

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
LAUREN MEZA)
 Pharmacy Technician)
Registration No. 14-18136)

Case No. 18-431

SUMMARY ORDER OF REVOCATION

NOW on this 20 day of August, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Lauren Meza, Pharmacy Technician ("Respondent").

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 Revocation in the above-captioned matter. After reviewing the investigation 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. The Board has issued Respondent Pharmacy Technician Registration Number 14-18136 authorizing her to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. On or about April 30, 2018, a Board Inspector was informed by Ashley Clinic Pharmacy's Pharmacist in Charge (PIC) that Respondent had been filling prescriptions without pharmacist involvement.

3. On or about June 5, 2018, a Board Inspector conducted an on-site investigation where Ashley Clinic Pharmacy provided documentation of prescriptions Respondent filled without pharmacist involvement. The documentation Ashley Clinic Pharmacy provided included fourteen prescriptions not verified by a pharmacist and one prescription filled without an input check.

4. On or about June 18, 2018, the Board received an email statement from Respondent where she admitted to filling prescriptions for herself without the involvement of a pharmacist.

CONCLUSIONS OF LAW

5. 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.

6. Pursuant to K.S.A. 65-1627(a)(8), the Board may take action against the license of a pharmacist who has violated any of the provisions of the pharmacy act of the state of Kansas or any rule and regulation adopted by the board pursuant to the provisions of such pharmacy act.

7. Pursuant to K.S.A. 65-1621(a), it shall be unlawful for any person to practice as a pharmacist in this state unless such person is licensed by the board as a pharmacist.

8. Pursuant to K.S.A. 65-1637c(a), in every store, shop or other place defined in this act as a "pharmacy" there shall be a pharmacist-in-charge and, except as otherwise provided by law, the compounding and dispensing of prescriptions shall be limited to pharmacists only.

9. Pursuant to K.S.A. 68-2-20(b), those judgmental functions that constitute the filling or refilling of a prescription shall be performed only by a licensed pharmacist or by a pharmacy student or intern under the direct supervision of a licensed pharmacist and shall consist of the following steps:

- (1) Read and interpret the prescription of the prescriber;
- (3) verify the compounding, counting, and measuring of ingredients and document the accuracy of the prescription;
- (4) identify, in the pharmacy record, the pharmacist who verifies the accuracy of the completed prescription;
- (6) ensure the proper selection of the prescription medications, devices, or suppliers as authorized by law;
- (7) when supervising a pharmacy technician, delegate only nonjudgmental duties associated with the preparation of medications and conduct in-process and final checks;
- (8) prohibit all other pharmacy personnel from performing those judgmental functions restricted to the pharmacist; and
- (9) interpret and verify patient medication records and perform drug regimen reviews.

10. Respondent's filling of fourteen prescriptions without final verification of a pharmacist and filling of one prescription without an input check are functions that constitute the filling or refilling of a prescription, which may not be performed by a pharmacy technician.

11. Respondent's actions of filling prescriptions are violations of K.S.A. 65-1621(a), K.S.A. 65-1637c(a), and K.S.A. 68-2-20(b).

12. Respondent's violations of K.S.A. 65-1621(a), K.S.A. 65-1637c(a), and K.S.A. 68-2-20(b) are grounds to revoke Respondent's Registration pursuant to K.S.A. 65-1663 and K.S.A. 65-1627 conjunctively.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

NOTICES

The Respondent is hereby notified as follows:

13. The Respondent 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.

14. If a hearing is not requested as described above, the Order revoking the Respondent's Registration, as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

15. 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.

16. 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
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612


Matter of Lauren Meza, No. 18-431 (Kan. Bd. of Pharmacy)

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IT IS SO ORDERED.

8/21/18
Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 20 day of August, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Lauren Meza
905 S Harrison
Laharpe, KS 66751

and the original hand delivered to:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612



Kansas Board of Pharmacy Staff