

BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of	)	
	)	Case No. 21-181
School Health Corporation	)	
	)	
<u>Applicant</u>	)	

**AMENDED SUMMARY ORDER**

NOW, on this 26th day of October 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of School Health Corporation. ("Applicant"), for application for registration as a wholesale distributor in the state of Kansas.

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 Amended Summary Order 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. On July 26, 2021, the Board received Applicant’s application for registration as a wholesale distributor in the State of Kansas (“Applicant’s Application”).
2. In conjunction with Applicant’s Application, Applicant provided requested copies of shipping records for products shipped into Kansas. Applicant reported shipping into Kansas on 116 unique days during the previous 12-month period. Applicant reported that all products shipped into Kansas during that period were non-prescription drugs or devices.

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. 65-1627(f)(6), the Board may take action against the application of any wholesale distributor upon a finding that the applicant has violated the pharmacy act of the state of Kansas or any regulation adopted by the Board.

3. Pursuant to K.S.A. 65-1643(c), it shall be unlawful for any person to distribute at wholesale any drugs or devices without first obtaining a registration from the Board.

4. Applicant's act of shipping into Kansas prior to being registered as a wholesale distributor is a violation of K.S.A. 65-1643(c) and is a basis to take action against Applicant's Application pursuant to K.S.A. 65-1627(f)(6).

### **ORDER**

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby GRANTED but Applicant is ordered to pay a fine to the Board in the amount of \$1,660. Applicant has 30 days from the date of this order to pay the fine and the registration shall be issued upon receipt.

### **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.

10/26/2021

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 26th day of October 2021, deposit in business mail a copy of the foregoing Amended Summary Order, which is then placed in the United States Mail, postage prepaid, properly addressed to the following:

School Health Corporation  
5600 Apollo Dr  
Rolling Meadows IL 60008

Also emailed to:  
Rob Rogers  
[rogers@schoolhealth.com](mailto:rogers@schoolhealth.com)

  
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Kansas Board of Pharmacy Staff