

BEFORE THE KANSAS BOARD OF PHARMACY

Filed BY
NOV 03 2016
KANSAS STATE
BOARD OF PHARMACY

In the Matter of)
)
JULIE SCOTT)
)
Pharmacy Technician)
)
Registration No. 14-16904)

Case No. 16-047

SUMMARY ORDER OF REVOCATION

NOW on this 3 day of November, 2016, comes before the Kansas Board of Pharmacy (the "Board"), through its Investigation Member, the matter of Julie Scott, 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 14-6904 authorizing her to perform the functions of a pharmacy technician in the State of Kansas ("Respondent's Registration").
2. Respondent was employed at Auburn LTC.
3. On February 2, 2016, Auburn experienced a night time burglary, reporting that \$26,500 worth of controlled substances was stolen.

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SUMMARY ORDER OF REVOCATION

4. On or about March 10, 2016, Pharmacist in Charge (“PIC”) Melissa Gilkison notified the Board that Respondent has been terminated from her employment. She was terminated for unexcused absences and unusual behavior in the workplace.

5. On that date, Respondent voluntarily met with Detective Paul Argeropolous with the Paola Police Department and Terry Branson and Andrea Bartlett, DEA Diversion Investigators.

6. During the meeting, Respondent revealed that she previously dated Brad Gillespie, the prime suspect in the Auburn burglary, but that she was currently dating Mr. Gillespie’s friend Dallas Cody, who lives with Mr. Gillespie. Respondent denied any involvement in the robbery.

7. On March 11, 2016, Miami County Sherriff’s Department executed a search warrant at Mr. Gillespie’s house and discovered a hand-drawn map of Auburn LTC’s layout. The handwriting on the map appeared to be Respondent’s. She denied drawing the picture.

8. Respondent has since been charged with Conspiracy to Commit Burglary in the District Court of Miami County, Kansas. She is currently bonded out at \$10,000.

9. The District County Attorney is determining whether to prosecute Ms. Scott in district court federally.

CONCLUSIONS OF LAW

10. 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.

11. That pursuant to K.S.A. 65-1627(a)(3), the Board may take action against the license of a pharmacist if the pharmacist is found guilty of unprofessional conduct or professional incompetency.

12. That pursuant to K.S.A. 65-1626(ccc), unprofessional conduct means unlawful diversion of drugs to others and conduct likely to deceive, defraud, or harm the public.

13. Respondent's assistance with the theft constitutes unlawful diversion to others, as well as conduct likely to deceive, defraud harm the public because her actions do not warrant the public trust and they could endanger patients.

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:

14. 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.

15. 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.

16. 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.

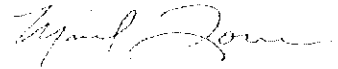
17. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

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

IT IS SO ORDERED.

November 3, 2016

Date



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

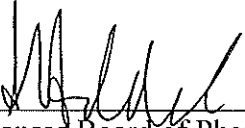
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 3 day of November, 2016, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Julie Scott
406 S. Silver
Paola, KS 66071

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