

May 11, 2023

Dima Richter
8354 Oakview Circle
Lenexa, Kansas 66215

RE: Case No. 23-247

Dear Dima Richter:

Enclosed you will find a Summary Order issued by the Kansas Board of Pharmacy (Board) in the above-referenced matter. Please read the order in its entirety.

If you disagree with the findings of fact, you have the right to request a hearing. Instructions for filing a written request are included under the "Notices" section of the order. Hearings are held before the full Board during their regularly scheduled quarterly meetings.

According to KSA 65-1627h, the Board is required to recoup the costs of administrative hearings when the decision is adverse to the licensee. These costs may include charges for services rendered by the Board's disciplinary counsel, an administrative law judge, and, if applicable, a court reporter.

If you have any questions, feel free to contact the Board at Pharmacy.Compliance@ks.gov.

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Dima Richter)
)
)
Registration No. 24-119845)

Case No. 23-247

SUMMARY ORDER

NOW, on this 11th day of May 2023, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Dima Richter, (“Applicant”), for application for registration as a Kansas pharmacy technician.

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, the Board makes the following findings, conclusions and order.

FINDINGS OF FACT

1. On January 30, 2023, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).
2. Applicant answered “Yes” to the following questions on Applicant’s Application:
 - a. “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.”

- b. “Have you ever had a felony or misdemeanor conviction expunged from your record?”

The application directs that if the applicant answers yes, the applicant must attach a Form S-150: Personal History (“Form S-150”).

3. In conjunction with Applicant’s Application, Applicant disclosed three misdemeanors, including a March 2018 misdemeanor verbal assault offense, a September 2018 misdemeanor criminal property damage offense, and a June 2022 misdemeanor criminal property damage offense.

4. On February 1, 2023, the Board mailed Applicant a letter requesting certified copies of the court pleadings from each case, a completed Form S-150, as well more detailed explanation regarding the offenses.

5. On February 15, 2023, the Board mailed the Applicant a revised letter requesting certified copies of the court pleadings from each case, a completed Form S-150, along with a detailed explanation regarding the offenses.

6. On March 1, 2023, the Board received an email from the Applicant providing a detailed explanation from each case and court documents verifying that Applicant completed diversion and probation for the 2018 offenses, and was convicted and completed all court requirements for the 2022 offense on November 28, 2022.

7. On or about March 6, 2023, the Board received the certified copies of the documentation from each case.

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)(3), the Board may place in a probationary status the license of any pharmacist who has been found guilty of unprofessional conduct.

3. Pursuant to K.S.A. 65-1626(vvv)(7), unprofessional conduct means conduct likely to deceive, defraud or harm the public.

4. Applicant's multiple criminal offenses from 2018 to 2022 suggest a pattern of behavior likely to cause harm to the public and is, therefore, unprofessional conduct. Additionally, the recency of Applicant's completion of court requirements suggest that additional supervision and oversight may be necessary in the pharmacy to ensure the protection of the public. Applicant's unprofessional conduct is a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(3).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby GRANTED subject to a 2-year probationary status. The terms of Applicant's probation are as follows:

- Applicant must notify the Board of any arrest or criminal charge within 10 days of the date of the arrest or charge;
- Applicant must notify the Board of any change in employment within 10 days of the change;
- Applicant must respond to the Board's regular check-in requests;
- Applicant must inform employers of the probationary status of their pharmacy technician registration;

- Applicant must obtain the signature of their pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

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.

5/11/2023
Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11th day of May 2023, 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:

Dima Richter
8354 Oakview Circle
Lenexa Kansas 66215



Kansas Board of Pharmacy Staff