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Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

September 27, 2023

KYLIE SOLA
909 MARKEY DR
BELTON MO 64012

RE: *In the Matter of Kylie Sola*
Case No. 23-190

Dear Kylie Sola:

The Kansas State Board of Pharmacy has concluded its audit of continuing education for your recent renewal and determined that you are noncompliant. Please read the enclosed Amended Summary Order in its entirety. This discipline will be reported to the National Association of Boards of Pharmacy as a continuing education violation.

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 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 questions, please email pharmacy.compliance@ks.gov and reference your case number.

Sincerely,

Kansas State Board of Pharmacy

enc: Amended Summary Order

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of)	
the Renewal Application of)	
)	Case No. 23-190
Kylie Sola)	
Registration No. 14-19284)	
_____)	

AMENDED SUMMARY ORDER OF REVOCATION

NOW on September 27, 2023, comes before the Kansas State Board of Pharmacy through its Executive Secretary (hereinafter referred to as the "Board") the matter of Kylie Sola (hereinafter referred to as "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 provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board enters this Amended Summary Order in the above-captioned matter. After reviewing the renewal materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and order:

FINDINGS OF FACT

1. The Board has previously issued Respondent Pharmacy Technician Registration Number 14-19284 (“Respondent’s Registration”) to perform the functions of a pharmacy technician in the State of Kansas.
2. On or around October 20, 2022, Respondent submitted a renewal application for Respondent’s Kansas pharmacy technician registration.
3. At the end of the renewal application, Respondent agreed to the following statement prior to submitting the completed renewal application: “I hereby attest that I have completed all continuing education hours required by law to renew my license.”
4. Respondent's renewal application was selected for an audit to provide proof of

Respondent's continuing education certificates or a transcript of completion of required hours.

5. Respondent's NABP CPE Monitor showed completion of 5 hours of continuing education to renew Respondent's pharmacy technician registration.

6. On or about February 13, 2023, the Board sent Respondent a letter to Respondent's mailing address of record requesting proof of Respondent's continuing education hours earned for the renewal period ending October 31, 2022 by a specified date.

7. On or about February 27, 2023, the Board sent an email to Respondent's address of record requesting this information.

8. On or about March 6, 2023, the Board sent Respondent a final letter and email to Respondent's address of record requesting a response by March 13, 2023.

9. On March 7, 2023, Respondent updated her address of record with the Board.

10. On April 4, 2023, the Board finally received a response from Respondent.

11. On May 23, 2023, the Board received additional documentation from Respondent showing 6 additional continuing education hours not originally reported on the NABP CPE Monitor. Respondent also provided documentation of 9 hours of education not approved by the Board.

12. On May 23, 2023, the Board sent Respondent notice of penalty CE and an administrative fine.

13. On July 21, 2023, the Board sent a demand letter to Respondent for the past-due penalty continuing education and fine.

14. On September 9, 2023, the Board sent a final notice of Respondent's past-due fine and continuing education.

15. To date, Respondent has not responded to the Board's requests.

CONCLUSIONS OF LAW

16. Pursuant to K.S.A. 65-1663(f)(1), 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.

17. Pursuant to K.S.A. 65-1627(a)(9), the Board may deny, revoke, suspend, or place on probation any pharmacist license upon a finding that Respondent failed to comply with the continuing education requirements of the Board for license renewal.

18. Pursuant to K.S.A. 65-1627(a)(15), the Board may take action against any pharmacist license upon a finding that Respondent failed to furnish the board, its investigators or its representatives any information legally requested by the Board.

19. Pursuant to K.A.R. 68-5-18, 20 hours of continuing education shall be required for renewal of a pharmacy technician registration during each registration period, which must be obtained in the two-year registration period ending on the October 31 expiration date of each registration.

20. Pursuant to K.S.A. 65-1627(a)(1), the Board may take action any pharmacist license upon a finding that Respondent renewed or attempted to renew a license by false means, including misrepresentation.

21. Pursuant to K.S.A. 65-1658, in addition to any other penalty imposed by the Pharmacy Practice Act, the Board may assess a civil fine for a violation of K.S.A. 65-1627(a), in an amount not to exceed \$5,000 for each violation.

22. Respondent was required to provide proof of completion of 20 hours of continuing education earned between November 1, 2020 and October 31, 2022.

23. By providing proof of completion of 11 hours of approved continuing education, Respondent failed to complete the required 20 hours of continuing education for renewal of Respondent's pharmacy technician registration, in violation of K.A.R. 68-5-18.

24. Respondent falsely attested on the renewal application that Respondent had completed

all continuing education hours required by law to renew Respondent's Registration, in violation of K.S.A. 65-1627(a)(1). Though material, the Board makes no finding about whether Respondent's misrepresentation was intentional.

25. Respondent's failure to supply the Board with the requested documentation after multiple mail and email notices is a violation of K.S.A. 65-1627(a)(15) and a basis to revoke Respondent's Registration. Furthermore, Respondent's failure to complete the continuing education necessary for renewal is a violation of K.A.R. 68-5-18 and another basis to revoke Respondent's Registration.

ORDER

Based on the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

NOTICES

Respondent is hereby notified as follows:

1. 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 15 days after service of this Order. If the outcome of the hearing is adverse to Respondent, costs of the proceedings shall be charged to Respondent.

2. If a hearing is not requested as described above, the Summary Order shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

3. Within 15 days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

4. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to K.S.A. 77-613. 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.

September 27, 2023

Date



Alexandra Blasi

Executive Secretary

CERTIFICATE OF SERVICE

I hereby certify that I did, on September 27, 2023, deposit in business mail a copy of the foregoing Amended Summary Order of Revocation, which is then placed in the United States Mail, postage prepaid, properly addressed to the following:

KYLIE SOLA
909 MARKEY DR
BELTON MO 64012



Kansas Board of Pharmacy Staff