

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Reed Pharmacy ) Case No. 18-103  
 )  
Registration No. 2-08604 )

**SUMMARY ORDER**

NOW on this 12 day of June, 2018, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Reed Pharmacy (2-08604) (“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. 2-08604 which entitles Respondent to function as a Resident Pharmacy in the State of Kansas (“Respondent’s Registration”).
2. On March 22, 2018, a Board Inspector arrived at Respondent’s address to investigate a complaint of a patient being shorted tablets.
3. On March 22, 2018, during the Board Inspector’s investigation, the inspector noticed Mr. Shawn Britton, who was identified as a technician-in-training, performing technician duties.

4. On March 22, 2018, during the Board Inspector's investigation, the Inspector mentioned to Pharmacist-In-Charge David Reed that Kansas law requires all persons to be registered with the Board before they can begin to perform any technician duties. At this point, Mr. Britton stopped performing technician duties.

5. The Board Inspector reviewed previous video footage of Respondent's pharmacy department from March 7, 2018, and again observed Mr. Britton performing technician duties.

6. Mr. Britton was not registered with the Board as a pharmacy technician during the time of the investigation or the video footage review.

#### CONCLUSIONS OF LAW

7. 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.

8. Pursuant to K.S.A. 65-1663(a), it shall be unlawful for any person to function as a pharmacy technician in this state unless such person is registered with the Board as a pharmacy technician.

9. Respondent violated K.S.A. 65-1663(a) when it allowed a person not registered with the Board as a pharmacy technician to perform the duties of a pharmacy technician.

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine of \$500.00 to the Board. Respondent has 30 days from the date of this order to pay the full \$500.00.

#### NOTICES

*Matter of Reed Pharmacy, No. 18-103 (Kan. Bd. of Pharmacy)*

**SUMMARY ORDER**

Page 2 of 4


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. 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.
3. 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.

6/12/18  
Date

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

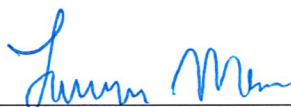
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 12 day of June, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Reed Pharmacy  
118 S Broadway  
Sterling, KS 67579

and the original hand delivered to:

Alexandra Blasi  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Ste. 1414  
Topeka, KS 66612



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Kansas Board of Pharmacy Staff