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KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Grainland Pharmacy)
)
Permit No. 2-103262)

Case No. 18-491

SUMMARY ORDER OF DENIAL

NOW on this 6 day of September, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Grainland Pharmacy ("Respondent") for application to be registered as a pharmacy in the State of Kansas (Applicant's Application).

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, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On or about April 16, 2018, the Board received Applicant's Application for registration as a pharmacy in the State of Kansas.
2. Applicant answered "No" to the following question on the application: "Has any license or registration, currently or previously held by the applicant or the PIC been surrendered to, denied, disciplined, censured, suspended, limited, placed on probation, or revoked by any state or federal government?"

3. On December 19, 2008, the Missouri Board of Pharmacy revoked the Missouri pharmacist license of Santosh K. Reddy, R.Ph., the PIC of Grainland Pharmacy, for noncompliance with a Joint Agreed Disciplinary Order.

4. Additionally, Santosh K. Reddy, R.Ph. received discipline from the Kansas Board of Pharmacy in the form of a Stipulation and Final Agency Order dated December 1, 2009 imposing three years of probation on his pharmacist license as a result of the Missouri discipline.

CONCLUSIONS OF LAW

5. Pursuant to K.S.A. 65-1627(e)(1), the Board may deny the registration of a pharmacy upon a finding that such pharmacy has been operated in such manner that violations of the provisions of the pharmacy act of the state of Kansas or of the rules and regulations of the board have occurred in connection therewith.

6. Pursuant to K.S.A. 65-1643(a), it shall be unlawful for any person to operate, maintain, open or establish any pharmacy within this state without first having obtained a registration from the board. Each application for registration of a pharmacy shall indicate the person or persons desiring the registration, including the pharmacist in charge.

7. Pursuant to K.S.A. 65-1645(a) in pertinent part, application for registrations or permits under K.S.A. 65-1643, and amendments thereto, shall be made on a form prescribed and furnished by the board. Applications for registration shall contain such information as may be required by the board in accordance with the provisions of K.S.A. 65-1655, and amendments thereto.

8. Applicant's failure to disclose its PIC's prior disciplinary history is a violation of the rules and regulations of the board and a material misrepresentation on a registration

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application, which require applicants to disclose all disciplinary history of the PIC on applications, and is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(e)(1).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

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. 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.
3. 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.

9/6/17
Date

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

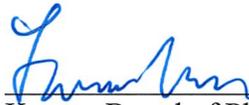
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 6 day of September, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Grainland Pharmacy
12114 W 87th St
Lenexa, KS 66215

and the original hand delivered to:

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



Kansas Board of Pharmacy Staff