65-1631(a), which is a basis for the Board to take action against Applicant's license pursuant to K.S.A. 65-1627(a)(8).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby GRANTED but Applicant is ordered to pay a fine to the Board in the amount of \$1,360. Applicant has 30 days from the date of this order to pay the fine and the license shall be issued upon receipt.

NOTICES

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

IT IS SO ORDERED.

10/5/2021

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 5th day of October 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:

Cathy Johnson
3993 CR 3600
Independence KS 67301



Kansas Board of Pharmacy Staff