

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
Walgreens Pharmacy) Case No. 17-191
Registration No. 2-13109)

SUMMARY ORDER

NOW on this 12 day of January, 2018, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Walgreens Pharmacy (“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. 2-13109 which entitles Respondent to function as a pharmacy in the State of Kansas (“Respondent’s Registration”).
2. On September 9, 2017, a Board investigator completed a routine inspection of Respondent’s facility.
3. Respondent had one pharmacist and four pharmacy technicians on duty. Two pharmacy technicians were nationally certified by a pharmacy technician certification board.

CONCLUSIONS OF LAW

4. 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.

5. Pursuant to K.A.R. 68-5-16(b), a pharmacy may maintain a ratio of three to one technicians and pharmacists if two of the technicians have a current national certification issued by a pharmacy technician certification board.

6. Respondent exceeded the ratio of technicians and pharmacists by having four technicians on staff and one pharmacist, which constitutes a violation of K.A.R. 68-5-16.

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.A.R. 68-5-16 warrants a fine of \$500. Respondent has 30 days from the date of this order to pay the full \$500.00, or until February 10, 2018.

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.

1/12/18
Date _____



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

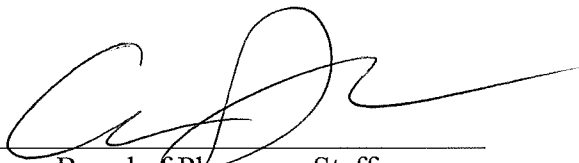
CERTIFICATE OF SERVICE

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

Walgreens Pharmacy
8681 W 135th St
Overland Park, KS 66223

and the original hand delivered to:

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



Kansas Board of Pharmacy Staff