

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
SIRRON JACKSON)

Case No. 15-017

SUMMARY ORDER OF DENIAL

NOW on this 16th day of February, 2015, comes before the Kansas Board of Pharmacy (the "Board"), through its Investigation Member, the application of SirRon Jackson (the "Applicant") for registration as a Kansas pharmacy technician.

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 Denial in the above-captioned matter. After reviewing the application 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. On December 22, 2014 the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").
2. As part of the Applicant's Application he answered "YES" to the question: "Have you ever been cited, charged with, or convicted of the commission of any crime; offense; or violation of the law in any state or by the federal government, even if those charges were dismissed, suspended, diverted or expunged?" The Applicant's Application identified those crimes as: (a) "Speeding, Driving on susp, expired tags, No insurance, Discharge of

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firearm” and indicating the outcome was “All dismissed, Discharge of firearm – Fined”; and (b) “Poss of controlled, improper lice. plates” and indicating the outcome was “Dismissed”.

3. The Applicant’s Criminal History provided to the Board by the Kansas Bureau of Investigation showed that:

(a) On December 29, 2005 Applicant was charged with tampering with a motor vehicle, a felony, and thereafter found guilty of that charge.

(b) On September 4, 2008 Applicant was charged with distribution, delivery or manufacture of a controlled substance, a felony, and thereafter found guilty of that charge.

4. As part of the Applicant’s Application he certified that the information provided was true, correct and complete and that he understood that withholding relevant information was grounds for denying his application.

CONCLUSIONS OF LAW

5. 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.

6. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

7. That K.S.A. 65-1626(ccc)(1) defines unprofessional conduct to include fraud in securing a registration.

8. That, pursuant to K.S.A. 65-1627(a)(1), the Board may take action against the license of a pharmacist if a license was obtained by fraudulent means.

9. The Applicant's failure to disclose the criminal convictions identified in paragraph 3 above, is an attempt to obtain a registration by fraud and is a basis to deny Applicant's Application.

ORDER

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

NOTICES

The Applicant is hereby notified as follows:

10. The Applicant may request a hearing pursuant to the Kansas State Administrative Procedures 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.

11. If a hearing is not requested as described above, the Order revoking the Applicant'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.

12. 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.

13. 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:

Debra Billingsley
Executive Director
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

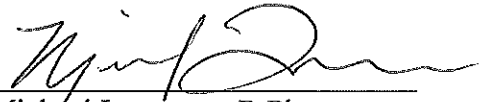
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IT IS SO ORDERED.

2-16-15
Date


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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 19th day of February, 2015, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

SirRon Jackson
5106 Hickory Road, Apt. 5
Kansas City, MO 64128

Mitzi Dodds
Board of Pharmacy Staff