

December 28, 2021

LATRISHA VIEGRA
212 E 16th
LARNED, KS 67550

RE: Case No. 21-260

Dear Ms. Viegra:

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)
)
Latrisha Viegra)
)
Applicant)

Case No. 21-260

SUMMARY ORDER OF DENIAL

NOW, on this 28th day of December 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Latrisha Viegra (“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 of Denial 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. On October 4, 2021, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).
2. Applicant answered “YES” to the following question on her application: *Have you ever been pardoned from a felony or misdemeanor criminal conviction.* 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.* The

application instructs that if the applicant answers “YES”, he or she must include a Form S-150: Personal History (“S-150”). Applicant’s application included no S-150.

3. On or about October 6, 2021, the Board received information regarding January 2013 felony charges of interference with a law enforcement official, falsely reporting a crime, criminal damage to property, and attempted theft of property/services.

4. On October 6, 2021, the Board mailed a letter to Applicant’s address of record requesting a completed S-150 and certified copies of the court pleadings from the case.

5. On or about October 14, 2021, the Board received the requested documentation.

6. Subsequently, Applicant’s documents were forwarded to the Board’s Individual License Evaluator (“the Evaluator”) for review.

7. Applicant’s S-150 and accompanying court documents detailed that the 2013 charges were the result of having aided a friend who had stolen a tractor and caused damage to crops and property. Applicant had subsequently lied to police regarding the incident and was taken to jail, before pleading guilty. Applicant noted that she was placed on probation which continued for six years, due to unpaid court fines and diversion violation. For the violation, Applicant served additional incarceration and extension of her probationary period. Applicant included no letters of recommendation or evidence of present fitness for licensure.

8. The Board’s Evaluator documented that Applicant admitted to personal use of marijuana and has tested positive for methamphetamines in past drug screens.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1663, the Board may deny an application for issuance 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)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

3. Pursuant to K.S.A. 65-1626(uuu), unprofessional conduct includes conduct likely to deceive, defraud, or harm the public.

4. Applicant's felony offenses and subsequent conduct in breaking her court agreement are bases to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(3). Furthermore, Applicant's submissions show an inability to demonstrate consciousness of the wrongfulness of the issues which followed her original sentence. The potential harm of repeatedly breaking laws and endangering the public may place the pharmacy community at risk, especially when conduct is not recognized by Applicant to pose such a risk.

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.

12/28/2021

Date




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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 28th day of December 2021, 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:

LATRISHA VIEGRA
212 E 16th
LARNED, KS 67550



Kansas Board of Pharmacy Staff