

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Crystal Whitebear)
14-18503)
_____)

Case No. 18-488

SUMMARY ORDER OF DENIAL

NOW on this 30 day of November, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Crystal Whitebear, ("Applicant"), for her application for registration as a Kansas pharmacy technician.

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 Executive Secretary makes the following findings of fact:

1. On or about June 11, 2018, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
2. Applicant answered "Yes" to the following question on his application: Have you been charged with or 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 misdemeanors.

3. Accordingly, Applicant attached a Personal History Form S-150 disclosing a 2006 arrest for drugs.

4. Additional Application materials indicated Applicant had previously been arrested for possession of up to 35 grams of marijuana in 2005 and possession of marijuana in 2007.

5. On June 19, 2018, the Board sent Applicant a letter requesting she submit an additional completed Personal History Form S-150 with a more detailed explanation for all offenses.

6. On June 27, 2018, the Board received a voicemail from Applicant, requesting clarification related to the June 19, 2018 letter. The Board responded via email with an additional explanation of the letter.

7. On August 2, 2018, the Board sent Applicant a second letter requesting she submit a completed Personal History Form S-150 with a more detailed explanation for all offenses.

8. On October 5, 2018, the Board sent Applicant a final letter requesting she submit a completed Personal History Form S-150.

9. To date, the Board has not received the requested additional Personal History Form S-150.

CONCLUSIONS OF LAW

1. 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.

2. Pursuant to K.S.A. 65-1627(a)(15), the Board may deny an application from an Applicant who has failed to furnish the board, its investigators or its representatives any information legally requested by the board;

3. Applicant's failure to respond to the Board's requests for a completed Personal History Form S-150 is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(15).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

4. Applicant 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.

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


6. 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.

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

IT IS SO ORDERED.

11/27/18
Date

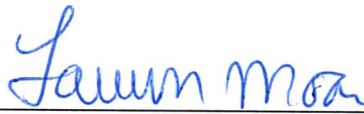


Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 30 day of November, 2018 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Crystal Whitebear
11825 E 56th Street
Kansas City, MO 64133



Kansas Board of Pharmacy Staff