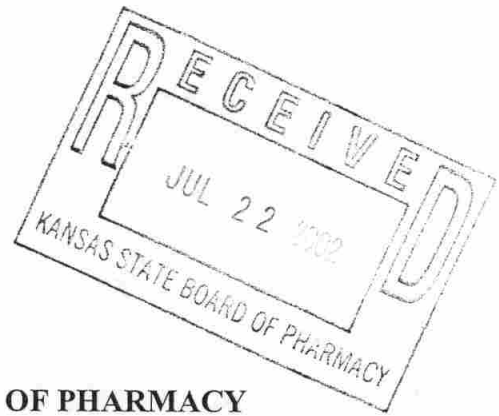


Steve Phillips, #14130  
Assistant Attorney General  
120 S.W. 10<sup>th</sup> Street, Second Floor  
Topeka, Kansas 66612  
785/296-2215



**BEFORE THE KANSAS STATE BOARD OF PHARMACY**

**IN THE MATTER** )  
 )  
**OF** )  
 )  
**DONALD D. SCHANKER** )  
 )  
\_\_\_\_\_ )

**Case No: 02-23**

**SUMMARY PROCEEDING ORDER SUSPENDING LICENSES**

**Pursuant to K.S.A. 47-830(m) and K.S.A. 77-537**

Now on this 19<sup>th</sup> day of July 2002, the above-captioned matter comes before Max Heidrick, Investigative Board Member, to consider Donald D. Schanker's (Schanker) licensure as a pharmacist in Kansas. After considering the matters contained in the Board's files and other matters, the following Summary Proceeding Order is entered:

1. The Board Investigative Member is duly authorized by the Board to enter Summary Proceeding Orders.
2. Schanker is currently licensed as a pharmacist in Kansas, License No. 1-08234.
3. Schanker is currently licensed as a pharmacist in Missouri, License No. 25802.
4. Schanker was disciplined by the State of Missouri Board of Pharmacy. The Missouri disciplinary proceedings stemmed from a 2001 investigation. Schanker placed the drug samples in original drug containers, thereby commingling the drugs from the original containers and the sample

drugs. The original drugs and the sample drugs contained different lot numbers and expiration dates. Schanker dispensed to customers drugs containing different lot numbers and expiration dates.

5. Schanker waived the right to a disciplinary hearing. His license was placed on probation for a period of three (3) years, subject to conditions. A copy of the Missouri Settlement Agreement is attached to this Order and adopted by reference. Among the conditions placed on Schanker's license were that he keep the Board apprised of his current home and work address and telephone numbers, he shall renew his license prior to October 31 of each licensing year, and he shall comply with all applicable federal and state criminal laws. Additionally, Schanker shall not supervise pharmacy interns nor serve as the pharmacist in charge of interns without prior Board approval, he shall not serve as a preceptor for pharmacy interns. Schanker must make himself available for interviews with Board of Pharmacy staff, and if he leaves Missouri for more than thirty (30) days, ceases to keep his license current, or fails to advise the Board of his current place of employment and residence, the time will not be considered as part of the time of discipline.

#### **CONCLUSIONS OF LAW AND FACT**

5. The Kansas Pharmacy Act provides that,

The board may revoke, suspend, place in probationary status or deny a renewal of any license of any pharmacist upon a finding that: the licensee has had a license to practice pharmacy revoked, suspended or limited ...by the proper licensing authority of another state.

K.S.A 65-1627(a)(12).

6. This Board adopts the findings of the Missouri State Board of Pharmacy .

ORDER

1. Schanker's license to practice pharmacy in the State of Kansas will be placed upon probation for a period of three (3) years subject to the following conditions.
2. Schanker shall keep the Kansas Board appraised of his current home and work address and telephone numbers.
3. Schanker shall comply with all terms and conditions of the Missouri Settlement Agreement.
4. Schanker shall comply with all applicable federal and state drug laws, rules and regulations and with all federal and state criminal laws.
5. Schanker shall not serve as a pharmacist in charge or in a supervisory capacity at any Kansas licensed pharmacy without prior approval of the Kansas Board.
6. Schanker shall not serve as a preceptor for interns.
7. Schanker shall make himself available for personal interviews to be conducted by a member of the Kansas Board or the Kansas Board of Pharmacy staff. Said meeting will be at the Kansas Board's discretion and may occur periodically during the disciplinary period. He will be notified and given sufficient time to arrange these meetings.

IT IS SO ORDERED.

Dated this 19 day of July, 2002.



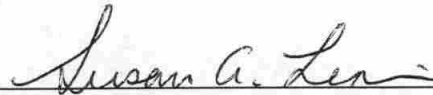
\_\_\_\_\_  
Max Heidrick, Investigative Board Member

Certificate of Service

This is to certify that on the 22 day of July, 2002, a true and correct copy of the above and foregoing was deposited in the U.S. mail, first class postage prepaid, addressed to:

Daniel D. Schanker  
506 Glen Arbor Rd.  
Kansas City, Mo 64114

Steve Phillips  
Assistant Attorney General  
Memorial Building  
120 SW 10<sup>th</sup> Ave  
2<sup>nd</sup> Floor  
Topeka, KS 66612



---

Susan A. Linn