

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of)
Kim L. Jones,) KBOP DOCKET No. 14-014
Pharmacy Technician Registration 14-02795)
_____)

SUMMARY ORDER

NOW this 27 day of February, 2014, comes before the Kansas State Board of Pharmacy (hereinafter referred to as "Board") through its investigative member on the registration of Kim L. Jones (hereinafter referred to as "Respondent") to function as a pharmacy technician in 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 provision of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board's Investigative Member after reviewing the evidence and being otherwise duly advised in the premises and in accordance with the authority granted to him by the Board, enters the following Summary Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is a resident of Kansas with a last known mailing address of 5600 Memphis, Bellaire, KS 67220.
2. The Board granted Respondent a Pharmacy Technician Registration No. 14-02795 on December 22, 2005 and at all times relevant herein Respondent was employed as a pharmacy technician at Dillon's Pharmacy in Wichita, Kansas.

3. On or around January 14, 2014 the Respondent was terminated after the pharmacy discovered discrepancies in their inventory for narcotics, specifically 1,006 Hydrocodone Bit/APAP 10/500; 85 Hydrocodone/APAP 5/500; 3,367 Hydrocodone/APAP 10/325; 335 Hydrocodone/APAP 7.5/500; 56 Hydrocodone/APAP 5/325; and 100 Lortab 10/500.

4. The Respondent admitted that she diverted narcotics for her own use from the stock at the pharmacy.

5. Pursuant to K.S.A. § 65-1663(e)(1), 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.

6. Pursuant to K.S.A. 65-1627 (a)(4) the Board may take action against a pharmacy/pharmacy technician if the licensee/registrant is addicted to liquor or has a drug habit to such a degree as to render the licensee/registrant unfit to practice pharmacy.

7. Pursuant to K.S.A. 65-1627 (a) (5) the Board may take action against a pharmacist/registrant for a violation of the Uniform Controlled Substance Act

8. Pursuant to 21 CFR 1301.92 it is the position of the Drug Enforcement Administration that employees who possess, sell, use or divert controlled substances will subject themselves not only to State or Federal prosecution for any illicit activity, but shall also immediately become the subject of independent action regarding their continued employment. The employer will assess the seriousness of the employee's violation, the position of responsibility held by the employee, past record of employment, etc., in determining whether to suspend, transfer, terminate or take other action against the employee.

ORDER

Based upon the foregoing findings of fact and conclusions of law, the Board's Investigative Member hereby enters the following order:

IT IS THEREFORE ORDERED that Respondent Kim L. Jones' pharmacy technician registration is hereby revoked.

IT IS SO ORDERED.



Chad, Ullom, R.Ph.
Investigative Member

NOTICES

Respondent is hereby notified as follows:


1. Respondent may request a hearing pursuant to the Kansas State 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 Summary 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 K.S.A. 77-613. The agency officer designated to receive service of a petition for judicial review is:

Debra Billingsley
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612.

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 5 day of March, 2014, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Kim L. Jones
5600 Memphis
Bellaire, KS 67220


Kansas Board of Pharmacy