

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of  
Nathan Selman  
Pharmacy Technician

Case No. 17-153

**NOTICE OF PROPOSED DEFAULT ORDER  
AND  
PROPOSED DEFAULT ORDER**

The above-captioned matter comes on for consideration by the Kansas State Board of Pharmacy (Board) to enter a Proposed Default Order.

The Board finds:

1. On April 26, 2018, the Board issued a Summary Order of Revocation with regard to Nathan Selman's pharmacy technician registration.
2. On May 8, 2018, Mr. Selman requested an administrative hearing. On May 8, 2018, the Board sent Mr. Selman an email acknowledging his hearing request.
3. On August 30, 2018, a Notice of Administrative Proceeding was served on Mr. Selman, setting the hearing in this matter for September 13, 2018 at 9:30 a.m.
4. The notice specifically provided that "[a]ny party who fails to attend or participate in the hearing or in any other portion of the adjudicative process may be held in default pursuant to K.S.A. 77-520 and the Board may conduct further proceedings necessary for adjudication without the participation of the Respondent."
5. The hearing in this matter was convened on September 13, 2018 at 9:30 a.m. Mr. Selman did not appear.
6. Mr. Selman is in default pursuant to K.S.A. 77-520.
7. This Proposed Default Order shall become effective seven days after service or ten days after mailing of this order unless Mr. Selman files a written motion with the Board at the address provided stating why the Proposed Default Order should be vacated and the order is then vacated.

8. If this Proposed Default Order becomes effective, Mr. Selman's registration as a Kansas pharmacy technician shall be revoked.
9. If the Proposed Default Order becomes effective, Mr. Selman may petition for review by the Board within fifteen days thereafter. Failure to timely petition for review by the Board may preclude judicial review.
10. If this Proposed Default Order becomes effective and neither party requests further administrative review, it shall become a Final Order.
11. If this Proposed Default Order becomes a Final Order, any petition for judicial review must be filed within the deadline established in K.S.A. 77-613. Any petition for judicial review must be mailed or personally delivered to: Alexandra Blasi, Executive Secretary, Kansas State Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612.

The Board, being well and duly advised in the premises, now enters this Proposed Default Order against Mr. Selman. It shall take effect as specified in the above findings.

9/13/18

\_\_\_\_\_  
Date



\_\_\_\_\_  
Alexandra Blasi, Executive Secretary  
Kansas Board of Pharmacy

**CERTIFICATE OF SERVICE**

On September 18, 2018, I mailed a copy of this document to:

Nathan Selman  
1985 Rock Creek Rd  
Ottawa, KS 66067

Randall J. Forbes  
Frieden & Forbes  
1414 SW Ashworth Pl, Ste. 201  
Topeka, KS 66604

Alexandra Blasi, JD, MBA  
Executive Secretary  
Kansas State Board of Pharmacy  
800 SW Jackson, Ste. 1414  
Topeka, KS 66612-1244



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Staff Person

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
NATHAN SELMAN ) Case No. 17-153  
 )  
 ) *Pharmacy Technician* )  
 ) Registration No. 14-17150 )

**SUMMARY ORDER OF REVOCATION**

NOW on this 26 day of April, 2018, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Nathan Selman, 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 Executive Secretary 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 Executive Secretary makes the following findings of fact:

1. The Board has issued Respondent Pharmacy Technician Registration Number 14-17150 authorizing him to perform the functions of a pharmacy technician in the State of Kansas (“Respondent’s Registration”).
2. On or about July 28, 2017, the Board received information regarding Respondent’s July 11, 2017 arrest for use or possession of drug paraphernalia.

3. On or about August 15, 2017, the Board sent Respondent a letter requesting he submit a completed S-150 Personal History Form.

4. On or about October 20, 2017, Respondent requested an extension due to his upcoming November court date.

5. On or about November 16, 2017, Respondent requested a second extension because his court date had been rescheduled.

6. On or about December 28, 2017, Respondent requested a third extension because of a new court date.

7. On January 29, 2018, Respondent informed the Board his final court date would be February 27, 2018.

8. On March 20, 2018, the Board emailed Respondent requesting court documents within ten (10) days of the date of the email.

9. The Board has yet to hear from Respondent regarding his February 27, 2018 court date.

#### 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)(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.”

12. 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:

13. 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.

14. 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.

15. 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.

16. 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.

4/26/18  
Date

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

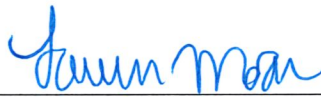
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 26 day of April, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Nathan Selman  
1985 Rock Creek Rd  
Ottawa, KS 66067

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