

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Lawrence Ombasa)
3-107169)
_____)

Case No. 18-560

SUMMARY ORDER OF APPROVAL

NOW on this 11th day of January, 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Lawrence Ombasa, ("Applicant"), for his pharmacy intern registration application 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 Approval 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 July 30, 2018, the Board received Applicant's pharmacy intern registration application ("Applicant's Application").
2. Applicant answered "Yes" to the following question on his application: Have you been charged with or convicted of (included 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

intern on any ground that 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 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 is found by the board to be guilty of unprofessional conduct.

3. Pursuant to K.S.A. 65-162(ttt), unprofessional conduct includes conduct likely to deceive, defraud, or harm the public.

4. Applicant did not express remorse for his actions or acknowledge that his behavior was improper or offensive, but did provide an explanation of the circumstances surrounding the criminal offense and is actively complying with all diversion requirements.

5. Applicant's recent arrest and ongoing court-mandated diversion for stalking is unprofessional conduct and is a basis to place Applicant's registration on a probationary status pursuant to K.S.A. 65-1627(a)(3).

6. Given that pharmacy is a profession where adherence to the law is of crucial importance, Applicant's recent disregard for the law and current status of being on diversion suggest that Applicant may present a risk to the public and should be monitored for continued compliance and fulfillment of all court requirements prior to having an unrestricted pharmacy intern registration. Thus, Applicant's criminal offense and diversion are bases to place Applicant's registration on a probationary status.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for registration as a pharmacy intern is hereby GRANTED subject to a 2-year

probationary period requiring continued compliance with and successful completion of his diversion agreement.

NOTICES

Applicant is hereby notified as follows:

7. 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.

8. If a hearing is not requested as described above, the Order granting Applicant's intern registration subject to probation shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

9. 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.

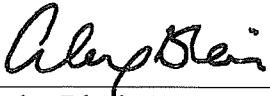
10. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is

Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

Date

1/11/19


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

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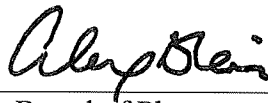
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CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11th day of January, 2019 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Approval, properly addressed to the following:

Lawrence Ombasa
9227 W 79th St – Apt 95
Overland Park, KS 66204



Kansas Board of Pharmacy Staff