

March 13, 2024

Stephanie Spangler  
2601 N. Joplin ST. Apt 524  
Pittsburg, KS 66762

RE: Case No. 24-036

Dear Ms. Spangler:

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](mailto:Pharmacy.Compliance@ks.gov).

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Stephanie Spangler )  
 )  
Applicant )

Case No. 24-036

**SUMMARY ORDER OF DENIAL**

NOW, on this 13th day of March, 2024, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Stephanie Spangler (“Applicant”), for application for a Kansas pharmacy technician registration.

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 Denial in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order.

**FINDINGS OF FACT**

1. On October 2, 2023, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).
2. Applicant answered “No” to the following question on Applicant’s Application: Have you been charged with or convicted of (includes plea of guilty or no contest) a criminal offense or is there any criminal charge now pending against you (other than minor traffic violations) in any state or federal court whether or not a sentence was imposed, suspended, or diverted? This includes misdemeanors.

3. Applicant answered “Yes” to the following question on Applicant’s Application: Have you ever been charged with or convicted of (includes plea of guilty or no contest) a violation of any federal or state drug law(s) or rule(s) whether or not a sentence was imposed, suspended, or diverted? The application directs that if the applicant answers yes, the applicant must attach a Form S-150: Personal History (“Form S-150”).

4. In conjunction with Applicant’s Application, Applicant provided an S-150 statement, which indicated Applicant had a Bourbon County District Court charge in 2021 for distribution or possession of controlled substances using a communication facility. Applicant did not provide any court documents or other explanation.

5. As part of Applicant’s Application, Applicant certified that the information provided was true, correct and complete, and understood that falsification of the information provided was grounds for denying Applicant’s Application.

6. On November 2, 2023, the Board sent Applicant a letter requesting missing items from Applicant’s Application, including a copy of Applicant’s driver’s license or photo ID, and a completed S-100 form.

7. On November 17, 2023, the Board received a copy of Applicant’s driver’s license.

8. On November 29, 2023, the Board sent Applicant a second letter requesting missing items from Applicant’s Application, including a completed S-100 form.

9. On December 12, 2023, the Board received the completed S-100 form.

10. The Board received additional information regarding a January 2009 domestic battery, physical contact by family member in rude manner, criminal damage to property, and aggravated assault offenses; a February 2018 arrest by LEO, warrant arrest offense; and a September 2023 failure to appear offense charged against Applicant.

11. On December 18, 2023, the Board mailed a letter to Applicant's address of record requesting a completed Personal History Form S-150 narrative, as well as certified copies of the court pleadings from each case.

12. On January 8, 2024, the Board received the requested court documents, which confirmed the following offense information:

- a. On September 30, 2020, Applicant was charged with one count of distribution or possession of controlled substances using a communication facility, a non-person felony. Applicant completed a diversion program for this offense in May 2023.
  - b. In June 2009, Applicant was charged with one count of misdemeanor domestic battery, which was later dismissed.
  - c. In May 2009, Applicant was charged with misdemeanor domestic battery and criminal damage to property (1987 Chevrolet Camero, < \$1000). Applicant completed a diversion program for these offenses.
13. To date, Applicant has not provided the Board with a detailed description of her offenses.

#### CONCLUSIONS OF LAW

1. 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.

2. Pursuant to K.S.A. 65-1627(a)(1), the Board may deny an application of any pharmacist who has obtained, renewed or reinstated, or attempted to obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(2), the Board may deny an application upon a finding that the licensee has been convicted of any felony or misdemeanor of gross immorality or moral turpitude, and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust.

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny an application of any pharmacist who has been found guilty of unprofessional conduct.

5. Pursuant to K.S.A. 65-1626(vvv)(7), unprofessional conduct means conduct likely to deceive, defraud or harm the public.

6. That pursuant to K.S.A. 65-1627 (a)(15), the Board may deny an application of any pharmacist if the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

7. While Applicant answered “yes” to the federal or state drug law question on Applicant’s Application, Applicant answered “no” to the question about any other criminal offenses charges or diversion agreements. Since Applicant had other charges for domestic battery and criminal damage to property, and completed two diversion programs, this was factually inaccurate. These misrepresentations of material facts on Applicant’s Application are a basis to deny Applicant’s Application pursuant to K.S.A. 65-1627(a)(1).

8. Though Applicant was not convicted of a felony, Applicant was charged with a felony related to controlled substances and only completed a diversion program in May 2023 (less than one year ago). This suggests Applicant has not yet been able to demonstrate rehabilitation from this offense due to the short time. Additionally, Applicant provided no statement or explanation of the charges or her involvement in the offenses and, therefore, has not attempted to demonstrate to the Board her rehabilitation. This, in conjunction with her other

domestic battery and criminal damage to property offenses demonstrate a pattern and practice of unlawful behavior that can be considered unprofessional conduct likely to endanger the public, especially in the pharmacy setting where technicians have access to controlled substances. These are bases to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(2) and (a)(3).

9. Applicant had to be asked to provide her S-100 twice, and her S-150 statement which was never provided to the Board. This is a basis to deny Applicant's Application for a violation of K.S.A. 65-1627(a)(15).

#### ORDER

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

#### NOTICES

Applicant is hereby notified as follows:

1. Applicant 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.

2. 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.

3. 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.


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 said statute. The agency officer designated to receive service of a petition for judicial review is

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

IT IS SO ORDERED.

3/13/2024


\_\_\_\_\_  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 13th day of March, 2024, deposit in business mail a copy of the foregoing Summary Order, which is then placed in the United States Mail, postage prepaid, properly addressed to the following:

Stephanie Spangler  
2601 N. Joplin St. Apt 524  
Pittsburg, KS 66762

  
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Kansas Board of Pharmacy Staff