

**BEFORE THE KANSAS BOARD OF PHARMACY**

Filed By  
APR 15 2020  
KANSAS STATE  
BOARD OF PHARMACY

KANSAS BOARD OF PHARMACY, )  
)  
Plaintiff, )  
)  
vs. )  
)  
TAMARA JO NYACHIRA, R.PH. )  
Kansas License No. 1-14019 )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. 20-040

**EMERGENCY AGENCY ORDER**

Tamara Jo Nyachira, 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 her License No. 1-14019.

The following matters have come to the attention of the Board’s Investigation Member:

A. On March 15, 2020, while working as a staff pharmacist at Walgreens Pharmacy #5624 located in Farmington, Missouri Respondent forged and dispensed prescriptions for generic Tamiflu and generic augmentin for her two children without a prescriber’s authorization.

B. On March 20, 2020, while working as a staff pharmacist at Walgreens Pharmacy #3594 located in Branson, Missouri Respondent forged and dispensed prescriptions for hydrochloroquine, azithromycin and promethazine DM for her two children without a prescriber’s authorization.

C. The Pittsburg Kansas Police recovered the drugs from Respondent’s home.

D. A Walgreens representative contacted the prescriber whose name was on the forged prescriptions and the prescriber confirmed the prescriptions Respondent had prepared were not authorized and were forgeries.

D. In a statement given to a Walgreens representative on March 25, 2020, Respondent admitted that she had forged the prescriptions, dispensed the drugs and charged their cost to her children's insurance company.

After considering the foregoing, the Board's Investigation Member, in accordance with the authority granted to her by the Board, 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 Investigation Member makes the following findings of fact:

1. The Board has previously issued Respondent license number 1-14019, which entitled her to practice pharmacy in the State of Kansas ("Respondent's License").
2. On multiple occasions the Respondent falsified prescriptions for the purpose of obtaining and diverting drugs from her pharmacy employer.
3. On multiple occasions the Respondent dispensed the falsified prescriptions and charged the cost to her children's insurance company.
4. The Respondent has admitted she knew her actions were improper.
5. The Respondent is likely to repeat this conduct in the future.
6. Forging prescriptions for and dispensing drugs to patients who do not have a legitimate prescription from a prescriber poses a serious health risk to the patients and the public.

### **II. CONCLUSIONS OF LAW AND FACT**

For purposes of this order, the Board's Investigation Member 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, safety and 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) as defined by K.S.A. 65-1626 (uuu)(4), (uuu)(5) and (uuu)(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.

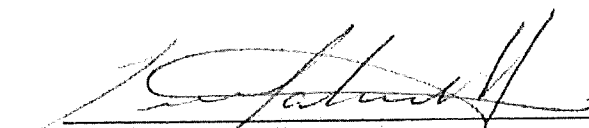
Within fifteen (15) days after service of this Emergency Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

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 Director  
KANSAS BOARD OF PHARMACY  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.

4/14/2020  
Date

  
DR. TERICA GATEWOOD,  
Investigation Member  
Kansas Board of Pharmacy

*Kansas Board of Pharmacy vs. Tamara Jo Nyachira, R.Ph., Case No. 20-040*

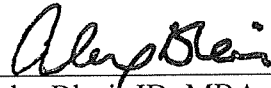
**EMERGENCY AGENCY ORDER**

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**CERTIFICATE OF SERVICE**

I hereby certify that I did, on the 15<sup>th</sup> day of April 2020, deposit in the United States mail, postage prepaid, a copy of the foregoing EMERGENCY AGENCY ORDER, properly addressed to the following:

Tamara Jo Nyachira, R.Ph.  
2621 South Springdale Street, Apt. 105  
Pittsburg, KS 66762



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