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Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

July 12, 2019

Dawn Schuster
1403 N Conifer Pl
Sioux Falls SD 57107

RE: Case No. 18-805

Dear Ms. Schuster:

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

Filed By

JUL 12 2019

KANSAS STATE BOARD OF PHARMACY

In the Matter of)
)
Dawn Schuster)
)
Registration No. 1-107666)

Case No. 18-805

SUMMARY ORDER OF DENIAL

NOW on this 12th day of July, 2019 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Dawn Schuster (1-107666) ("Respondent") for application for licensure as a pharmacist in the State of Kansas.

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. On or about September 24, 2018, the Board received Applicant's application for licensure as a pharmacist by reciprocity in the State of Kansas (Applicant's Application).
2. On Applicant's Application, she answered "No" to the following question: "Have you ever been charged with or convicted (including nolo contendere plea or guilty plea) of a felony or misdemeanor (other than minor traffic offenses) whether or not sentence was imposed, suspended, expunged, or whether you were pardoned from any such offense? If yes, provide details."
3. The Board received information regarding a 2017 driving under the influence of alcohol offense.

4. On December 21, 2018, the Board sent Applicant an email requesting she provide a Personal History Form S-150, as well as certified copies of all court charges, pleadings, and dispositions.

5. On February 11, 2019, the Board sent Applicant a second email requesting she provide a Personal History Form S-150, as well as certified copies of all court charges, pleadings, and dispositions.

6. On March 29, 2019, the Board sent Applicant a final email requesting she provide a Personal History Form S-150, as well as certified copies of all court charges, pleadings, and dispositions.

7. To date, the Board has not received the requested documentation or any correspondence.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1627(a)(15), the Board may deny the granting of a license to a pharmacist if the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

2. Applicant's failure to provide the Board with the requested documentation regarding her previous criminal history is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(15).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for Pharmacist by Reciprocity is hereby DENIED.

NOTICES

The Respondent is hereby notified as follows:

3. 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.

4. 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.


5. 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.

6. 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.

7/12/19
Date


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

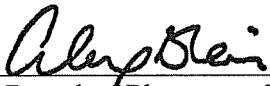
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12th day of July, 2019 deposit in building mail to be sent via the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Dawn Schuster
1403 N Conifer Pl
Sioux Falls, SD 57107

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