

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
)  
SEAN NOACK )  
Pharmacy Technician )  
Registration No. 14-18872 )

Case No. 18-459

BOARD OF PHARMACY  
Filed By  
OCT 25 2018  
OCT 25 100  
Filed By  
KANSAS STATE  
BOARD OF PHARMACY

**SUMMARY ORDER OF REVOCATION**

NOW on this 25 day of October, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Sean Noack, 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 previously issued Respondent Pharmacy Technician Registration Number 14-18872 authorizing him to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. On or about May 25, 2018, the Board received information that Respondent had been convicted of misdemeanor theft on May 24, 2018.

3. On June 4, 2018, the Board sent Respondent a letter requesting he provide a completed Personal History Form S-150 to explain the offense.

4. On July 6, 2018, the Board sent Respondent a second letter requesting he provide a completed Personal History Form S-150 to explain the offense.

5. On September 7, 2018, the Board sent Respondent a final letter requesting he submit a Personal History Form S-150 to explain the offense.

6. To date, the Board has not heard from Respondent regarding his recent criminal conviction.

#### 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 take action against the license of a pharmacist who has been convicted of a misdemeanor involving moral turpitude or gross immorality and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

9. That pursuant to K.S.A. 65-1627 (a)(15), the Board may take action against the license of a pharmacist if the pharmacist “has failed to furnish the board, its investigators or its representatives any information legally requested by the board.”

10. Respondent’s conviction for misdemeanor theft is a misdemeanor involving moral turpitude where he has failed to show that he has been sufficiently rehabilitated to

warrant the public trust and is a basis to revoke Respondent's Registration pursuant to K.S.A. 65-1627(a)(2).

11. Respondent's failure to supply the Board with the requested documentation regarding his updated criminal history is a basis to revoke Respondent's Registration 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:

12. 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.

13. 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.

14. 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.

15. 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.

10/25/17  
Date

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

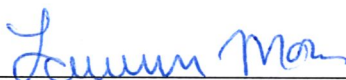
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 25 day of October, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Sean Noack  
12213 Connell Dr  
Overland Park, KS 66213

and the original hand delivered to:

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



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Kansas Board of Pharmacy Staff