

February 23, 2022

MIRANDA WEATHERBY
1115 JEFFERSON ST
FREDONIA, KS 66736

RE: Case No. 22-048

Dear Ms. Weatherby:

Enclosed you will find a Summary Order issued by the Kansas Board of Pharmacy (Board) in the above-referenced matter. Please read the order in its entirety.

If you disagree with the findings of fact, you have the right to request a hearing. Instructions for filing a written request are included under the "Notices" section of the order. Hearings are held before the full Board during their regularly scheduled quarterly meetings.

According to KSA 65-1627h, the Board is required to recoup the costs of administrative hearings when the decision is adverse to the licensee. These costs may include charges for services rendered by the Board's disciplinary counsel, an administrative law judge, and, if applicable, a court reporter.

If you have any questions, feel free to contact the Board at Pharmacy.Compliance@ks.gov.

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Miranda Weatherby)
)
Registration No. 14-11284)

Case No. 22-048

SUMMARY ORDER OF REVOCATION

NOW, on this 23rd day of February 2022, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Miranda Weatherby (“Respondent”).

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 Revocation in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and order:

FINDINGS OF FACT

1. The Board has previously issued Respondent Pharmacy Technician Registration Number 14-11284 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas (“Respondent’s Registration”).
2. On September 3, 2021, the Board’s Inspector was notified that Respondent’s employment as a pharmacy technician with Porter Drugs (“the Pharmacy”) had been terminated as a result of misfills and suspected diversion.
3. On September 7, 2021, the Pharmacy filed an amended DEA Form 106 indicating losses of hydrocodone, oxycodone, and phentermine.
4. Subsequently, the Board’s Inspector conducted an investigation which found that:

- Respondent had filled two controlled substance prescriptions that were missing tablets.
- Respondent had adulterated drugs by repeatedly touching pills with her bare hands prior to placing them in their vials for dispensation.
- Respondent had, while retrieving a bottle of lisinopril to fill a prescription, stopped, picked up, and interacted with a stock bottle of hydrocodone.
- Respondent had, upon termination from the Pharmacy, found new employment at a dental office (“the Dentist”).
- Respondent had, while employed by the Dentist, presented several pharmacies with fraudulent prescriptions for hydrocodone products for herself and her daughter, forged in the name of the Dentist.
- Respondent had resigned from the Dentist via text once the forgeries were discovered.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1663, the Board may revoke a 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 revoke the licensee of any pharmacist who is found by the Board to be guilty of unprofessional conduct.
3. Pursuant to K.S.A. 65-1626(vvv), unprofessional conduct includes the causing of any drug to be adulterated, the intentional falsifying of prescriptions, the unlawful possession of drugs/diversion of drugs to others, and conduct likely to harm the public.
4. Respondent’s conduct of contaminating pills, presenting forged prescriptions, and diverting controlled substances, as well her disregard for the potential harmful effects of her

actions on the public, are each and all violations of K.S.A. 65-1627(a)(3) and, as such, are each and all bases to revoke Respondent's Registration.

ORDER

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

NOTICES

The Respondent is hereby notified as follows:

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

IT IS SO ORDERED.

2/23/2022

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 23rd day of February 2022, 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:

MIRANDA WEATHERBY
1115 JEFFERSON ST
FREDONIA, KS 66736



Kansas Board of Pharmacy Staff