

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of

Case No. 18-441

Lucas Oborny

FINAL ORDER

Statement of Case

This matter comes on for hearing on this the 13th day of September 2018, before the Kansas Board of Pharmacy (Board) upon the application of Lucas Oborny to be a pharmacy intern in the State of Kansas.

Appearing for the Board were: John Worden, PharmD, President; and members, Jonathan Brunswig, PharmD; Robert Haneke, PharmD; Bill Walden, R.Ph.; Michael Lonergan, R.Ph.; Chad Ullom, R.Ph., and, Cheri Pugh, Public Member.

Randall J. Forbes appeared as the Board's disciplinary counsel.

Mr. Oborny appeared *pro se*.

Findings of Fact

On May 3, 2018, the Board received Mr. Oborny's application for registration as a pharmacy intern in the State of Kansas.

On his application, Mr. Oborny responded, "Yes," to the question asking if he had "ever 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.”

Mr. Oborny submitted a S-150 Personal History Form setting forth an explanation for the answer to the above-stated question.

Mr. Oborny explained on the S-150 that on April 14, 2018, he was charged with the offense of driving or operating a vehicle while under the influence of alcohol. He describes this incident as “a huge mistake” and states that he has “learned a very important lesson.”

According to court documents obtained from the Circuit Court of Platt County, Sixth Judicial District, Mr. Oborny has been placed on two (2) years’ probation, ordered to complete the Substance Abuse Traffic Offender Program (SATOP), ordered to participate in the Victim Impact Panel (VIP), and ordered to complete 40 hours of community service.

Mr. Oborny submitted a SATOP Completion Certificate documenting that he had completed the program on August 12, 2018.

On or about August 23, 2018, the Board sent a Notice of Administrative Proceeding to Mr. Oborny, setting his matter for hearing on September 13, 2018, to consider his application to become a pharmacy intern in the State of Kansas.

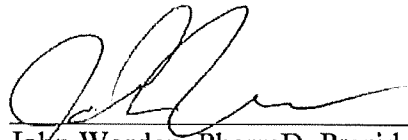
Mr. Oborny testified that during the hearing that he is a 4th year pharmacy student and wants to avoid having this incident define who he is.

Decision

Upon hearing the testimony of Mr. Oborny and the recommendations of staff, the Board approved Mr. Oborny's application to be a pharmacy intern, subject to Mr. Oborny being placed on two years' probation. Mr. Oborny is further ordered to notify the Board of any changes with regards to his legal status within ten (10) days of the change occurring.

Based on the foregoing, the Board grants the application submitted by Mr. Oborny to be a pharmacy intern in the State of Kansas.

10-19-18
Date



John Worden, PharmD, President
Kansas Board of Pharmacy

NOTICES

1. This is a Final Order and becomes effective upon service.
2. **Within fifteen (15) days** after service of the Final Agency Order, any party may file a Petition for Reconsideration pursuant to K.S.A. 77-529.
3. Either party to this agency proceeding may seek judicial review of the Final Order by filing a timely petition in the District Court as authorized by K.S.A. 77-613. Reconsideration of the Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed **within thirty (30) days** following service of the Final Order.
4. A copy of any petition for judicial review must be served upon the Kansas Board of Pharmacy. The agency officer designated to receive service of a petition for judicial review is:

Alexandra Blasi, Executive Secretary
Kansas State Board of Pharmacy
800 SW Jackson #1414
Topeka, KS 66612-1244

CERTIFICATE OF SERVICE

On October 26, 2018, I mailed a copy of this document
to:

Lucas Oborny
7643 N. Pomona Ave.
Kansas City, MO 64152

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

and hand-delivered to:

Alexandra Blasi
Executive Secretary
Kansas State Board of Pharmacy
800 SW Jackson #1414
Topeka, KS 66612-1244



Staff Person
Kansas Board of Pharmacy