

800 SW Jackson St., Suite 1414
Topeka, KS 66612



Phone: (785) 296-4056
Fax: (785) 296-8420
pharmacy@ks.gov
www.pharmacy.ks.gov

Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

October 14, 2022

Travis McKibbin
23609 W 93rd St
Lenexa KS 66227

RE: Case No. 22-246

Dear Mr. McKibbin:

Enclosed you will find an Emergency Order of Suspension issued by the Kansas Board of Pharmacy (Board) in the above-referenced matter. Please read the order in its entirety.

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)
) File No. 22-246
TRAVIS MCKIBBIN, R.Ph.)
LICENSE NO. 1-12992)

EMERGENCY AGENCY ORDER

Travis McKibbin, R.Ph. (the “Respondent”) is currently authorized to practice pharmacy in the State of Kansas by reason of the Kansas Board of Pharmacy (the “Board”) having issued him License No. 1-12992.

It has come to the attention of the Board’s Investigation Member that on October 1, 2022, the Respondent admittedly brought and consumed alcohol while employed as a Pharmacist at AuBurn Pharmacy in Baldwin, Kansas.

After considering the foregoing, the Board’s Executive Secretary, in accordance with the authority granted to her by the Board pursuant to the Board’s delegation of authority policy which was adopted November 27, 2018 and re-approved October 13, 2021, enters the following emergency agency order, pursuant to K.S.A. 77-536 and K.S.A. 65-1627(c).

I. FINDINGS OF FACT

For purposes of this order, the Board’s Executive Secretary makes the following findings of fact:

1. The Board has previously issued Respondent license number 1-12992, which entitled him to practice pharmacy in the State of Kansas (“Respondent’s License”).
2. On or about September 26, 2022, while Respondent was employed at AuBurn Pharmacy in Baldwin, Kansas, Pharmacy Technician NF noticed Respondent

smelled strongly of alcohol and she observed Respondent kept a drink in the freezer in a Gatorade bottle.

3. On or about September 26, 2022, while Respondent was employed at AuBurn Pharmacy in Baldwin, Kansas, Pharmacy Technician SS observed Respondent frequently taking drinks from the Gatorade bottle in the freezer and she noticed the contents of the Gatorade bottle were not freezing. Pharmacy Technician SS observed Respondent sweating, dropping items and having a super red face.
4. On or about September 29, 2022, while Respondent was employed at AuBurn Pharmacy in Baldwin, Kansas, Pharmacy Technician NF observed Respondent drinking from the Gatorade bottle in the freezer and she observed Respondent's physical and mental cognition decline, including slurring of his words, swaying in his stance, red eyes, having a difficult time communicating and delayed responses and reactions. Pharmacy Technician NF smelled the Respondent's Gatorade bottle and smelled strong grain alcohol.
5. On or about September 29, 2022, while Respondent was employed at AuBurn Pharmacy in Baldwin, Kansas, the Director of Retail Pharmacy for AuBurn Pharmacy, CD, tried to speak to Respondent and observed him seeming not to hear her speaking while Respondent interjected a completely unrelated question to the Director.
6. On or about September 30, 2022, while Respondent was employed at AuBurn Pharmacy in Baldwin, Kansas, the Director of Retail Pharmacy for AuBurn Pharmacy, CD, was notified by two pharmacy technicians of their observations of

Respondent, their suspicion of Respondent drinking on the job and Respondent's intoxication.

7. On or about September 30, 2022, Director CD notified the technicians to report any observation of Respondent putting another bottle in the freezer or behaving out of the norm.
8. On or about October 3, 2022, Pharmacy Technician NF observed Respondent arrive to work and place a full Gatorade bottle in the freezer and she observed Respondent taking sips from the bottle. Pharmacy Technician NF and SS poured some of the contents of the Gatorade bottle into a vial, which smelled like alcohol, and notified Director CD.
9. On or about October 3, 2022, Director CD arrived at the AuBurn Pharmacy in Baldwin and smelled the vial containing some of the contents of Respondent's Gatorade bottle and smelled alcohol. Director CD tasted the contents of the vial containing some of the contents of Respondent's Gatorade bottle and believed it to contain Everclear alcohol.
10. On or about October 3, 2022, President/CEO MB, Director CD and RM confronted Respondent, who eventually admitted to bringing and consuming alcohol while working at AuBurn pharmacy in Baldwin, Kansas.
11. On or about October 3, 2022, Respondent refused to take a breathalyzer before leaving the pharmacy, his employment at AuBurn Pharmacy was terminated and Respondent was encouraged to contact CIPP as soon as possible.
12. On or about October 4, 2022, Respondent advised President MB that he had checked himself into rehab and that he would probably be there a week.

13. On or about October 6, 2022, Respondent admitted to an investigator for the Board that while working at AuBurn Pharmacy in Baldwin he had alcohol in his system, he had been drinking and he had brought more alcohol with him to work.
14. Bringing and consuming alcohol while on duty as a Pharmacist poses a serious health risk and danger to that individual and other individuals who may be served by that Pharmacist.

II. CONCLUSIONS OF LAW AND FACT

For purposes of this order, the Board's Executive Secretary makes the following conclusions of law and fact:

1. Respondent's continuation in the practice of pharmacy would constitute an immediate danger to the public health and safety or welfare. The least restrictive way to prevent or avoid the immediate danger Respondent poses to the public health, safety and welfare is to suspend Respondent's License.
2. There is cause to believe the acts committed by Respondent could form the basis for discipline of Respondent's License pursuant to various provisions of the Pharmacy Act, including K.S.A. 65-1627(a)(3), (4) and (7).

III. EMERGENCY ORDER

Pursuant to K.S.A. 77-536 and K.S.A. 65-1627(c), and based upon the foregoing findings and conclusions, Respondent's License is hereby suspended until further order of the Board, effective immediately.

Within fifteen (15) days after service of this Emergency Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this Emergency 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.

10/14/2022

Date



ALEXANDRA BLASI, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 14th day of October, 2022, deposit in the United States mail, postage prepaid, a copy of the foregoing EMERGENCY AGENCY ORDER, properly addressed to the following:

Travis McKibbin
23609 W. 93rd St.
Lenexa, KS 66227



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