

BEFORE THE STATE BOARD OF PHARMACY
OF THE STATE OF KANSAS

KANSAS STATE BOARD OF PHARMACY
of the State of Kansas,
Plaintiff,

vs.

MARTIN I. POLLMAN
License No. 9452,
Defendant.

STIPULATION OF FINDING OF FACT AND ORDER

This matter comes before the State Board of Pharmacy
for the State of Kansas, this 12 day of March,
1991.

The State Board of Pharmacy appears by Barbara Renick,
President and Presiding Officer, Karla Kneebone, Vice-
President; Kathleen Mahanna, Pharmacist; Hoyt Kerr, Pharmacist;
Dana Creitz, Pharmacist; and Laurence Hendricks, Consumer
Representative. Also appearing are Tom Hitchcock, Executive
Secretary, and the attorney for the Board, Dana W. Killinger.
The Defendant, Martin I. Pollman does not appear personally,
but appears by having read this Stipulation and accepting
its terms by having executed the verification of this
document.

Defendant states that he has been advised of his procedural rights under the Pharmacy Practice Act and Administrative Procedure Act, wherein Defendant has the right to a formal hearing, a right to be represented by counsel, call witnesses on his behalf, cross-examine plaintiffs witnesses and other procedural rights.

Defendant further states that no issue of fact exists and wishes to stipulate to the following findings of fact and accepts the order of the State Board of Pharmacy, to-wit:

1. That Defendant, Martin I. Pollman, License No. 9452 acknowledges that he understands the various rights and privileges afforded him by law, including the right to a hearing of the charges against him; the right to appear and be represented by legal counsel, the right to have all charges against him proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against him; and a hearing before the State Board of Pharmacy. Being aware of these rights provided him by operation of law, the Defendant knowingly and voluntarily waives

each and every one of these rights, and freely enters into this Joint Stipulation of Facts, and waives hearing before the State Board of Pharmacy.

2. That Defendant, Martin I. Pollman, is a licensed pharmacist in the State of Kansas, having License No. 9452.

3. That upon application for renewal of his license for the year 1990/1991, said Defendant indicated on the renewal form that he had not been convicted of a felony nor adjudicated of violating any drug laws of any State. (See Exhibit 1 attached hereto).

4. Said renewal form was dated May 22 , 1990.

5. Said Defendant was adjudicated by the State Board of Pharmacy for the State of Missouri for violating controlled substances laws of the state of Missouri, and 21 C.F.R. 1301.71(a). (See Exhibit 2 attached hereto).

6. The facts as set out in Paragraphs 3 through 5 constitute a violation of K.S.A. 65-1626(dd)(1) 1989 Supp.

7. That the Defendant has failed to comply with the statutory and regulatory requirements imposed by the

State upon pharmacists licensed by the State.

8. That the State Board of Pharmacy of the State of Kansas pursuant to K.S.A. 65-1627(a)(1) and (3) has jurisdiction and power to revoke, suspend, place on probation or deny licensure of said Martin I. Pollman.

IT IS THEREFORE ORDERED that Martin I. Pollman, License No. 9452 be:

1. Placed on probation for a period of five (5) years commencing April 5, 1990.

2. During the Probationary Period, Defendant shall comply with the Federal and State pharmacy laws and Federal and State Controlled Substances Law. "State" here includes the State of Kansas and all other States and territories of the United States.

3. Defendant shall not serve as Pharmacist In Charge during the probationary period.

4. Defendant shall not serve as a Preceptor for interns during probationary period.


Barbara Renick, President
Kansas State Board of Pharmacy

DATED: This 2nd day of March, 1990.

I, Martin I. Pollman, have hereby read the foregoing Stipulations and Order and fully understand the violations to which I am stipulating to and understand the terms of the Stipulation.

Martin I. Pollman

Martin I. Pollman
License No. 9452

Dated: This 2nd day of March, 1991.

STATE OF MISSOURI, COUNTY OF JACKSON, ss:

BE IT REMEMBERED, That on this 2nd day of March, 1991, before me, the undersigned, a notary public in and for the County and State aforesaid came Martin I. Pollman who is personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Lynette Kelly
Notary Public
Missouri
5-26-91


My Appointment Expires:

May 26, 1991

PREPARED BY:


Dana W. Killinger, Attorney
Kansas State Board of Pharmacy

APPROVED:


Tom C. Hitchcock, Executive
Secretary, Kansas State Board
of Pharmacy