

October 14, 2021

Attn: Jeffrey Jones, Pharmacist-in-Charge
Meadowbrook Rehabilitation Hospital
427 W Main St
Gardner KS 66030

RE: Case No. 21-085

Dear Mr. Jones:

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 \$5,000. 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 STATE BOARD OF PHARMACY

In the Matter of)
) Case No. 21-085
Meadowbrook Rehabilitation Hospital)
)
Pharmacy Registration Number 2-113909)

SUMMARY ORDER

NOW, on this 14th day of October 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Meadowbrook Rehabilitation Hospital. ("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 provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board 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 January 29, 2021, the Board received Respondent’s application for registration as a pharmacy in the State of Kansas (“Respondent’s Application”) after an ownership change at the pharmacy.
2. On Respondent’s Application, Respondent indicated the ownership change became effective in March 2020.
3. In conjunction with Respondent’s Application, Respondent indicated the pharmacy had been operational in Kansas between March 2020 and January 2021.
4. Respondent renewed the previous pharmacy registration, number 2-10344, on June

22, 2021 with the previous ownership information still on file with the Board. On the renewal form, Respondent agreed that “the information provided was true, correct, and complete to the best of [their] knowledge.”

5. Respondent was issued pharmacy registration number 2-113909 on June 28, 2021 (“Respondent’s Registration”).

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. 65-1627(e)(1), the Board may take action against a pharmacy upon a finding that the pharmacy has been operated in such a manner that violates the pharmacy act of the state of Kansas or any regulation adopted by the Board.

3. Pursuant to K.S.A. 65-1627(e)(5), the Board may take action against a pharmacy upon a finding that the pharmacy has obtained, renewed, or attempted to obtain or renew a registration by false or fraudulent means, including misrepresentation of a material fact or falsification of any application.

4. Pursuant to K.S.A. 65-1643(a), it shall be unlawful for any person to operate a pharmacy in Kansas without first obtaining a registration from the Board.

5. Pursuant to K.S.A. 65-1645(f), registrations shall not be transferrable and shall expire every year.

6. Respondent’s submission of a renewal application under the old ownership information is a misrepresentation of material fact and a basis to take action against Respondent’s Registration pursuant to K.S.A. 65-1627(e)(5).

7. Respondent's continuing to operate the pharmacy under the previous owner's registration for 319 days prior to filing a new application is an unlawful transfer of a pharmacy registration in violation of K.S.A. 65-1643(a) and K.S.A. 65-1645(f), and a basis to take action against Respondent's Registration pursuant to K.S.A. 65-1627(e)(1).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine to the Board in the amount of \$5,000. Respondent has 30 days from the date of this order to pay the fine and the registration shall be issued upon receipt.

NOTICES

Respondent is hereby notified as follows:

1. 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 15 days after service of this Order. If the outcome of the hearing is adverse to Respondent, costs of the proceedings shall be charged to Respondent.

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 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 K.S.A. 77-613. 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.

10/14/2021

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 14th day of October 2021, 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:

Meadowbrook Rehabilitation Hospital
427 W Main St
Gardner KS 66030



Kansas Board of Pharmacy Staff