

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Joyce Reichenberg) Case No. 17-212
Registration No. 1-14772)

SUMMARY ORDER

NOW on this 28 day of September, 2017 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Joyce Reichenberg (1-14772) ("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 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. The Board has previously issued Respondent Registration No. 1-14772 which entitles Respondent to practice as a pharmacist in the State of Kansas ("Respondent's Registration").
2. On or about January 6, 2015, a prescription for Morphine IR oral solution 20mg/5ml quantity 600ml, with directions to take 5ml by mouth every six hours as needed, was written for a patient to be filled at Respondent's pharmacy.

3. Respondent instead dispensed Morphine Sulfate 20mg/ml, quantity 480ml, with directions to take 5ml by mouth every six hours as needed. Respondent failed to notice the dosage discrepancy before dispensing or patient counseling.

4. The patient was dispensed and consumed the incorrect medication, and as a result experienced drowsiness and lethargy

5. As a result of the improper dosage, the pharmacy staff was alerted of the concerns.

6. After the incorrect dosage was made apparent to the pharmacy staff, the correct dosage was dispensed.

CONCLUSIONS OF LAW

7. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the pharmacy act of the state of Kansas or any other rules or regulations of the state board of pharmacy.

8. Pursuant to K.S.A. 65-1627(a)(6), the Board may place in a probationary status the license of any pharmacist who is found by the Board to have filled a prescription not in strict accordance with the directions of the practitioner.

9. Pursuant to K.S.A. 65-1627(a)(8), the Board may place in a probationary status the license of any pharmacist who is found by the Board to have violated any provision of the pharmacy act of Kansas.

10. Pursuant to K.S.A. 65-1637(g), all prescriptions shall be filled in strict conformity with any directions of the prescriber.

11. Respondent failed to fill the Morphine prescription in strict conformity with the directions of the prescriber, therefore failing to comply with K.S.A. 65-1637(g).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine of \$500.00 to the Board. Respondent has 30 days from the date of this order to pay the full \$500.00, or until November 1, 2017. Respondent is also hereby required to complete 10 hours of Continuing Education (“CE”) on the topic of medication errors. Respondent has 90 days from the date of this order to submit proof of completion of CE hours, or until January 2nd, 2018.

NOTICES

The Respondent is hereby notified as follows:

1. 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.

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.

9/28/17

Date



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


CERTIFICATE OF SERVICE

I hereby certify that I did, on the 28 day of September, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Joyce Reichenberg
9746 Eby St
Overland Park, Kansas 66212

and the original hand delivered to:

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



Kansas Board of Pharmacy Staff