

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 ) Case No. 14-133  
SUSAN MOORE )  
 )  
 ) *Pharmacy Technician* )  
 )  
 ) Registration No. 14-05574 )

SUMMARY ORDER OF REVOCATION

NOW on this 12th day of February, 2015, comes before the Kansas Board of Pharmacy (the "Board"), through its Investigation Member, the matter of Susan Moore, 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 Procedures Act, K.S.A. 77-501, *et seq.*, the Board's Investigation Member 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 Investigative Member makes the following findings of fact:

1. On February 6, 2007, the Board has issued Respondent Pharmacy Technician Registration Number 14-05574 authorizing her to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. At the relevant time, Respondent worked as a pharmacy technician for OptumRx.

3. Pursuant to a random drug testing program of OptumRx, Respondent submitted a sample that was tested on August 6, 2014 and retested on August 14, 2014. The sample tested positive for marijuana.

CONCLUSIONS OF LAW

4. 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.

5. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

6. That K.S.A. 65-1626 (ccc)(5) defines unprofessional conduct to include the unlawful possession of drugs.

7. That the Board may take action against the license of a pharmacist for self-administering any controlled substance without a practitioner's prescription order or mid-level practitioner's order as set forth in K.S.A. 65-1627(a)(13).

8. The Respondent's conduct in self administering marijuana, a controlled substance, is a basis to revoke Respondent's Registration.

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:

9. The Respondent may request a hearing pursuant to the Kansas State Administrative Procedures 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.

10. 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.

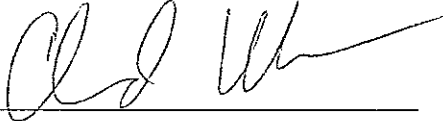
11. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

12. 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:

Debra Billingsley  
Executive Director  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.


2/6/15  
Date

  
Chad Ullom, R.Ph.  
Investigation Member  
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12th day of February, 2015, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Susan Moore  
9304 Newton  
Overland Park, KS 66212

  
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Representative of the  
Kansas Board of Pharmacy