

Filed By

NOV 26 2019

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Trayonna Parker)
Applicant)

Case No. 19-374

SUMMARY ORDER

NOW, on this 26th day of November 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Trayonna Parker ("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 in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order.

FINDINGS OF FACT

1. On June 11, 2019, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
2. Applicant answered "No" to the following questions on her application:
 - Have you been charged with or 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.

- Have you ever been charged with or convicted of (includes plea of guilty or no contest) a violation of any federal or state drug law(s) or rule(s) whether or not a sentence was imposed, suspended, or diverted?

3. As part of Applicant's Application, Applicant certified that the information provided was true, correct and complete, and understood that falsification of the information provided was grounds for denying Applicant's Application.

4. On or about June 24, 2019, the Board received background information regarding a February 2017 arrest charge of felony possession of a controlled substance, except 35 grams or less marijuana.

5. On June 25, 2019, the Board mailed Applicant a letter requesting a completed Personal History Form S-150, as well as certified copies of the court pleadings from the case.

6. On or about July 5, 2019, the Board received from Applicant a Form S-150 and a police report.

7. Applicant stated on her Form S-150, that she was "honestly just riding with the wrong people" and that "some drugs were found but they were not mine nor did I know I was riding in the car with the drugs". However, Applicant also stated that she was driving her own car and had picked up her boyfriend and friends from work. The police report stated that upon the stop, weapons, marijuana and paraphernalia were found throughout the car in places such as the center console and under the backseats. Additionally, several Oxycontin pills were found in Applicant's door handle in plain sight. The police report also included, not previously known to the Board, that Applicant had six active warrants and so was cited for no insurance. Applicant then went to jail under a 24-hour investigation.

8. The Board's Individual License Evaluator subsequently conducted a phone interview with Applicant. The Evaluator's report stated that Applicant did not demonstrate consciousness of wrongdoing, nor did she offer plausible rationale for her involvement in the misconduct presented.

9. Though Applicant's background information indicates she was initially arrested on the charge of felony possession of a controlled substance, except 35 grams or less marijuana, Applicant maintains that she "never got charged with anything during that situation".

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. Pursuant to K.S.A. 65-1627(a)(1), the Board may deny an application of any pharmacist who has obtained, renewed or reinstated, or attempted to obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

4. Pursuant to K.S.A. 65-1626(uuu), unprofessional conduct means conduct likely to deceive or harm the public, and/or fraud in securing a registration.

5. Applicant's false response to the application question was a misrepresentation of a material fact and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(1).

6. Applicant's inability to accept responsibility for any involvement in the criminal offense, including her many outstanding warrants, and the offense relation to illicit drugs may

put consumers at risk in the pharmacy setting. This is unprofessional conduct likely to deceive and/or harm the public and a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(3).

ORDER

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

NOTICES

Applicant is hereby notified as follows:

1. 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, JD, MBA
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

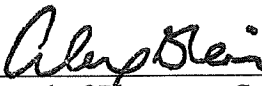
11/26/19
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 26th 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:

TRAYONNA PARKER
5104 LONGVIEW RD
KANSAS CITY, KS 64137



Kansas Board of Pharmacy Staff