

BEFORE THE KANSAS BOARD OF PHARMACY

KANSAS BOARD OF PHARMACY, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JOSH TERSINAR, P.T. )  
Kansas Registration No. 14-1742 )  
 )  
Defendant. )  
\_\_\_\_\_ )

Case No. 14-102

**FINAL AGENCY ORDER**

On January 9, 2015, the Kansas Board of Pharmacy (the "Board") held a hearing on the allegations that Josh Tersinar ("Tersinar"), while acting as a pharmacy technician stole a prescription drug from his employer. Tersinar did/did not appear in person. Randall J. Forbes of Frieden, Unrein & Forbes, LLP appeared as the Board's Disciplinary Counsel. After considering the evidence admitted at the hearing, the Board enters the following final agency order.

**I. FINDING OF FACT**

1. The Board previously issued Tersinar Kansas Pharmacy Technician registration number 14-14742, which entitled him to engage in the practice of a pharmacy technician in the State of Kansas.

2. While acting as a pharmacy technician at Perry Drug in Overland Park, Kansas, Tersinar stole Viagra 100 mg. As a result of his theft, Tersinar was in unlawful possession of that drug and was terminated from his employment with Perry Drug.

## II. CONCLUSIONS OF LAW AND FACT

1. Pursuant to K.S.A. 65-1663(e)(1) the Board may take disciplinary action, including revocation, against the registration of a pharmacy technician on any grounds 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 65-1627(a)(3), the Board can take disciplinary action against the Kansas license of a pharmacist for unprofessional conduct. Pursuant to K.S.A. 65-1626 (ccc), unprofessional conduct includes the unlawful possession of drugs.

3. As a result of Tersinar's theft of Viagra from his employer, he is guilty of the unlawful possession of that drug and the Board can revoke his Kansas pharmacy technician registration.

## III. FINAL ORDER

Based upon the evidence introduced at the hearing held January 9, 2015 and the foregoing findings and conclusions, Tersinar's Kansas pharmacy technician registration is hereby REVOKED.

Within fifteen (15) days after service of this Final Agency Order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

Within the time limits established in K.S.A. 77-613, either party may seek judicial review of this 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 Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.

1/9/15  
Date

  
\_\_\_\_\_  
DR. ROBERT HANEKE  
President  
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12<sup>th</sup> day of January, 2015, deposit in the United States mail, postage prepaid, a copy of the foregoing FINAL AGENCY ORDER, properly addressed to the following:

Josh Tersinar  
1003 N. Findley St.  
Olathe, KS 66061-7571

Randall J. Forbes  
FRIEDEN, UNREIN & FORBES, LLP  
1414 SW Ashworth Pl., Ste 201  
Topeka, KS 66604

*Mitzi Dodd*

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Kansas Board of Pharmacy