

January 18, 2022

CORAM CVS/SPECIALTY INFUSION SERVICES
ONE CVS DRIVE
WOONSOCKET, RI 02895

RE: Case No. 21-261

To whom it may concern::

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 \$500. 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

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Coram CVS/Specialty Infusion Services)
)
Registration No. 22-116532)

Case No. 21-261

SUMMARY ORDER

NOW, on this 18th day of January 2022, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Director, the matter of Coram CVS/Specialty Infusion Services (“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 in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board had previously issued Respondent Registration No. 22-13132 which entitled Respondent to operate as a non-resident pharmacy in the State of Kansas (“Respondent’s Registration”).
2. On June 30, 2021, the address and ownership of Respondent’s facility were changed.
3. On December 1, 2021, the Board received from Respondent a Form BA-22 Non-Resident Pharmacy Registration Application, notifying of the changes in address and ownership effective June 30, 2021.

4. On December 6, 2021, the Board approved Respondent's Non-Resident Pharmacy Registration Application, retroactively effective June 30, 2021.

5. With the December 6, 2021 approval, Respondent's previous registration number 22-13132 was cancelled and Respondent was issued new registration number 22-116532, under the new address and ownership.

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. 65-1657, no nonresident pharmacy shall ship, mail, or deliver, in any manner, prescription drugs to a patient in this state unless registered with the Board as a nonresident pharmacy.

3. Pursuant to K.S.A. 65-1645(f), registrations shall not be transferable.

4. Pursuant to K.S.A. 68-2-9, each registrant shall notify the executive secretary of the Board in writing of any change in majority ownership of the operation for which the registration was issued within five days after the date the change in ownership becomes effective.

5. Respondent's registered facility changed ownership and locations on June 30, 2021 but Respondent did not provide notification or file a new application with the Board until December 1, 2021.

6. Respondent's failure to submit the complete change of ownership and address change to the Board until December 1, 2021 – 120+ days past the July 5, 2021, deadline for such – is a violation pursuant to K.S.A. 68-2-9.

7. Respondent's application documents indicated Respondent had functioned as a nonresident pharmacy in the state of Kansas after the ownership and address changes that rendered Respondent's previous registration invalid, and prior to obtaining new registration as a nonresident pharmacy from the Board on December 6, 2021.

8. By operating as a nonresident pharmacy in the state of Kansas prior to its Non-Resident Pharmacy Registration Application approval by the Board, Respondent violated K.S.A. 65-1657 and 65-1643.

ORDER

The Board finds and concludes that Respondent's conduct, as described above, violates the Act and such conduct warrants the imposition of a fine pursuant to K.S.A. 65-1658, in the amount of \$500.00. **Respondent has 30 days from the date of this order to pay the full \$500.00.**

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.

1/18/2022

Date



Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 18th day of January 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:

CORAM CVS/SPECIALTY INFUSION SERVICES
ONE CVS DR
WOONSOCKET, RI 02895



Kansas Board of Pharmacy Staff