



4. The Board did not receive any earlier or separate notification of resignation from Respondent as PIC.

5. On June 12, 2017 the Board processed the PIC change.

#### CONCLUSIONS OF LAW

6. 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.

7. Pursuant to K.A.R. 68-2-5, each pharmacist shall notify the board in writing within five days of ceasing to serve as the pharmacist-in-charge at a pharmacy or registrant required to have a pharmacist-in-charge. The notice shall include the pharmacist's name, the name and address of the pharmacy or registrant, and the date the pharmacist ceased to serve as the pharmacist-in-charge.

8. Respondent had five days to notify the Board of his resignation as PIC effective May 19, 2017, or until May 24, 2017.

9. Respondent failed to submit the complete Change of PIC application to the Board until June 12, 2017 which was 19 days beyond the five-day window for notification to the Board.

10. Respondent violated K.A.R. 68-2-5 when he failed to notify the Board of his resignation as PIC within five days.

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine to the Board. A violation of K.A.R. 68-2-5 warrants a base fine of \$5.00 per day that Respondent is in violation of the regulation not to exceed \$200.00. Because Respondent was

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19 days late, the fine accrued \$95.00. Respondent has 30 days from the date of this order to pay the full \$95.00, or until July 17, 2017.

NOTICES

The Respondent is hereby notified as follows:

1. The 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 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  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.

6/16/17  
Date

*Alexandra Blasi*

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

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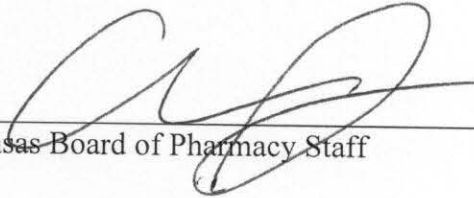
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 16 day of June, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Kara Tindal  
1315 S Arbor Meadows  
Derby, KS 67037

and the original hand delivered to:

Alexandra Blasi  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Ste. 1414  
Topeka, KS 66612

  
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Kansas Board of Pharmacy Staff

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