

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of
Kendra Wright
Pharmacist

Case No. 18-490

**NOTICE OF PROPOSED DEFAULT ORDER
AND
PROPOSED DEFAULT ORDER**

The above-captioned matter comes on for consideration by the Kansas State Board of Pharmacy (Board) to enter a Proposed Default Order.


The Board finds:

1. On August 14, 2018, the Board issued a Summary Order of Denial with regard to Kendra Wright's Kansas pharmacist license application.
2. On September 4, 2018, Ms. Wright requested an administrative hearing.
3. On November 16, 2018 a Notice of Administrative Proceeding was served on Ms. Wright, setting the hearing in this matter for November 27, 2018 at 9:45 a.m.
4. The notice specifically provided that "[a]ny party who fails to attend or participate in the hearing or in any other portion of the adjudicative process may be held in default pursuant to K.S.A. 77-520 and the Board may conduct further proceedings necessary for adjudication without the participation of the Respondent."
5. The hearing in this matter was convened on November 27, 2018 at 9:45 a.m. Ms. Wright did not appear.
6. Ms. Wright is in default pursuant to K.S.A. 77-520.
7. This Proposed Default Order shall become effective seven days after service or ten days after mailing of this order unless Ms. Wright files a written motion with the Board at the address provided stating why the Proposed Default Order should be vacated and the order is then vacated.

8. If this Proposed Default Order becomes effective, Ms. Wright's application for licensure as a Kansas pharmacist shall be denied.
9. If the Proposed Default Order becomes effective, Ms. Wright may petition for review by the Board within fifteen days thereafter. Failure to timely petition for review by the Board may preclude judicial review.
10. If this Proposed Default Order becomes effective and neither party requests further administrative review, it shall become a Final Order.
11. If this Proposed Default Order becomes a Final Order, any petition for judicial review must be filed within the deadline established in K.S.A. 77-613. Any petition for judicial review must be mailed or personally delivered to: Alexandra Blasi, Executive Secretary, Kansas State Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612.

The Board, being well and duly advised in the premises, now enters this Proposed Default Order against Ms. Wright. It shall take effect as specified in the above findings.

12/11/18
Date


Alexandra Blasi, Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

On December 11, 2018, I mailed a copy of this document to:

Kendra Wright
135 Coldwater Creek Lane
Weatherford, TX 76088

Randall J. Forbes
Frieden & Forbes
1414 SW Ashworth Pl, Ste. 201
Topeka, KS 66604

Alexandra Blasi, JD, MBA
Executive Secretary
Kansas State Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612-1244



Staff Person

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Kendra Wright)
1-106550)
_____)

Case No. 18-490

SUMMARY ORDER OF DENIAL

NOW on this 14 day of August, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Kendra Wright, ("Applicant"), for her application for licensure as a pharmacist in the State of Kansas.

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 1, 2018, the Board received Applicant's application for licensure as a pharmacist in the State of Kansas ("Applicant's Application").
2. Applicant answered "Yes" to the following question on her application: Has there been a denial, revocation, suspension, voluntary surrender, or any other disciplinary action taken by the State of Kansas or any other jurisdiction against any professional or occupational license or registration held by you?

3. The Board received a Final Order dated January 17, 2018 from the Oklahoma State Board of Pharmacy finding Applicant was the pharmacist in charge of Absolute Veterinary Compounding Pharmacy when two horses died as a result of a misfill of Meloxicam instead of Methocarbamol. The Oklahoma Final Order placed Applicant on probation for one year and fined her \$4,000.00.

CONCLUSIONS OF LAW

1. That pursuant to K.S.A. 65-1627(a)(12), the Board may revoke, suspend, place in a probationary status or deny an application or renewal of any license of a pharmacist upon a finding that the licensee has had a license to practice pharmacy revoked, suspended or limited, has been censured or has had other disciplinary action taken or voluntarily surrendered the license after formal proceedings have been commenced, or has had an application for license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

2. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny an application of any license of a pharmacist upon a finding that the licensee is found by the Board to be guilty of unprofessional conduct.

3. Pursuant to K.S.A. 65-1626(ttt)(7), unprofessional conduct means conduct likely to harm the public.

4. Applicant's probationary status and fine, as evidenced by the Oklahoma State Board of Pharmacy's Final Order, is both a limitation and disciplinary action taken by another state after formal proceedings, and is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(12).

5. Since Applicant's error resulted in significant and lethal harm to patients, the Board also finds that Applicant's error presents a significant potential harm to the public.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of a pharmacist license 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.

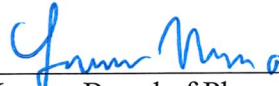
8/14/17
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 14 day of August, 2018 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Kendra Wright
135 Coldwater Creek Lane
Weatherford, TX 76088



Kansas Board of Pharmacy Staff