

Filed

APR 13 2011

KANSAS STATE
Board of Pharmacy

**STATE OF KANSAS
BEFORE THE KANSAS STATE BOARD OF PHARMACY**

In the Matter of)
)
Walter Lee Calvin)
Registration No. 14-05820)
_____)

Case No. 11-12

SUMMARY ORDER

Walter Lee Calvin (the “Respondent”) was authorized to function as a pharmacy technician in the State of Kansas by reason of the Kansas Board of Pharmacy (the “Board”) having issued him Registration No. 14-05820.

Respondent filed a late renewal application on February 9, 2011 after his prior registration expired on October 31, 2010.

After considering the Respondent’s February 9, 2011 renewal application, the Board’s Investigation Member, in accordance with the authority granted by the Board, enters the following Summary Order.

Findings of Fact

For purpose of this Order, the Board’s Investigation Member makes the following findings of fact:

1. The Board had previously issued Respondent Registration No. 14-05820 which

entitled him to function as a pharmacy technician in the State of Kansas (“Respondent’s Registration”).

2. On October 31, 2010 said registration expired.
3. On February 9, 2011 the Respondent filed a late renewal application.
4. One of the questions on said renewal application is “Have you ever been convicted of any crime...” The Respondent checked “No” on his renewal application.
5. The public records of Respondent’s residential County (Johnson County) reflect that Walter Lee Calvin was convicted of a crime in Case Number 09CR03051, involving theft of over \$1,000.00 but under \$25,000.00 on April 14, 2010.
6. The Respondent did not disclose said conviction on his application filed herein.

Conclusions of Law and Fact

For purposes of this Order, the Board’s Investigation member makes the following conclusions of law and fact:

1. That the Respondent was originally issued a registration number 14-05820 pursuant to K.S.A. 65-1663.
2. That 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.

3. That the Board may deny a renewal of any license of a pharmacist upon a finding that: “(1) The license was obtained by fraudulent means; (2) The licensee has been convicted of a felony and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust”; for unprofessional conduct or professional incompetency; for violation of any rule and regulation of the Board; and for failing to furnish the Board with any information legally requested by the Board, as set forth in K.S.A. 65-1627(a)(1),(2),(3),(8) and (14).

4. The Board is required to take into consideration any felony conviction of an applicant. K.S.A. 65-1663(c).

5. The felony conviction of Respondent; failure to disclose the same on the application, and denial of any convictions on the application, are acts committed by Respondent which are a basis for discipline of Respondent’s Registration pursuant to the Pharmacy Act, K.S.A. 65-1625 et seq.

Order

Based upon the foregoing findings of fact and conclusions of law, Respondent’s February 9, 2011 Application for Registration is **hereby denied**.

Notices

The Respondent is hereby notified as follows:

1. The Respondent may request a hearing pursuant to the Kansas State Administrative Procedures Act by filing a written request with the Kansas Board of

Pharmacy, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612-1231 within fifteen (15) days after service of this Order.

2. If a hearing is not requested as described above, the Order denying the Respondent's Application for Registration, as a pharmacy technician 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:

Debra Billingsley
Executive Director
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, Kansas 66612

IT IS SO ORDERED.



Investigation Member
Kansas Board of Pharmacy

3-8-2011

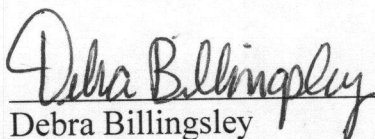
Dated

CERTIFICATE OF SERVICE *march*

I hereby certify that I did, on the 10 day of ~~February~~, 2011, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Original: Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612

Copy: Walter Lee Calvin
11957 Slater Street
Overland Park, KS 66213



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