

Filed By

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KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

Case No. 18-802

In the Matter of)
)
Candace Palmer)
)
Applicant)

SUMMARY ORDER OF DENIAL

NOW, on this 19th day of November 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Candace Palmer ("Applicant"), for application for a Kansas pharmacy technician registration.

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 Denial 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

1. On December 11, 2018, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").

2. As part of the application, Applicant answered "Yes" to the question: "Have you ever been convicted of (includes plea of guilty or no contest) a criminal offense or is there any criminal charge now pending against you (other than minor traffic violations) in any state or federal court whether or not a sentence was imposed, suspended, or diverted? This includes misdemeanors." The application directs that if the applicant answers yes, the applicant must attach a Form S-150: Personal History. Applicant attached a Form S-150 in which she disclosed a 2000 assault on a law enforcement officer.

3. On or about December 14, 2018, the Board received information regarding additional assault charges, as well as charges of stealing, resisting or interfering with arrest, and operating a vehicle without a license.

4. On December 28, 2018, the Board sent a letter to Applicant's address of record requesting a more thorough Personal History Form S-150, as well as certified copies of the court pleadings from all cases.

5. On February 11, 2019, the Board sent a second letter to Applicant's address of record requesting this information.

6. On March 25, 2019, the Board mailed a Final Notice to Applicant's address of record requesting this information.

7. On or about May 7, 2019, the Board received from Respondent online open court docket printouts, and a written statement that did not address any of the assault charges.

8. On May 14, 2019, the Board mailed a second Final Notice to Applicant's address of record, relaying that the Board would only accept certified court documents, and extended Applicant's deadline for submitting the requested court documents to June 15, 2019.

9. On August 13, 2019, the Board received a telephone call from Applicant's mobile phone of record relaying that Applicant was still working on submitting the requested documents. Applicant's deadline for submitting the requested court documents was then extended 30 days from the call, or until September 12, 2019.

10. To date, the Board has not received the requested court documents or any further correspondence from Applicant.

CONCLUSIONS OF LAW

1. 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.

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

3. Applicant's failure to supply the Board with the requested documentation is a violation of K.S.A. 65-1627(a)(15) and a basis to deny Applicant's Application.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

NOTICES

The Applicant is hereby notified as follows:

1. The Applicant 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.

2. If a hearing is not requested as described above, the Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

3. 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.

4. 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.

11/19/19

Date

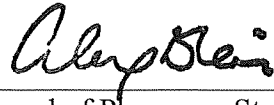
Alex Blasi

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 14th day of November 2019, deposit in business mail a copy of the foregoing Summary Order, which is then placed in the United States Mail, postage prepaid, properly addressed to the following:

CANDACE PALMER
10718 GREENWOOD RD, APT. 3
KANSAS CITY, MO 64134



Kansas Board of Pharmacy Staff