

Filed By

SEP 19 2019

KANSAS STATE BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

Case No. 19-054

In the Matter of)
)
Natural Partners Incorporated)
)
Registration No. 5-100682)

SUMMARY ORDER

NOW, on this 19th day of September 2019, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Director, the matter of Natural Partners Incorporated. ("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. 5-100682 which entitles Respondent to operate as a wholesale distributor in the State of Kansas ("Respondent's Registration").
2. On June 7, 2018, the address of Respondent's facility was changed from 8445 E Hartford Dr, Scottsdale, AZ 85255 to 317 S 48th St, Suite 150, Phoenix, AZ 85034.
3. On this same day of June 7, 2018, Respondent renewed their registration with the Board, under their old address on Hartford Drive.
4. On June 30, 2019, Respondent's registration expired.

5. On July 5, 2019, the Board received from Respondent a Form BA-05 Wholesale Distributor Registration Application (“Application”), applying for Wholesale Distributor registration under the new 48th Street address. This was the first notification the Board received of the June 7, 2018 change in address.

6. On August 2, 2019, the Board approved Respondent’s Application, effective July 5, 2019.

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. 65-1643(c), it shall be unlawful for any person to distribute at wholesale any drugs without first obtaining a registration as a wholesale distributor from the Board.

3. Pursuant to K.S.A. 65-1655(a)(1), the Board shall require an applicant for registration as a wholesale distributor, or an applicant for renewal of such, to provide the full business address of the applicant. Pursuant to K.S.A. 65-1655(a)(6), changes in this information shall be submitted to the Board as required by the Board.

4. As an applicant for wholesale distributor registration renewal on June 7, 2018, Respondent provided an invalid address to the Board, and therefore violated K.S.A. 65-1655(a).

5. By continuing to operate as a wholesale distributor under this invalid license from June 7, 2018 to June 30, 2019, without obtaining proper registration, Respondent violated K.S.A. 65-1643(c).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent 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 thirty (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.

Date

9/19/19

Kansas Board of Pharmacy

Alexandra Blasi

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 19th day of September 2019, 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:

NATURAL PARTNERS INCORPORATED
317 S 48TH ST, STE 150
PHOENIX, AZ 85034



Kansas Board of Pharmacy Staff