

February 16, 2023

Joseph Woehl
809 Robin St
Minneapolis KS 67467

RE: Case No. 22-124

To whom it may concern:

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. In addition, additional continuing education and a civil fine have been assessed totaling \$250. Please submit a check or money order made payable to the Kansas Board of Pharmacy and include your case number in the check memo.

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 STATE BOARD OF PHARMACY

In the Matter of)	
)	Case No. 22-124
Joseph Woehl)	
)	
<u>License Number 1-13873</u>)	

SUMMARY ORDER

NOW, on this 16th day of February 2023, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Joseph Woehl ("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 provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board enters this Summary Order in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and order:

FINDINGS OF FACT

1. The Board has previously issued Respondent License No. 1-13873 which entitles Respondent to function as a pharmacist in the State of Kansas (“Respondent’s Registration”).
2. On March 21, 2022, the Board received a consumer complaint regarding a prescription dispensing error at Auburn Pharmacy (the “Pharmacy”) that resulted in patient harm. The consumer indicated that the patient had to go to the emergency room for hypotension caused by too high a dose of atenolol and was admitted to the hospital in March 2022 with methotrexate toxicity due to a higher dose of methotrexate than was needed to treat the patient’s psoriasis.
3. The patient’s medication profile shows that the patient was prescribed atenolol 25mg twice per day since January 26, 2021.

4. On January 24, 2022, the patient's atenolol 25mg prescription was increased to two tablets in the morning and one tablet in the evening.

5. The standard geriatric dosing range for atenolol is 25-100mg per day, with doses of 200mg per day sometimes necessary.

6. On September 23, 2021, the prescriber wrote the patient's prescription number XXXX556 for methotrexate 2.5mg po daily #30 with one refill. It was initially filled by the Pharmacy on that date and refilled by Respondent on October 22, 2021.

7. On November 17, 2021, the prescriber wrote the patient's prescription number XXXX307 for methotrexate 2.5mg po daily #30 with one refill. It was initially filled by Respondent on that date and refilled by Respondent on December 23, 2021.

8. On January 26, 2022, the prescriber wrote the patient's prescription number XXXX014 for methotrexate 2.5mg po daily #30 with five refills. It was initially filled by Respondent on that date and refilled by Respondent on February 28, 2022.

9. There was no documentation with any of the prescriptions to indicate that the prescriber was contacted before dispensing to confirm or question the daily dosing of the methotrexate.

10. The standard dosing range for methotrexate used to treat psoriasis is 10-25mg once per week, not to exceed 30mg per week.

11. On April 18, 2022, an incident report was prepared regarding dispensing errors for prescriptions number XXXX307 and XXXX014, wherein Respondent indicated the Pharmacy was informed of the error on April 14, 2022 and the patient was in a nursing home receiving therapy after discharge from the hospital but expected to discharge home soon. The incident report did not reference prescription number XXXX556.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, in addition to any other penalty the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the pharmacy act of the state of Kansas or any other rules or regulations of the state board of pharmacy.

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

3. Pursuant to K.S.A. 65-1626(III)(1) and (2), professional incompetency means one or more instances or repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree that constitutes gross negligence, as determined by the Board.

4. Respondent dispensed a methotrexate prescription to patient on at least four occasions that failed to meet the standard of care for the treatment of psoriasis. Specifically, Respondent dispensed 2.5mg per day despite the standard of care which is 10-25mg once per week, not to exceed 30mg per week. This represents professional incompetency as defined by K.S.A. 65-1626 and is a basis to take action against Respondent's Registration under K.S.A. 65-1627.

5. Respondent made no attempt to contact the prescriber to verify the prescription and the patient suffered harm as a result of Respondent's professional incompetency.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine to the Board in the amount of \$250. Respondent has 30 days from the date of this order to pay the fine by check or money order.

Furthermore, Respondent shall complete three hours of additional ACPE-approved continuing education on error prevention, psoriasis treatment, and/or drugs with narrow a

therapeutic index. Respondent shall provide proof of completion to the Board within 60 days of the date of this Order. If Respondent is not already signed up for the NABP CPE monitor (free version), Respondent shall create an NABP CPE monitor profile and shall ensure that proof of completion of these penalty hours and all future required continuing education appears in the CPE monitor. Completion of penalty hours shall not count toward Respondent's next continuing education renewal requirement.

NOTICES

Respondent is hereby notified as follows:

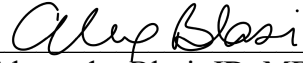
1. Respondent may request a hearing pursuant to the Kansas Administrative Procedure Act by filing a written request with the Kansas Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1231, within 15 days after service of this Order. If the outcome of the hearing is adverse to Respondent, costs of the proceedings shall be charged to Respondent.
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 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 K.S.A. 77-613. 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.

2/16/2023

Date

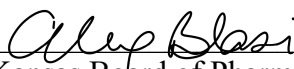


Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 16th day of February 2023, 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:

Joseph Woehl
809 Robin St
Minneapolis KS 67467



Kansas Board of Pharmacy Staff