

July 25, 2023

Vanessa Tucker  
1028 S. St. Clair  
Wichita, KS 67213

RE: Case No. 23-284

Dear Vanessa Tucker:

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 )  
 )  
Vanessa Tucker )  
 )  
 )  
Registration No. 24-119951 )

Case No. 23-284

**SUMMARY ORDER**

NOW, on this 25th day of July 2023, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of (“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 February 13, 2023, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).
2. Applicant answered “Yes” 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 (“Form S-150”).

3. In conjunction with Applicant’s Application, Applicant provided a completed S-150 referencing a series of criminal offenses and providing supporting court documents.

4. The Board received information regarding a December 2009 felony theft offense, a possess opiates/opium/narc drug and certain stimulants offense, and a criminal damage to property offense; a March 2015 contempt of court offense; an October 2016 failure to appear offense; and an October 2021 license to be carried and exhibited upon demand, driving while suspended 1st conviction, and unsafe turning or stopping offenses; and November 2022 misdemeanor driving under influence of alcohol or drugs and driving while license cancelled/suspended/revoked offenses.

5. On February 15, 2023, the Board mailed Applicant a letter requesting a more detailed Form S-150, as well as certified copies of the court pleadings from cases missing from Applicant’s Application.

6. On March 23, 2023, the Board mailed Applicant a letter requesting this information.

7. On April 13, 2023, the Board mailed and emailed Applicant a final letter requesting this information.

8. On April 24, 2023, the Board received a request from Applicant for additional time to provide the requested information, which was granted.

9. On or about April 28, 2023, the Board received the requested documentation, which confirmed the aforementioned charged offenses. As recently as 2021, Applicant pleaded guilty to reduced traffic charges and paid fines.

## 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)(3), the Board may place in a probationary status the license of any pharmacist who has been found guilty of unprofessional conduct.

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

4. Applicant's pattern and practice of repeated criminal arrests, charges, and court-mandated requirements suggest that Applicant has demonstrated past unprofessional conduct likely to harm the public. Therefore, Applicant should be granted a registration but placed in a probationary status for a period of two years to ensure adequate supervision and oversight in the pharmacy setting, pursuant to K.S.A. 65-1627(a)(3).

## 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 a 2-year probationary status. The terms of Applicant's probation are as follows:

- Applicant must notify the Board of any arrest or criminal charge within 10 days of the date of the arrest or charge;
- Applicant must notify the Board of any change in employment within 10 days of the change;
- Applicant must respond to the Board's regular check-in requests;

- Applicant must inform employers of the probationary status of their pharmacy technician registration;
- Applicant must obtain the signature of their pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

### NOTICES

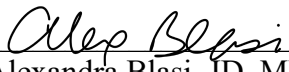
Applicant is hereby notified as follows:

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.

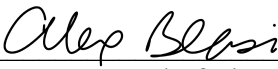
7/25/2023  
\_\_\_\_\_  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 25th day of July 2023, 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:

Vanessa Tucker  
1028 S. St. Clair  
Wichita Kansas 67213

  
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Kansas Board of Pharmacy Staff