

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Nicole Murphy ) Case No. 16-071  
 Pharmacy Technician )  
Registration No. 14-102051 )

**SUMMARY ORDER OF REVOCATION**

NOW on this 1 day of September, 2017 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Director, the matter of Nicole Murphy, 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 Investigative Member makes the following findings of fact:

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-102051, authorizing her to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. On or about April 19, 2017, a background report provided to the Board by the Kansas Bureau of Investigation reported that Respondent had been charged with domestic violence.

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3. On May 12, 2017, the Board mailed Respondent a request to complete a Form S-150 Personal History explaining the domestic violence incident.

4. On June 22, 2017, the Board mailed Respondent a second request to submit complete a Form S-150 Personal History explaining the domestic violence incident.

5. On or about August 10, 2017, a background report provided to the Board by the Kansas Bureau of Investigation reported that Respondent had been charged with battery against a family member.

6. To-date, the Board has not received a completed Form S-150 from respondent or any other correspondence.

#### CONCLUSIONS OF LAW

7. 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.

8. That pursuant to K.S.A. 65-1627(a)(2), the Board may deny the granting of a license to a licensee who fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

9. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny the granting of a license to an Applicant who has been found guilty of unprofessional conduct.

10. Pursuant to K.S.A. 65-1626(sss), unprofessional conduct means conduct likely to deceive or ham the public.

11. That pursuant to K.S.A. 65-1627(a)(15), the Board may revoke a license from a pharmacist if the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

12. Applicant's multiple domestic violence arrests, and lack of evidence of rehabilitation is a basis to deny Applicant's Application for failure to comply with K.S.A. 65-1627(a)(2) and K.S.A. 65-1627(a)(3).

13. Respondent's failure to provide the Board with legally requested information pertaining to the domestic violence arrests is a basis to revoke Respondent's license pursuant to K.S.A. 65-1627(a)(15).

#### 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:

14. 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.

15. 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.

16. 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.

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17. 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

IT IS SO ORDERED.

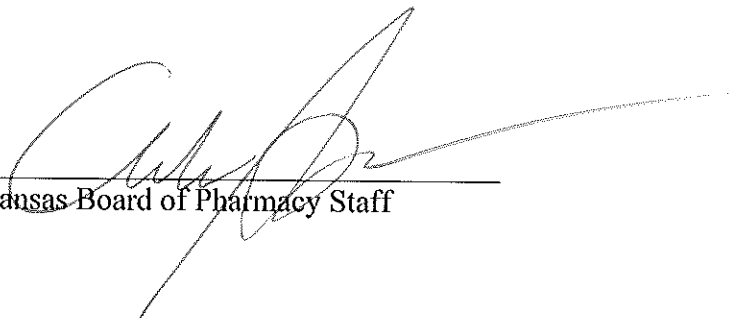
9/1/17  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 1 day of September, 2017, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Nicole Murphy  
12312 Cherokee Lane  
Leawood, KS 66209

  
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Kansas Board of Pharmacy Staff