

800 SW Jackson St., Suite 1414  
Topeka, KS 66612



Phone: (785) 296-4056  
Fax: (785) 296-8420  
pharmacy@ks.gov  
www.pharmacy.ks.gov

Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

May 24, 2019

Mike Ketcher  
237 Landon Ct  
Lawrence KS 66049

RE: Case No. 18-479

Dear Mr. Ketcher:

Enclosed is a Summary Order of Denial pertaining to your Kansas pharmacist license renewal application for the state of Kansas. The reasons for your denial are explained therein.

Please find the section NOTICES, where you will find the time requirements should you wish to appeal the decision by the Board.

Please feel free to contact us with any questions at one of the numbers listed above.

Sincerely,

Kansas Board of Pharmacy

cc:  
Mike Ketcher  
16176 Linden Street  
Lawrence, KS 66085

Filed By

MAY 24 2019

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Mike Ketcher )  
License Number 1-12476 )  
\_\_\_\_\_ )

Case No. 18-479

**SUMMARY ORDER OF DENIAL**

NOW on this 24<sup>th</sup> day of May, 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Mike Ketcher, ("Respondent"), for renewal of his Kansas pharmacist license.

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**

1. On June 15, 2018, the Board received Respondent's application for renewal of his Kansas pharmacist license number 1-12476 ("Respondent's Application").

2. As part of Respondent's Application he answered "Yes" to the question: "Have you been convicted of (includes plea of guilty or no contest) a 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." The application form directs that if the question is answered yes, the applicant must attach a Form S-150: Personal History.

3. Respondent provided a completed and signed S-150 indicating he was cited for operating under the influence in December 2017 and the case had not yet been resolved.

4. On June 18, 2018, the Board sent a letter to Respondent requesting submission of all court documents related to the 2017 offense and a Form S-100: Background Check form and fingerprint card to conduct a criminal background check of Respondent.

5. On August 24, 2018, the Board received the completed S-100 and fingerprint card, as well as court documents indicating Respondent's driver's license had been suspended, the case had been continued, and Respondent was required to complete a class and jail time.

6. On or around November 2, 2018, the Board received additional information indicating that in addition to the 2017 DUI offense, Respondent had been arrested for criminal restraint and domestic battery in October 2018.

7. On November 2, 2018, the Board sent a second letter to Respondent requesting submission of a Form S-150: Personal History to explain the 2018 offense, an update to the 2017 offense including court documents, and court documents for the 2018 offense. The Board also requested Respondent schedule a mental health evaluation with the Kansas Committee on Impaired Pharmacy Practice (CIPP). A deadline of December 3, 2018 for submission was given.

8. On January 11, 2019, the Board sent a second request for the previously requested information to Respondent's current and previous mailing address of record, and Respondent's email address of record.

9. On April 1, 2019, the Board sent a final request for the previously requested information to Respondent's current and previous mailing address of record, and Respondent's email address of record.

10. To date, the Board has not received the requested documentation from Respondent.

#### CONCLUSIONS OF LAW

11. That pursuant to K.S.A. 65-1627(a)(3), the Board may deny the granting of a license to a pharmacist if a licensee is found by the board to be guilty of unprofessional conduct or professional incompetency.

12. That pursuant to K.S.A. 65-1626(ttt), unprofessional conduct means conduct likely to deceive, defraud or harm the public.

13. That pursuant to K.S.A. 65-1627(a)(15), the Board may deny the granting of a license to a pharmacist if the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

14. Respondent's criminal arrests for DUI, criminal restraint, and domestic battery, and lack of explanation or evidence of rehabilitation is unprofessional conduct likely to harm the public and a basis to deny Respondent's Application for failure to comply with K.S.A. 65-1627(a)(3).

15. Respondent's failure to provide the Board with legally requested information concerning his multiple criminal offenses are bases to deny Respondent's Application for failure to comply with K.S.A. 65-1627(a)(15).

#### ORDER

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

#### NOTICES

Respondent is hereby notified as follows:

16. Respondent 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.

5/24/19

Date



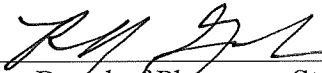
Alexandra Blasi, JD, MBA  
Executive Secretary  
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 24<sup>th</sup> day of May, 2019 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:

Mike Ketcher  
237 Landon Ct  
Lawrence KS 66049

Mike Ketcher  
16176 Linden Street  
Lawrence, KS 66085

  
\_\_\_\_\_  
Kansas Board of Pharmacy Staff