## BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )	
Jeremy Warrick )	Case No. 16-180
)	

# SUMMARY ORDER OF DENIAL

NOW on this 23 day of January 2017, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Jeremy Warrick, ("Applicant"), for application for a Kansas pharmacy technician application.

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**

For purposes of this order, the Board's Investigative Member makes the following findings of fact:

- 1. On September 16, 2016, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
- 2. As part of Applicant's Application he answered "No" to the question: "Have you ever 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

In the Matter of Jeremy Warrick, No. 16-180 SUMMARY ORDER OF DENIAL Page 1 of 6 misdemeanors." The application form directs that if the applicant answers yes, the applicant must attach a Form S-150: Personal History.

- 3. The background report provided to the Board by the Kansas Bureau of Investigation reports that on November 5, 2009, Applicant was arrested for felony possession of a firearm.
- 4. On October 14, 2016, the Board sent a letter to Applicant requesting submission of a Form S-150: Personal History to explain the Applicant's criminal history.
- 5. On December 30, 2016, the Board the Board sent a second letter to Applicant requesting submission of a Form S-150: Personal History to explain the Applicant's criminal history or offenses. A deadline of January 16, 2017 for submission of the S-150 was given.
- 6. To date, the Board has not received a completed S-150 Personal History form from Applicant or any correspondence.

### CONCLUSIONS OF LAW

- 7. 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.
- 8. That pursuant to K.S.A. 65-1627(a)(2), the Board may deny the granting of a license to a pharmacist if a licensee has been charged with a felony offense and fails to show sufficient rehabilitation to warrant the public trust.
- 9. 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.

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Applicant's arrest and lack of explanation or evidence of rehabilitation is a basis 10. to deny Applicant's Application for failure to comply with K.S.A. 65-1627(a)(2).

Applicant's failure to provide the Board with legally requested information

concerning applicant's felony arrest via the Form S-150 Personal History is a basis to deny

Applicant'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, Applicant's

Application is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

Applicant may request a hearing pursuant to the Kansas Administrative Procedure 12.

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.

If a hearing is not requested as described above, the Order denying Applicant's 13.

Registration as a pharmacy technician shall become a final order of the Board, effective upon the

expiration of the time to request a hearing.

Within fifteen (15) days after entry of a final agency order, either party may file 14.

a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial 15.

review of a final agency order, pursuant to said statute. The agency officer designated to receive

service of a petition for judicial review is:

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

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IT IS SO ORDERED.

1/20/17 Date Alexandra Blasi, JD, MBA Executive Secretary Kansas Board of Pharmacy

### CERTIFICATE OF SERVICE

I hereby certify that I did, on the 23 day of January, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Jeremy Warrick 6311 Woodland, Apt 701 Kansas City, MO 64131

Kansas Board of Pharmacy Staff