

BEFORE THE KANSAS BOARD OF PHARMACY

Filed By  
JUL 20 2016  
KANSAS STATE  
BOARD OF PHARMACY

In the Matter of )  
)  
DANIEL RODRIGUEZ )  
Pharmacy Technician )  
Registration No. 14-18130 )

Case No. 16-055

**SUMMARY ORDER OF REVOCATION**

NOW on this 20 day of July, 2016, comes before the Kansas Board of Pharmacy (the "Board"), through its Investigation Member, the matter of Daniel Rodriguez, Pharmacy Technician ("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 Investigation Member enters this Summary Order of Revocation 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**

For purposes of this order, the Board's Investigative Member makes the following findings of fact:

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-18130 authorizing her to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. On or about February 25, 2016, the Board received an updated criminal history report for Respondent, which included a Driving Under the Influence ("DUI") charge from January 12, 2016.

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3. On or about February 25, 2016, the Board sent a letter to Respondent with regard to the updated criminal history report.

4. The Board requested Respondent send explanatory documentation regarding the DUI. Respondent did not respond to the Board's request.

5. On or about April 5, 2016, the Board mailed a second request to Respondent, referencing the first letter and requesting the documentation again. Respondent did not respond to this request.

6. On or about May 25, 2016, the Board mailed a final request to Respondent, referencing the first and second letter and requesting the documentation again. Respondent did not respond to this request.

7. To date, Respondent has not contacted or provided any documentation to the Board regarding the updated criminal history report.

#### CONCLUSIONS OF LAW

8. 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.

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

10. Respondent's failure to supply the Board with the requested documentation regarding his updated criminal history is a violation of K.S.A. 65-1627(a)(15).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

NOTICES

The Respondent is hereby notified as follows:

11. 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.

12. If a hearing is not requested as described above, the Order revoking the Respondent's Registration, as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

13. 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.

14. 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.

7/19/2016

Date



Michael Lonergan, R.Ph.  
Investigation Member  
Kansas Board of Pharmacy

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CERTIFICATE OF SERVICE

I hereby certify that I did, on the 20 day of July, 2016, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Daniel Rodriguez  
847 N. Belmont St.  
Wichita, KS 67208

and the original hand delivered to:

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



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Kansas Board of Pharmacy Staff