

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Novadoz Pharmaceuticals, LLC)
)
Registration No. 5-110669)

Case No. 19-497

SUMMARY ORDER

NOW, on this 1st day of November 2019, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Director, the matter of Novadoz Pharmaceuticals, LLC (“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. 5-106949 which entitled Respondent to operate as a wholesale distributor in the State of Kansas (“Respondent’s Registration”).
2. On June 3, 2019, Respondent submitted to the Board application for renewal of their Registration (“Respondent’s Renewal”), which was due to expire on June 30, 2019.
3. On June 3, 2019, the Board approved Respondent’s Renewal, effective July 1, 2019.

4. On July 3, 2019, two days after Respondent's Renewal became effective, Respondent experienced a change in ownership.

5. On October 8, 2019, the Board received from Respondent a Form BA-05 Distributor Registration Application ("Respondent's Application"), notifying of the July 3rd change in ownership, and applying for new distributor registration under the new ownership.

6. On October 14, 2019, the Board approved Respondent's Application effective immediately, issuing Respondent the new Registration No. 5-110669.

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. Respondent's Application indicated that Respondent continued to function as a wholesale distributor in the state of Kansas after the July 3, 2019 ownership change rendered their license invalid, and prior to obtaining new valid registration on October 14, 2019.

4. By continuing to operate as a wholesale distributor under an invalid license, Respondent violated K.S.A. 65-1643(c).

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.

Date

11/1/19


Kansas Board of Pharmacy



CERTIFICATE OF SERVICE

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

NOVADOZ PHARMACEUTICALS, LLC
ATTN: SESHU AKULA
20 DUKE RD, STE A
PISCATAWAY, NJ 08854



Kansas Board of Pharmacy Staff