

August 21, 2019

LINDA MARANG
1302 W 7TH ST
COFFEYVILLE, KS 67337

RE: Case No. 19-059

Dear Ms. Marang:

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

Filed By

AUG 21 2019

KANSAS STATE BOARD OF PHARMACY

Case No. 19-059

In the Matter of)
)
Linda Marang)
)
Registration No. 14-108667)

SUMMARY ORDER

NOW, on this 21st day of August 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Linda Marang, ("Applicant"), for application for registration as a Kansas pharmacy technician.

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 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

1. On February 6, 2019, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").

2. 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.

3. On or about February 15, 2019, the Board received information regarding 1996 offenses of larceny & possession of drug paraphernalia.

4. On February 20, 2019, the Board mailed Applicant a letter requesting a completed Personal History Form S-150, as well as certified copies of the court pleadings from each case.

5. On March 20, 2019, the Board received the requested court documentation. Applicant did not submit the requested Personal History Form S-150 at this time, however.

6. On April 8, 2019, the Board mailed Applicant a letter once again requesting the Personal History Form S-150.

7. On April 10, 2019, the Board received Applicant's Personal History statement, along with proof of employment, letters of reference, and evidence of coursework.

8. Applicant's personal statement elaborated significantly on her previous misconduct, detailing that she understands the seriousness of her behavior and the effect her environment played. Applicant noted that she engaged in treatment, and has long since held employment positions that allowed her to contribute to bettering her places of employment.

9. Subsequently, the Board's Individual License Evaluator conducted a phone interview with Applicant. License Evaluator noted that, although Applicant had an extensive two year drug usage history, the amount of time that has elapsed since has been 22 years, with fines and probation terminated early, and without Applicant's further legal involvement or relapse. Applicant described her own current moral character as being fit for Pharmacy Technician registration, and this was evidenced by her letters of reference, transcripts, and medical certifications provided to the Board.

CONCLUSIONS OF LAW

1. That pursuant to K.S.A. 65-1663, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal 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)(1), the Board may place in a probationary status the license of any pharmacist upon a finding that the licensee attempted to obtain a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(3), the Board may place in a probationary status the license of any pharmacist upon a finding that the licensee is guilty of unprofessional conduct.

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

5. Applicant's failure to honestly answer the disciplinary questions on Applicant's Application is an attempt to obtain a registration by misrepresentation and is a basis to place Applicant's registration on a probationary status pursuant to K.S.A. 65-1627(a)(1).

6. Applicant's history of larceny and drug criminal offenses have the potential to place the public at risk and are therefore considered unprofessional conduct and are bases to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(3).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby GRANTED subject to a 2-year probationary status. The terms of Applicant's probation are as follows:

- Applicant must notify the Board of any change in employment within 10 days of the change and obtain Board approval for the change;
- Applicant must inform employers of the probationary status of her pharmacy technician registration;
- Applicant must obtain the signature of her pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

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.

8/21/19
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 21st day of August 2019, 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:

LINDA MARANG
1302 W 7TH ST
COFFEYVILLE, KS 67337

Alex Blasi
Kansas Board of Pharmacy Staff