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Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

February 8, 2022

HANNAH SWARTZ-BROWN
330 DEARBORN ST
BALDWIN CITY, KS 66006

RE: Case No. 22-032

Dear Ms. Swartz-Brown:

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. In addition, a civil fine has been assessed totaling \$100. Please submit a check or money order made payable to the Kansas Board of Pharmacy and include your case number in the check memo.

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.

Sincerely,

Kansas Board of Pharmacy

Enclosure

Filed By

FEB 8 2022

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

Case No. 22-032

In the Matter of)
)
Hannah Swartz-Brown)
)
Registration No. 24-116751)

SUMMARY ORDER

NOW, on this 8th day of February 2022, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Hannah Swartz-Brown, (“Applicant”), for application 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 Executive Secretary enters this Summary Order 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 December 13, 2021, 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 her 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.* The application directs that if the applicant answers “YES”, the applicant must attach a Form S-150: Personal History (“S-150”).

3. As part of the application, Applicant certified that the information provided was true, correct, and complete to the best of her knowledge.

4. Subsequently, the Board received information regarding February 2015 charges laid against Applicant for domestic battery and for criminal damage to property.

5. On December 17, 2021, the Board sent a letter to Applicant's address of record requesting she provide a completed S-150 and certified copies of court pleadings from the case.

6. On or about January 4, 2021, the Board received the requested documents. Applicant's S-150 statement and court documents indicated that the charges initially made had not been filed with the county attorney or prosecuted.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the Pharmacy Act of the State of Kansas or any other rules or regulations of the State Board of Pharmacy.

2. Pursuant to K.S.A. 65-1663, the Board may take action on an application for issuance 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.

3. Pursuant to K.S.A. 65-1627(a)(1), the Board may discipline the license of any pharmacist who has attempted to obtain a license by false or fraudulent means, including misrepresentation of a material fact.

4. Applicant answered "NO" to her Application question, despite the fact that she had been charged in 2015 for domestic battery and criminal charges to property.

5. Applicant's failure to disclose her criminal incident on her application, after having certified as to its completeness, is a misrepresentation of material fact and a basis to impose a civil fine against any registration granted to Applicant pursuant to K.S.A. 65-1627(a)(1) and 65-1658.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby GRANTED, SUBJECT TO THE PAYMENT OF A \$100 FINE for the violation. Applicant has 30 days from the date of this order to pay the total \$100.

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.


2/8/2022
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 8th day of February 2022, 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:

HANNAH SWARTZ-BROWN
330 DEARBORN ST
BALDWIN CITY, KS 66006



Kansas Board of Pharmacy Staff