

February 24, 2022

ATTN: MICHELLE MAZZENGA  
WALGREENS PHARMACY #9424  
PO BOX 901  
DEERFIELD, IL 60015

RE: Case No. 22-014

To whom it may concern:

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. In addition, a civil fine has been assessed totaling \$500. Please submit a check or money order made payable to the Kansas Board of Pharmacy and include your case number in the check memo.

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 BOARD OF PHARMACY

In the Matter of )  
Walgreens Pharmacy #9424 )  
Registration No. 2-13095 )

Case No. 22-014

**SUMMARY ORDER**

NOW, on this 24th day of February 2022, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Walgreens Pharmacy #9424 (“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, the Board makes the following findings, conclusions, and order:

**FINDINGS OF FACT**

1. The Board has previously issued Respondent Permit No. 2-13095 which entitles Respondent to function as a Pharmacy in the State of Kansas (“Respondent’s Registration”).
2. On September 30, 2021, Respondent’s Pharmacist-in-Charge (“PIC”) ceased to serve as such, effective immediately.
3. On November 1, 2021, the Board received from Respondent a PIC Waiver Request (“Waiver”), notifying the Board that it was still seeking an incoming PIC and requesting a 30-day extension of its deadline by which to have a new PIC in place, which was October 31, 2021.
4. On November 1, 2021, the Board processed the Waiver.

## CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine, after notice and an opportunity to be heard, against any pharmacy 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.A.R. 68-1-2a(b), each pharmacy required to have a PIC that operates for more than 30 days without a designated PIC shall be deemed to be in violation of K.S.A. 65-1627(e) and amendments thereto.

3. Since Respondent's previous PIC ceased to serve as such effective September 30, 2021, Respondent had 30 days to designate a new PIC by notification to the Board, or until October 30, 2021.

4. Respondent failed to designate a new PIC by October 30, 2021, and failed to request the Waiver of such until November 1, 2021 - two (2) days beyond the deadline for PIC designation.

5. Respondent violated K.A.R. 68-1-2a(b) when it failed to provide a new PIC designation, and hadn't requested a waiver of such, within 30 days.

## ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine of \$500 to the Board for the violation. Respondent has 30 days from the date of this order to pay the total \$500 fine.

## 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.

2/24/2022

\_\_\_\_\_  
Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 24th day of February 2022, 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:

ATTN: MICHELLE MAZZENGA  
WALGREENS PHARMACY #9424  
PO BOX 901  
DEERFIELD, IL 60015



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Kansas Board of Pharmacy Staff