

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Tabula Rasa HealthCare Group, Inc. dba MedWiseRx)
Registration No. 22-112563)

Case No. 20-246

SUMMARY ORDER

NOW, on this 1st day of October 2020, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Director, the matter of Tabula Rasa HealthCare Group, Inc. dba MedWiseRx ("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 application 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. 22-111022 which entitled Respondent to operate as a non-resident pharmacy in the State of Kansas ("Respondent's Registration").
2. On January 1, 2020, name and ownership of Respondent's facility were changed from SinfoniaRx, Inc. to Tabula Rasa HealthCare Group, Inc. dba MedWiseRx.
3. On July 2, 2020, the Board received from Respondent a Form BA-22 Non-Resident Pharmacy Registration Application, notifying the Board of the changes in name and ownership.

4. On August 13, 2020, the Board approved Respondent's Non-Resident Pharmacy Registration Application, effective immediately.

5. With the August 13, 2020 approval, Respondent's previous registration number 22-111022 was cancelled and Respondent was issued new registration number 22-112563, under the new name 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. 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.

3. Respondent's failure to submit the complete change of name and ownership application to the Board until July 12, 2020 – 188 days past the January 5, 2020 deadline – is a violation pursuant to K.S.A. 68-2-9.

4. Pursuant to K.S.A. 65-1657, no non-resident 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.

5. Respondent's application documents indicated Respondent had functioned as a non-resident in the state of Kansas after the name and ownership change which rendered Respondent's registration invalid, and prior to obtaining new registration as a non-resident pharmacy from the Board on August 13, 2020.

6. By operating as a non-resident 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.

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.

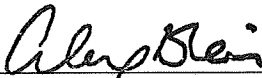
10/1/2020
Date

Alex Stein
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 1st day of October 2020, 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:

MEDWISERX
1812 CENTRE CREEK DR, STE 115
AUSTIN, TX 78754



Kansas Board of Pharmacy Staff