

Filed By

SEP 19 2019

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

Case No. 19-353

In the Matter of)
)
Latila Williams)
)
Applicant)

SUMMARY ORDER

NOW, on this 19th day of September 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Latila Williams ("Applicant"), for application for a Kansas pharmacy technician registration.

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 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

1. On May 14, 2019, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
2. Applicant answered "No" to the following question on her 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. The Board received information regarding theft charges in 2003, 2010, and 2011.

4. On June 5, 2019, the Board mailed Applicant a letter requesting a completed Personal History Form S-150, as well as certified copies of the court pleadings from each case.

5. On or about June 19, 2019, the Board received the requested documentation for the 2003 and 2010 incidents, along with several letters of recommendation.

6. Applicant's personal statement noted that she had not disclosed these offenses on her application because she did not remember ever having received these charges. Incongruously, Applicant also noted she was under the impression her charges were dropped.

7. Applicant's court documents showed applicant received a diversion for the 2003 instance, and for the 2010 instance, was convicted, placed on bond, and fined. The Board did not receive from Applicant any court documents regarding the 2011 incident.

8. Subsequently, the Board's Individual License Evaluator conducted a phone interview with Applicant. Evaluator noted that Applicant seemed to comfortably carry out her current job requirements and be successful in her role at KUMC. However, it was also noted that Applicant did not remember or demonstrate consciousness of the wrongfulness of her previous conduct, and that the extent of Applicant's rehabilitation is unknown. In addition, Evaluator noted that Applicant resides with a repeatedly convicted criminal drug felon.

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)(1), the Board may deny an application of any pharmacist who 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. Pursuant to K.S.A. 65-1627(a)(2), the Board may deny an application upon a finding that the licensee has been convicted of any felony or misdemeanor of gross immorality or moral turpitude, and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

5. Pursuant to K.S.A. 65-1626(uuu), unprofessional conduct means conduct likely to deceive or harm the public, and/or fraud in securing a registration.

6. Applicant's false response to the application question was a misrepresentation of a material fact and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(1).

9. Applicant's theft conviction is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(2). Applicant was unable to clearly recall or explain her criminal offense history, failed to demonstrate any consciousness of her wrongful conduct or accept any responsibility for such conduct, and could not provide any insight into their potential impact on her profession as a pharmacy technician. Therefore, Applicant failed to demonstrate rehabilitation from her previous criminal offenses, including a misdemeanor involving deception and theft.

7. Applicant's criminal offenses constitute unprofessional conduct as there are significant opportunities in the pharmacy setting for the public to be harmed by theft of personal,

health care, financial, and insurance information for the patients served, and is therefore a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(3).

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:

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

IT IS SO ORDERED.

9/19/19
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 19th day of September 2019, 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:

LATILA WILLIAMS
1909 N 75TH TERR
KANSAS CITY, KS 66112



Kansas Board of Pharmacy Staff