

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
WEP Clinical) Case No. 17-132
)
Registration No. 5-31334)

SUMMARY ORDER

NOW on this 11 day of July, 2017 comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of WEP Clinical (5-31334) ("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. 5-31334 which entitles Respondent to operate as a wholesale distributor in the State of Kansas ("Respondent's Registration").
2. On November 14, 2016, Respondent changed the location of their distribution facility.
3. On June 12, 2017, the Board received from Respondent a BA-05 distributor registration application, listing the effective date of November 14, 2016 for the new distribution facility address.

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4. The Board received no other correspondence involving the new distribution facility address from Respondent before receiving the BA-05 application.

CONCLUSIONS OF LAW

5. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine, 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.

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

7. Pursuant to K.A.R. 68-14-3, every wholesale distributor doing business in Kansas who engages in wholesale distribution of prescription-only drugs shall be registered with the Board before engaging in the distribution of prescription-only drugs.

8. Pursuant to K.A.R. 68-14-4(a)(3), each wholesale distributor shall provide the Board with the address used by the registrant in the wholesale distribution of prescription-only drugs.

9. Pursuant to K.A.R. 68-14-4(c), every registrant shall submit revised information to the Board within 30 days after any change in that information listed in K.A.R. 68-14-4(a).

10. Respondent had 30 days, or until December 14, 2016 to inform the Board of its change in address for its wholesale distribution facility.

11. Respondent failed to submit the BA-05 application listing the new wholesale distribution address to the Board until June 12, 2017.

12. Respondent violated K.A.R. 68-14-4(c) by failing to provide a completed application for a change in facility location and address to the Board within 30 days.

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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. 68-14-4 warrants a fine of \$500. Respondent has 30 days from the date of this order to pay the full \$500.00, or until August 15, 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

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IT IS SO ORDERED.

7/11/17
Date

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

CERTIFICATE OF SERVICE

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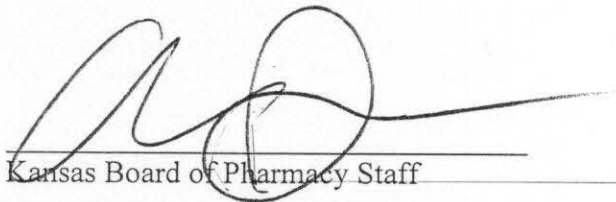
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I hereby certify that I did, on the 11 day of July, 2017 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

WEP Clinical
951 Aviation Pkwy, Ste. 200
Morrisville, NC 27560

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

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