

Filed By

FEB 05 2014

KANSAS STATE
BOARD OF PHARMACY

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of the Application of)
Stephanie A. Wendt, for a) Case No. 14-02
Pharmacy Technician Registration.)

SUMMARY ORDER

NOW this 3 day of January, 2014, the above captioned matter comes before the Kansas State Board of Pharmacy ("Board") on the application of Stephanie Allyse Wendt ("Respondent") for a Pharmacy Technician Registration. After considering the foregoing, the Board's Investigative Member, in accordance with the authority granted to him by the Board, enters the following Summary Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is a resident of 700 S. Kansas, Plainville, KS 67663.
2. The Board has the authority to grant Respondent a Pharmacy Technician Registration.
3. On November 18, 2013, Respondent applied for a Pharmacy Technician Registration with the Board.
4. Part IV of the application for Pharmacy Technician Registration ("Application") asks: "Have you ever been cited, arrested for, charged with, or convicted of the commission of any crime, offense, or violation of the law in any state or by the federal government even if those charges were dismissed or expunged?"
5. " Respondent responded "NO."

6. The Kansas Bureau of Investigation did a criminal background search on Respondent and provided the Board with an Abstract of Criminal History, more commonly known as the RAP Sheet.

7. Respondent's RAP Sheet documents that on May 18, 2012, Respondent was arrested in Salina, Kansas on a charge of liquor; purchase/consumption alcoholic liquor/CMB by minor, in violation of K.S.A. § 41-0727.

8. Respondent entered into a diversionary agreement with the Salina City Prosecutor's Office on October 17, 2012 for a period of 12 months.

9. Respondent's RAP sheet documents that Respondent's Diversion Agreement was successfully completed on October 17, 2013.

10. Respondent was arrested on July 18, 2012 for driving under the influence of alcohol or drugs in violation of KSA 08-1567.

11. Respondent entered into a Diversion Agreement on March 5, 2013 for 12 months.

12. Respondent was arrested on August 23, 2012 in Riley County for possession of hallucinogenic drug and use/possession with intent to use drug paraphernalia into human body.

13. Respondent entered into a Diversion Agreement on March 8, 2013 for a period of 12 months.

14. 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.

15. Pursuant to K.S.A. § 65-1627(a)(4), the Board may deny a license when “the licensee is addicted to liquor or drug habit to such as degree as to render the licensee unfit to practice the profession of pharmacy.

16. Pursuant to 21 CFR 1301.92 it is the position of the Drug Enforcement Administration that employees who possess, sell, use or divert controlled substances will subject themselves not only to State or Federal prosecution for any illicit activity, but shall also immediately become the subject of independent action regarding their continued employment. The employer will assess the seriousness of the employee's violation, the position of responsibility held by the employee, past record of employment, etc., in determining whether to suspend, transfer, terminate or take other action against the employee.

ORDER

Based upon the foregoing findings of fact and conclusions of law, the Board’s Investigative Member hereby enters the following order:

Respondent is hereby denied a pharmacy technician registration pursuant to K.S.A. 65-1627 (a)(4).

NOTICES

Respondent is hereby notified as follows:

1. 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, KS 66612-1231, within fifteen (15) days after service of this order.

2. If a hearing is not requested as described above, the Summary Order shall become a final order of the Board.

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.

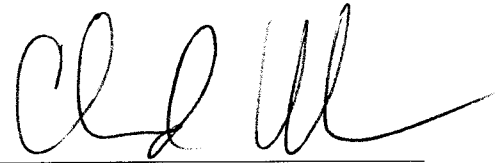
4. Within the time limits established in K.S.A. § 77-613, either party may seek judicial review of a final agency order, pursuant to § 77-613. The agency officer designated to receive service of a petition for judicial review is:

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

IT IS SO ORDERED.

Date

1/9/13

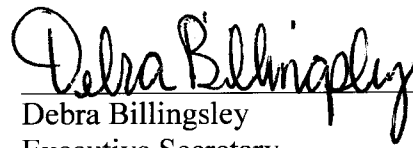


Chad Ullom, R.Ph.
Investigative Member

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 3 day of January , 2014, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Stephanie A Wendt
2132 Village Lane
Salina, KS 67401


Debra Billingsley
Executive Secretary