

September 11, 2023

Tim Oglesby  
Santo Remedio, LLC  
3785 NW 82nd Avenue  
Doral FL 33166

RE: Case No. 23-313

Dear Mr. Tim Oglesby:

Enclosed you will find a Summary Order issued by the Kansas Board of Pharmacy (Board) in the above-referenced matter. Please read the order in its entirety.

If you disagree with the findings of fact, you have the right to request a hearing. Instructions for filing a written request are included under the "Notices" section of the order. Hearings are held before the full Board during their regularly scheduled quarterly meetings.

According to KSA 65-1627h, the Board is required to recoup the costs of administrative hearings when the decision is adverse to the licensee. These costs may include charges for services rendered by the Board's disciplinary counsel, an administrative law judge, and, if applicable, a court reporter.

If you have any questions, feel free to contact the Board at [Pharmacy.Compliance@ks.gov](mailto:Pharmacy.Compliance@ks.gov).

Sincerely,

Kansas Board of Pharmacy

Enclosure

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of	)	
	)	Case No. 23-313
Santo Remedio, LLC	)	
	)	
<u>Registration # 6-113674</u>	)	

**SUMMARY ORDER OF DENIAL**

NOW, on this 11th day of September 2023, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Santo Remedio, LLC ("Applicant").

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 provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board enters this Summary Order of Denial 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. 6-113674, which entitled Respondent to operate as a nonprescription drug distributor in the state of Kansas at the following physical address: 11427 North Hwy 59, Gravette, Arkansas ("Old Address").
2. On July 10, 2023, the Board received from Respondent a Form BA-06 Nonprescription Drug Distributor Registration Application ("Respondent's Application"), notifying the Board of Respondent's change in ownership and change in address. Respondent provided the following physical address: 3609 Pipestone Road, Dallas Texas ("New Address").
3. On July 12, 2023, the Board sent Respondent an email requesting required information items that were missing from Respondent's Application.

4. On August 10, 2023, the Board sent a final letter to Respondent's address of record listed on the ownership and address change application requesting the required information items, including a satisfactory inspection report from home state, FDA or NABP within 3 years; authorized agent; explanation for practice question 2 being answered "no"; S-310, S-320 an/or S-330 ownership form(s) for Wellness Circle, LLC; ownership form supporting documentation; and a short narrative regarding past experience with drug distribution. The final letter provided a response deadline of August 31, 2023.

5. To date, the Board has not received the required application documents or any further correspondence from Respondent.

#### CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1627(f)(8), the Board may deny the application of any wholesale distributor upon a finding that the wholesale distributor has failed to furnish to the Board any information legally requested by the Board.

2. Pursuant to K.S.A. 65-1645(a) application for registration or permits under K.S.A. 65-1643, and amendments thereto, shall be made on a form prescribed and furnished by the Board. Applications for registration shall contain such information as may be required by the Board in accordance with the provisions of K.S.A. 65-1655, and amendments thereto.

3. Pursuant to K.S.A. 65-1645(f), registrations issued pursuant to K.S.A. 65-1643 shall not be transferrable and shall expire every year.

4. Pursuant to K.S.A. 65-1655(a), the Board shall require an applicant for registration as a wholesale distributor or an applicant for renewal of such a registration to provide the following information: (1) the name, full business address and telephone number of the applicant; (2) all trade or business names used by the applicant; (3) addresses, telephone numbers, and the names of contact

persons for all facilities used by the applicant for the storage, handling and distribution of prescription drugs; (4) the type of ownership or operation of the applicant; (5) the name of the owner or operator, or both; and (6) such other information as the Board deems appropriate.

5. Respondent failed to provide the following in conjunction with Respondent's Application: an inspection report from home state NABP or FDA within 3 years; authorized agent; explanation for practice question 2 being answered "no;" S-310, S-320 and/or S-330 ownership form(s) for Wellness Circle, LLC; ownership form supporting documentation; and a short narrative regarding past experience with drug distribution..

6. Respondent's failure to provide the Board with the required application information is a basis to deny Respondent's Application pursuant to K.S.A. 65-1645(a) and 65-1655(a).

7. Respondent failed, after repeated correspondence from the Board, to provide the lawfully requested application information.

8. Respondent's failure to supply the Board with the requested documentation is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(f)(8).

### **ORDER**

Based upon the foregoing findings of fact and conclusions of law, Respondent's Application is hereby DENIED. In addition, Registration No. 6-113674 is hereby CANCELLED as the facility address and ownership have changed and registrations are nontransferable.

### **NOTICES**

Respondent is hereby notified as follows:

1. 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 15 days after service of this Order. If the outcome of the hearing

is adverse to Respondent, costs of the proceedings shall be charged to Respondent.

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.

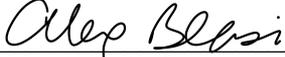
3. Within 15 days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

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 K.S.A. 77-613. 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.

9/11/2023  
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 11th day of September 2023, 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:

Tim Oglesby  
Santo Remedio, LLC  
3785 NW 82nd Avenue  
Doral FL 33166

  
\_\_\_\_\_  
Kansas Board of Pharmacy Staff