

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Thayer Supply Co. )  
 )  
Registration No. 5-02587 )

Case No. 17-134

**SUMMARY ORDER**

NOW on this 7 day of October, 2017, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Thayer Supply Co. ("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. 5-02587 which entitles Respondent to function as a pharmacy in the State of Kansas ("Respondent's Registration").
2. On May 1, 2016, Respondent moved their facility from 309 Commercial St Atchison, KS 66002, to 1413 Main St Atchison, KS 66002.
3. On June 28, 2016, Respondent submitted their application for license renewal, listing the new facility address as their new mailing address. Respondent had not submitted a BA-05 change of address application at this time.

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**SUMMARY ORDER**

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4. On June 26, 2017, the Board received a form BA-05 Change of Address Application. Respondent listed the change of address as effective on June 21, 2017.

5. On July, 11, 2017, the Board requested that Respondent provide the date in which they moved their facility from 309 Commercial St Atchison, KS 66002, to 1413 Main St Atchison, KS 66002.

6. On or about July 14, Respondent notified the Board that Respondent had moved to their new facility address on May 1, 2016.

#### 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 65-1627(a)(1), the Board may take action against the license of a distributor who has renewed their license by misrepresentation of a material fact.

9. Pursuant 65-1643(c), it shall be unlawful for any person to distribute at wholesale any drugs without first obtaining registration as a wholesale distributor from the Board.

10. Respondent failed to accurately disclose the address of their facility when filing their 2016 renewal application with the Board, in violation of K.S.A. 65-1627(a)(1).

11. Respondent distributed drugs from a new facility address without obtaining proper registration from the Board, in violation of K.S.A. 65-1643(c).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine to the Board. A violation of K.S.A. 65-1627(a)(1) warrants a fine of \$500. A violation of K.S.A. 65-1643(c) warrants a fine of \$500.00. Respondent has 30 days from the date of this order to pay the full \$1,000.00, or until November 7, 2017.

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.

10/6/17  
Date

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

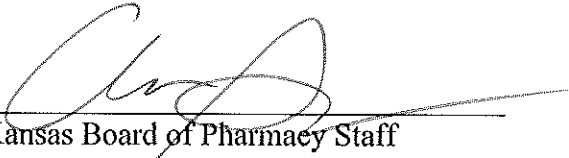
CERTIFICATE OF SERVICE

I hereby certify that I did, on the 7 day of October, 2017, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Thayer Supply Co  
1413 Main St  
Atchison, KS 66002

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