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Kansas State Board of Pharmacy
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BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of)
Celeste Ontjes, ~~Pharm.D.~~ ^{RPh}) Case No. 12-46
Kansas License No. ~~1-12633~~ ¹²⁶⁵⁵)

CONSENT AGREEMENT

COMES NOW, the Kansas State Board of Pharmacy (“the Board”), and reviews the file on Celeste Ontjes, ^{RPh}~~Pharm.D.~~ (“Respondent”).

THEREUPON, being duly advised on the matter, the Board and Respondent agree to the following:

WAIVER OF RIGHTS

Respondent understands that it has the following rights in this case: The right to discovery, a hearing before the Board, and if found in violation of the Kansas Pharmacy Act, the right to appear before the District Court and Kansas appellate courts pursuant to the Kansas Judicial Review Act (the “KJRA”).

Respondent hereby acknowledges her right to be represented by a lawyer of her own choosing. Knowing these rights, Respondent, by signing this agreement, knowingly and voluntarily suspends these rights at this time, including the right to a hearing by the Board.

FACTS

1. The Board is charged with the administration of the Kansas Pharmacy Act (K.S.A. § 65-1626, *et seq.*) (the “Pharmacy Act”) and with the enforcement of the rules and regulations promulgated thereunder.

2. Respondent is currently registered as a pharmacist in the State of Kansas having been issued License No. ~~1-42633~~ 12655
3. During the times in questions, Respondent served as a staff pharmacist at Hutchinson Clinic Pharmacy, 2101 N. Waldron, Hutchinson, Kansas 67501.
4. The Board's Investigative Member has received certain information, has investigated and has determined that there are reasonable grounds to believe that Respondent has committed an act or acts in violation of the Kansas Pharmacy Act, K.S.A. 65-1626 *et seq.*, which would subject her license to discipline pursuant to K.S.A. 65-1627.
5. The Board is authorized to assess civil fines under the provisions of the Pharmacy Act. More specifically, the Board may, "assess a civil fine, after notice and an opportunity to be heard in accordance with the Kansas administrative procedure act, against any licensee or registrant under subsections (a), (c), (d) and (e) of K.S.A. 65-1627, and amendments thereto, for violations of the pharmacy act of the state of Kansas or rules and regulations of the state board of pharmacy or for violation of the uniform controlled substances act or rules and regulations of the state board of pharmacy adopted under the uniform controlled substances act, in an amount not to exceed \$5,000 for each violation." K.S.A. § 65-1658.
6. Pursuant to laws and regulations pertaining to of pharmacies, the Board is authorized to conduct hearings, summary proceedings, and emergency proceedings under the Kansas Administrative Procedure Act (K.S.A. § 77-501, *et seq.*) ("KAPA"). K.S.A. § 65-1663(e)(4). Such proceedings may result in suspension, revocation, and other disciplinary actions affecting Respondent's ability to conduct business as a licensed pharmacist in the State of Kansas.

7. On February 23, 2012, Hutchinson Clinic Pharmacy received a prescription for Amcinonide cream 0.1%, which was to be administered to the elderly mother of the complainant.
8. The prescription was incorrectly filled as Adapalene cream 0.1%, and was administered to the patient.
9. The patient suffered adverse health effects and hospitalization.
10. K.S.A. § 65-1637(a) provides: “All prescriptions shall be filled in strict conformity with any directions of the prescriber. . .”

TERMS AND CONDITIONS

1. Respondent agrees to pay a civil fine of \$500.00; and
2. Respondent shall submit the names of the two drugs involved in this matter (Amcinonide and Adapalene) to the Institute for Safe Medication Practices (ISMP) to assist in the avoidance of similar confusion in the future.

CONSENT OF THE KANSAS STATE BOARD OF PHARMACY

This Consent Agreement is not binding upon the Board until it has been reviewed and agreed to by the Kansas State Board of Pharmacy at its next quarterly meeting, to be held May 31 and June 1, 2012.

The parties below have read this Consent Agreement, know and understand its contents, and agree to comply with its terms. Respondent specifically agrees to waive the constitutional rights enumerated above.

Celeste Ontjes RPh
Hutchinson Clinic Pharmacy
Celeste Ontjes, Pharm.D. RPh
2101 N. Waldron
Hutchinson, KS 67501

Date: 5/11/12

David R. Schoech

David R. Schoech, R.Ph.
Investigative Member
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612

Date: 5/21/2012

Doug M. Taylor

Doug M. Taylor
Compliance Counsel
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612

Date: 5/16/12

APPROVAL OF THE BOARD OF PHARMACY

This Consent Agreement has been reviewed by the Kansas State Board of Pharmacy and is agreed to as of the date stated below.

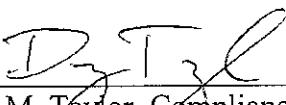
James Garrelts
James Garrelts, Pharm.D., President
Kansas State Board of Pharmacy
800 SW Jackson St., Ste. 1414
Topeka, KS 66612

Date: 6/1/2012

CERTIFICATE OF SERVICE

I hereby certify that on this 4 day of June, 2012, I deposited a true and correct copy of the above and foregoing Consent Agreement in the United States Mail, postage prepaid, and addressed to:

Hutchinson Clinic Pharmacy
ATTN: Celeste Ontjes
2101 N. Waldron
Hutchinson, KS 67502



Doug M. Taylor, Compliance Counsel