

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Kamlesh Trivedi) Case No. 16-145
 Pharmacist)
Registration No. 1-11180)

SUMMARY ORDER OF REVOCATION

NOW on this 28 day of September, 2017 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Director, the matter of Kamlesh Trivedi, Pharmacist ("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 Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board's Executive Secretary enters this Summary Order of Revocation in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

For purposes of this order, the Board's Executive Secretary makes the following findings of fact:

1. The Board has issued Respondent Pharmacist License Number 1-11180, authorizing him to perform the functions of a pharmacist in the State of Kansas ("Respondent's Registration").
2. On July 28, 2016, the Missouri Board of Pharmacy referred its investigation of Respondent to the Board. Respondent had been suspected of diverting Tramadol and Diclofenac for self-medication.

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3. On August 10, 2016, the Board's Investigative Member submitted a report detailing the alleged diversion by Respondent, including Respondent's confession to several instances of diverting Tramadol and Diclofenac, totaling more than 40 tablets, from his workplace to self-medicate his back pain.

4. On April 14, 2017 The Board mailed to Respondent a Stipulation and Consent Order ("the Order"), stipulating that Respondent's license shall be suspended for a period of five years. The Order also stipulated that Respondent shall enter into a contract with Kansas Pharmacy Recovery Network ("KsPRN Program") for a period of five years.

5. The Board offered Respondent 30 days to respond and agree to the terms in the Order.

6. On June 12, a coordinator from the KsPRN program emailed the Board, explain that they had spoken to Respondent, who indicated that he was unsure if he wanted to comply with the Order or make any other efforts to retain his Kansas Pharmacist license.

7. On June 21, 2017, the Board sent a final request for response from Respondent.

8. To-date, the Board has not received communication from Respondent, or any other correspondence.

CONCLUSIONS OF LAW

9. Pursuant to K.S.A. 65-1627(a)(3), the Board may revoke the license from any pharmacist who has been found guilty of unprofessional conduct.

10. Pursuant to K.S.A. 65-1626(sss), unprofessional conduct means conduct likely to deceive or harm the public.

11. Pursuant to K.S.A. 65-1627(a)(8), the Board may revoke the license from any pharmacist who has violated a provision of the pharmacy act of the State of Kansas.

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12. Pursuant to K.S.A. 65-1627(a)(13), the Board may revoke the license of any pharmacist who self-administers any controlled substance without a practitioner's prescription order.

13. Applicant's admission to multiple instances of diversion of a controlled substance for purposes of self-medication is a basis to revoke Respondent's license for failure to comply with K.S.A. 65-1627(a)(3), K.S.A. 65-1627(a)(8) and K.S.A. 65-1627(a)(13).

14. Respondent's unwillingness to enter into KsPRN after multiple instances of diversion of controlled substances for self-medication and unwillingness to correspond with the Board, potentially presents a danger to others if Respondent was allowed to continue practicing in a pharmacy setting.

ORDER

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

NOTICES

The Respondent is hereby notified as follows:

15. 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.

16. If a hearing is not requested as described above, the Order revoking the Respondent's Registration, as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.


17. 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.

18. 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.

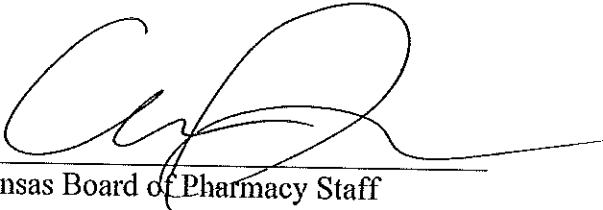
9/28/12
Date


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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 28 day of September, 2017, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Revocation, properly addressed to the following:

Kamlesh Trivedi
20814 W 72nd Terrace
Shawnee, KS 66218



Kansas Board of Pharmacy Staff