

Filed By
JAN 23 2018
KANSAS STATE
BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Heritage Compounding Pharmacy) Case No. 18-003
Registration No. 22-12927)

SUMMARY ORDER

NOW on this 23 day of January, 2018 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Heritage Compounding Pharmacy (22-12927) ("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, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. The Board has previously issued Respondent Registration No. 22-12927 which entitles Respondent to operate as a non-resident pharmacy in the State of Kansas ("Respondent's Registration").
2. On September 15, 2017, the address of Respondent's facility was changed from 11 Midtown Park East, Mobile, Alabama 36606 to 24208 US Hwy 98, Suite C, Fairhope, Alabama 36532.
3. On December 4, 2017 the Board received from Respondent a Form BA-22 Non-Resident Pharmacy Registration Application, notifying of the change in address from 11

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Midtown Park East, Mobile, Alabama 36606 to 24208 US Hwy 98, Suite C, Fairhope, Alabama 36532, effective August 4, 2017, and applying for a new non-resident pharmacy registration under the new address.

CONCLUSIONS OF LAW

4. 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.

5. Pursuant to K.S.A. 68-3-6(b), permit holders must submit change in address information within 30 days after any change in that information.

6. Respondent's failure to submit the complete change of address application to the Board until December 4, 2017 – 50 days past the October 15, 2017 deadline – is a violation pursuant to K.S.A. 68-3-6(b).

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.

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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.

1/23/18

Date



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

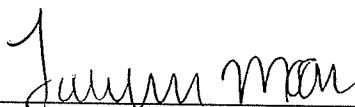
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 23 day of January, 2018 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Heritage Compounding Pharmacy
24208 US Hwy 98 Suite C
Fairhope, AL 36532

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