

Filed By
SEP 01 2016
KANSAS STATE
BOARD OF PHARMACY

8BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
HEYDON WHITE)
Pharmacy Technician)
Registration No. 14-18478)

Case No. 16-111a

SUMMARY ORDER OF REVOCATION

NOW on this 1 day of September, 2016, comes before the Kansas Board of Pharmacy (the "Board"), through its Investigation Member, the matter of Heydon White, Pharmacy Technician ("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 Investigation Member enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation 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. The Board has issued Respondent Pharmacy Technician Registration Number 14-18478 authorizing him to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. At all times relevant hereto, respondent was employed as a Pharmacy Technician at the University of Kansas Hospital Pharmacy in Kansas City, KS ("KU Hospital Pharmacy").

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3. On July 28, 2016, Christopher Bell, Assistant Pharmacy Administrator of KU Hospital Pharmacy, filed a complaint with the Board stating that Respondent was diverting Fentanyl patches.

4. According to the complaint, on April 7, 2016, the pharmacy commenced an investigation into Respondent's automated dispensing activities.

5. The investigation revealed that respondent had an unusually high number of expiration transactions for premade fentanyl IV bags.

6. On April 12, 2016, though he was not scheduled to work, video surveillance of the pharmacy showed Respondent going to a patient care area and obtaining three fentanyl bags from their automated dispensing cabinet.

7. On April 13, 2016, efforts were made to meet with Respondent regarding these findings, however, he did not respond to requests to meet.

8. The pharmacy left Respondent a voice message placing him on administrative leave until he met with his Director and Human Resources.

9. To date, Respondent has not returned to the workplace, nor has he contacted his supervisors regarding the incident.

10. KU Hospital Pharmacy's investigation into Respondent's activities demonstrated that from February 2016 to April 2016, he diverted at least 483 bags of fentanyl 1,000 mcg/100 ml bags from the pharmacy.

11. A letter was sent to Respondent terminating his employment at the pharmacy for failure to respond to the requests to meet, stating that the lack of response was considered a voluntary resignation and termination of employment.

12. To date, Respondent has had no contact with KU Hospital Pharmacy.

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13. Due to the high volume of diverted items and seriousness of the offense, the Wyandotte County Police Department has issued a warrant for Respondent's arrest and the DEA is conducting an ongoing investigation into the matter.

CONCLUSIONS OF LAW

14. 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.

15. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

16. That K.S.A. 65-1626(ccc)(5) defines unprofessional conduct to include the unlawful possession of drugs.

17. That K.S.A. 65-1626(ccc)(7) defines unprofessional conduct to include conduct likely to deceive, defraud, or harm the public.

18. The Respondent's conduct in stealing 483 bags of fentanyl from his employer and the Respondent's disregard for the potential harmful effects of his action to the public are 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:

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19. 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.

20. If a hearing is not requested as described above, the Order revoking the Respondent's Registration, as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

21. 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.


22. 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.

8/29/16

Date



Michael Lonergan, R.Ph.
Investigation Member
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

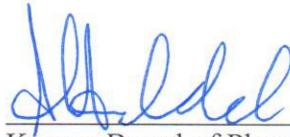
I hereby certify that I did, on the 1 day of September, 2016, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Heydon White
5213 W. 161st Street
Overland Park, KS 66085

Heydon White
10105 Wornall, Apt. 116
Kansas Coty, MO 64114`

and the original hand delivered to:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612



Kansas Board of Pharmacy Staff