

BEFORE THE STATE BOARD OF PHARMACY
OF THE STATE OF KANSAS

KANSAS STATE BOARD OF PHARMACY
of the State of Kansas,

Plaintiff,

vs.

RENE RYAN PRESCRIPTION SHOP,
Registration No. 6772,

Defendant.

STIPULATION OF FINDING OF FACT AND ORDER

This matter comes before the State Board of Pharmacy for the State of Kansas, this 26th day of August, 1990.

The State Board of Pharmacy appears by Barbara Renick, President, Karla Kneebone, Vice-President; Kathleen Mahanna, Pharmacist; Hoyt Kerr, Pharmacist; Dana Creitz, Pharmacist; and Laurence Hendricks, Consumer Representative. Also appearing are Tom Hitchcock, Executive Secretary, and the attorney for the Board, Dana W. Killinger, The Defendant, Rene Ryan Prescription Shop appears by Rene and James Ryan, owners.

Defendant states that he has been advised of his procedural rights under the Pharmacy Practice Act and Administrative Procedure Act, wherein Counsel for the Board advised Defendant of his rights to a formal hearing wherein he had a right to be represented by counsel, call

witnesses on his behalf, cross examine plaintiffs witnesses and other procedural rights. Counsel further advised Defendant of the statutory sections of the law which were allegedly violated and the statute giving the Board jurisdiction in the matter. Whereupon Defendant waived his right to formal hearing.

Defendant further states that no issue of fact exists and wishes to stipulate to the following findings of fact and accepts the order of the State Board of Pharmacy, to-wit:

1. That the Defendant pharmacy is a duly registered pharmacy located at 8919 Parallel Parkway, Kansas City, Kansas 66112.

2. That said Pharmacy is a business partnership owned by James W. Ryan, 6825 Garfield Drive, Kansas City, Kansas and Rene H. Ryan, Jr., 4209 N. 123rd Terrace, Kansas City, Kansas.

3. That the Pharmacist in Charge of said Defendant pharmacy is Gregory F. Geier, License No. 10393.

4. That on April 2, 1990, a letter was mailed to Defendant addressed to the above stated pharmacy advising that said pharmacy was not in compliance with K.A.R. 68-2-12a and K.S.A. 65-1642 (See attached Exhibit A.)

5. That on an inspection of said pharmacy by a board inspector on June 7, 1990, said pharmacy had failed to take any steps to comply with the law.

6. That the Defendant has failed to comply with the statutory and regulatory requirements imposed by the State upon pharmacists licensed by the State.

7. That the State Board of Pharmacy of the State of Kansas pursuant to K.S.A. 65-1627(b)(1) has jurisdiction and power to revoke, suspend or place on probation said Rene Ryan Prescription Shop.

IT IS THEREFORE ORDERED that Rene Ryan Prescription Shop, Registration No. 6772 be placed on probation for a period of one (1) year to be effective this date.

Barbara Renick, President
Kansas State Board of Pharmacy

DATED: This 26 day of August, 1990.

I, _____, have hereby read the foregoing Stipulations and Order and fully understand the violations to which I am stipulating to and understand the terms of the Stipulation.

Rene Ryan Prescription Shop
By: James Ryan, Owner

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~~_____~~
Dana W. Killinger, Attorney
Kansas State Board of Pharmacy

Tom C. Hitchcock, Executive
Secretary, Kansas State Board
of Pharmacy

Kansas State Board of Pharmacy

LANDON STATE OFFICE BUILDING
900 JACKSON AVENUE, ROOM 513
TOPEKA, KANSAS 66612-1220
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STATE OF KANSAS

April 2, 1990

MEMBERS

DANA L. CREITZ, JR., PARSONS
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BARBARA A. RENICK, GARDEN CITY
EXECUTIVE SECRETARY
TOM C. HITCHCOCK
BOARD ATTORNEY
DANA W. KILLINGER



MIKE HAYDEN
GOVERNOR

Gregory Geier
Rene Ryan Prescription Shop
8919 Parallel Parkway
Kansas City, KS 66112

Dear Mr. Geier:

Due to the inspection report of the Board Inspector it appears that you allegedly are not in compliance with the Pharmacy Act and regulations under such Act. K.A.R. 68-2-12a(a) states in part...."Each registered pharmacy, other than a medical care facility, (which means a community pharmacy) shall possess and have available for use a library that includes:(2) a CURRENT COPY of the Kansas pharmacy act, the Kansas uniform controlled substances act and current regulations under both acts;....(emphasis added). According to your inspection report your law book is the 1986 edition which is certainly not a current copy.

You are allegedly also not in compliance with K.S.A. 65-1642 which states in part(c)(1) "A medication profile record system shall be maintained in all pharmacies for persons for whom prescriptions are dispensed. The following information shall be recorded: (A) the name and address of the patient for whom the medication is intended; (B) the prescriber's name, the original date the prescription is dispensed and the number or designation identifying the prescription; and (C) the name, strength and quantity of the drug dispensed and the name of the dispensing pharmacist."

Please let this letter act as a notification that you have until May 1, 1990 to bring your pharmacy into compliance by purchasing a current copy of the law book and also implementing some type of medication profile record system. On or soon after May 1st, the Board Inspector will contact you to observe your compliance with the pharmacy statute and regulations.

If you have any questions, please contact either the Board Inspector or the office.

Tom C. Hitchcock
Executive Secretary

TCH:kmo

cc: Jim Kinderknecht