

Filed By

JUL 11 2018

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Desmond Williams)
14-105214)
_____)

Case No. 18-083

SUMMARY ORDER OF DENIAL

NOW on this 11 day of July, 2018, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Desmond Williams, (“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 Executive Secretary makes the following findings of fact:

1. On March 6, 2018, 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” the question: “Have you ever 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. Additional application materials indicated Applicant had a possession of marijuana offense from 2012 on his record.

4. On March 19, 2018, the Board sent Applicant a letter requesting he submit a completed Personal History Form S-150 to explain the offense.

5. On April 24, 2018, the Board sent Applicant a second letter requesting he submit a completed Personal History Form S-150 to explain the offense.

6. On May 29, 2018, the Board sent Applicant a final letter requesting he submit a completed Personal History Form S-150 to explain the offense.

7. On June 8, 2018, the Board received an email from Applicant requesting additional time to provide the requested documentation. The Board granted Applicant until July 9, 2018 to provide the requested documentation.

8. To date, the Board has not received a completed Personal History Form S-150 from Applicant.

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. That pursuant to K.S.A. 65-1627(a)(1), the Board may take action against the license of a pharmacist if the pharmacist “has obtained, renewed or reinstated, or attempted to

obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact.”

3. That pursuant to K.S.A. 65-1627 (a)(15), the Board may take action against the license of a pharmacist if the pharmacist “has failed to furnish the board, its investigators or its representatives any information legally requested by the board.”

4. Applicant’s answer of “No” regarding his previous criminal history is a misrepresentation of a material fact and a basis to deny Applicant’s Application pursuant to K.S.A. 65-1627(a)(1).

5. Applicant’s failure to supply the Board with the requested documentation regarding his previous criminal history 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 is hereby DENIED.

NOTICES

Applicant is hereby notified as follows:

6. 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.

7. 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.

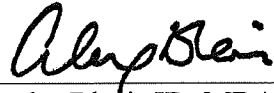
8. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

9. 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.

7/11/18
Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11 day of July, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Desmond Williams
9604 Lydia Ave Apt. D
Kansas City, MO 64131



Kansas Board of Pharmacy Staff