

October 15, 2019

RACHEL WILLIAMS
11000 HERRICK AVE
KANSAS CITY, MO 64134

RE: Case No. 19-103

Dear Ms. Williams:

Enclosed you will find a Summary Order issued by the Kansas Board of Pharmacy (Board) in the above-referenced matter. Please read the order in its entirety.

If you disagree with the findings of fact, you have the right to request a hearing. Instructions for filing a written request are included under the "Notices" section of the order. Hearings are held before the full Board during their regularly scheduled quarterly meetings.

According to KSA 65-1627h, the Board is required to recoup the costs of administrative hearings when the decision is adverse to the licensee. These costs may include charges for services rendered by the Board's disciplinary counsel, an administrative law judge, and, if applicable, a court reporter.

If you have any questions, feel free to contact the Board at Pharmacy.Compliance@ks.gov.

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Rachel Williams)
)
Registration No. 14-108865)

Case No.19-103

SUMMARY ORDER

NOW on this 9th day of August 2019, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Rachel Williams, (“Applicant”), for 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 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 March 6, 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 a 2011 felony forgery offense.

4. On March 25, 2019, the Board mailed Applicant a letter requesting a complete Personal History Form S-150, as well as certified copies of all court pleadings.

5. On or about April 8, 2019, Applicant submitted the requested documentation. Applicant indicated she attempted to cash a check for a friend in order to make some extra money, but could not recall the details of the case. Applicant's court documents indicated she was charged with felony forgery and placed on a diversion program, which she timely completed.

6. The Board's Individual License Evaluator conducted a phone interview with Applicant. No documentation of rehabilitation efforts were provided, but community service required by diversionary program was completed without incident. It was concluded that Applicant demonstrated consciousness of the wrongfulness of her conduct.

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)(2), the Board may place in a probationary status the license of any pharmacist upon a finding that the licensee has been convicted of any felony, and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

3. Pursuant to K.S.A. 65-1627(a)(1), the Board may place in a probationary status the license of any pharmacist upon a finding that the licensee has attempted to obtain a license by false or fraudulent means, including misrepresentation of a material fact.

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may place in a probationary status the license of any pharmacist upon a finding that the licensee is guilty of unprofessional conduct. Unprofessional conduct is defined by K.S.A. 65-1626(ttt)(7) as conduct likely to deceive, defraud or harm the public.

5. Applicant's past felony offense and resulting diversion agreement is a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(2), as she is unable to show that she has been sufficiently rehabilitated to warrant the public trust at this time.

6. Applicant's indication on her pharmacy technician application that she had not had any criminal charges was a misrepresentation of a material fact in an attempt to obtain a pharmacy technician registration and is a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(1).

7. Applicant's criminal conduct in attempting to cash a check for another individual for the purpose of receiving compensation is unprofessional conduct that is likely to harm or deceive the public, especially in a pharmacy setting where patients provide insurance, credit cards, and other forms of payment, is a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(3).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby GRANTED subject to a 2-year probationary status. The terms of Applicant's probation are as follows:

- Applicant must notify the Board of any change in employment within 10 days of the change and obtain Board approval for the change;

- Applicant must inform employers of the probationary status of her pharmacy technician registration;
- Applicant must obtain the signature of her pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

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.

8/9/19

Date

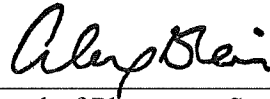


Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 9th day of August 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:

Rachel Williams
11000 Herrick Ave
Kansas City, MO 64134



Kansas Board of Pharmacy Staff