

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Maricris Krezman)
)
Registration No. 14-102582)

Case No. 19-431

SUMMARY ORDER

NOW, on this 13th day of April 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Maricris Krezman, (“Applicant”), for her renewal application for registration as a Kansas pharmacy technician.

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 renewal materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order.

FINDINGS OF FACT

1. Applicant has previously been issued pharmacy technician registration number 14-102582 by the Board.
2. On September 3, 2019, the Board received information concerning a DUI offense and the Board mailed Applicant a letter requesting a completed Personal History Form S-150, as well as certified copies of the court pleadings from the case.
3. On October 2, 2019 and October 30, 2019, the Board received a copy of Applicant’s S-150 personal history form and court documents pertaining to the DUI arrest, as well as letters of recommendation attesting to Applicant’s character. In addition, Applicant

provided information that her arrest would likely result in a diversion agreement for the DUI offense.

4. On April 13, 2020, the Board e-mailed Applicant requesting a copy of the diversion agreement and an update regarding the case. The email was returned undeliverable.

5. On April 13, 2020, the Board mailed Applicant a letter requesting a copy of the diversion agreement and an update regarding the case. The Board copied Applicant's attorney of record.

6. On July 20, 2020, the Board sent Applicant a final letter requesting a copy of the diversion agreement and an update regarding the case. The Board copied Applicant's attorney of record.

7. On November 23, 2020, the Board received Applicant's renewal application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").

8. Applicant answered "Yes" to the following question on his application: Have you been charged with or 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.

9. Applicant provided a statement with her renewal regarding the 2019 DUI offense and indicated she was currently under a diversion agreement.

10. On November 23, 2020, the Board sent a final request for a copy of the diversion agreement regarding Applicant's 2019 DUI.

11. On November 25, 2020, the Board received a copy of Applicant's DUI diversion agreement signed March 2020 and placing Applicant on a 12-month diversion agreement.

CONCLUSIONS OF LAW

1. 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.

2. Pursuant to K.S.A. 65-1627(a)(3), the Board may place in a probationary status the license of any pharmacist who has been found guilty of unprofessional conduct.

3. Pursuant to K.S.A. 65-1626(uuu), unprofessional conduct means conduct likely to deceive, defraud, or harm the public.

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

5. 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.

6. Applicant's DUI arrest, charge, and court-imposed diversion are unprofessional conduct and a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(3).

7. Applicant's failure to supply the Board with the requested documentation after repeated requests for nearly one year is a violation of K.S.A. 65-1627(a)(15) and a basis to place Applicant's registration in a probationary status, as well as a basis to impose a civil fine.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for renewal of pharmacy technician registration is hereby GRANTED subject to a 2-year probationary status. The terms of Applicant's probation are as follows:

- Applicant must continue compliance with the terms of any court-imposed requirements;
- Applicant must notify the Board of any change in his court probation status within 10 days of the change;
- Applicant must notify the Board of any arrest or criminal charge within 10 days of the date of the arrest or charge;
- Applicant must notify the Board of any change in employment within 10 days of the change and obtain Board approval for the change;
- Applicant must inform employers of the probationary status of her pharmacy technician registration;
- Applicant must obtain the signature of her pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

Applicant is also ordered to pay a fine to the Board in the amount of \$200 for her continued failure to provide requested documentation. Applicant has 30 days from the date of this order to pay the fine.

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.

4/13/2021

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 13th day of April, 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:

Maricris Krezman
1101 Kadence Lane
Junction City KS 66441



Kansas Board of Pharmacy Staff