

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of )  
 )  
Rolanda Askew )  
14-104269 )  
\_\_\_\_\_ )

Case No. 17-224

**SUMMARY ORDER OF DENIAL**

NOW on this 21 day of March, 2018, comes before the Kansas Board of Pharmacy (the "Board"), through its Executive Secretary, the matter of Rolanda Askew, ("Applicant"), for her application for registration as a Kansas pharmacy technician.

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 of Denial in the above-captioned matter. After reviewing the application materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order.

**FINDINGS OF FACT**

For purposes of this order, the Board's Executive Secretary makes the following findings of fact:

1. On or about October 16, 2017, the Board received Applicant's application for registration as a pharmacy technician in the State of Kansas ("Applicant's Application").

2. Applicant answered "Yes" to the following questions on her application:  
Have you been charged with or convicted of (includes plea of guilty or no contest) a criminal offense or is there any criminal charge now pending against you (other than minor traffic violations) in any state or federal court whether or

not a sentence was imposed, suspended, or diverted? This includes misdemeanors.

Have you ever been charged with or convicted of (includes plea of guilty or no contest) or charged with a violation of any federal or state drug law(s) or rule(s) whether or not a sentence was imposed, suspended, or diverted?

3. Applicant submitted an S-150 Personal History Form stating she had an assault charge for a fight in 1995 and a drug possession charge in 1995.

4. Application materials indicate Applicant also had a 1996 felony robbery charge and a 2011 driving under the influence of drugs or alcohol charge.

5. On November 7, 2017, the Board sent Applicant a letter requesting she submit a new S-150 Form detailing the additional charges, as well as certified copies of the court pleadings from all of her cases.

6. On January 24, 2017, Applicant requested additional time to provide the requested materials.

7. To date, the Board has not received the requested materials.

#### CONCLUSIONS OF LAW

1. That pursuant to K.S.A. 65-1663, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as a pharmacy technician on any ground which would authorize the board to take action against the license of a pharmacist under K.S.A. 65-1627, and amendments thereto.

2. Pursuant to K.S.A. 65-1627(a)(1), the Board may deny the application of an Applicant who has attempted to obtain, renew, or reinstate a license by false or fraudulent means, including misrepresentation of a material fact.

3. Pursuant to K.S.A. 65-1627(a)(2), the Board may deny the application of an Applicant who has been convicted of a misdemeanor involving moral turpitude or gross immorality or any felony and the Applicant fails to show the Applicant has been sufficiently rehabilitated to warrant the public trust.

4. Pursuant to K.S.A. 65-1627(a)(3), the Board may deny the application of an Applicant who has been found guilty of unprofessional conduct.

5. Pursuant to K.S.A. 65-1626(sss), unprofessional conduct means conduct likely to deceive or harm the public.

6. Pursuant to K.S.A. 65-1627(a)(15), the Board may deny the application of an Applicant who has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

7. Applicant's failure to disclose her entire previous criminal history is a misrepresentation of a material fact and a basis to deny Applicant's Application pursuant to 65-1627(a)(1).

8. Applicant's arrests for assault, possession, robbery, and driving under the influence of drugs or alcohol, and her failure to provide documentation to show she has been sufficiently rehabilitated to warrant the public trust are bases to deny Applicant's Application pursuant to 65-1627(a)(2).

9. Applicant's arrests for assault, possession, robbery, and driving under the influence of drugs or alcohol are unprofessional conduct that is likely to put the public at risk if

Applicant were in an environment with access to prescription drugs and patient health information, and bases to deny Applicant's Application pursuant to 65-1627(a)(3).

10. Applicant's failure to provide the Board with the requested S-150 and additional court documents related to her criminal history is a basis to deny Applicant's Application pursuant to K.S.A. 65-1627(a)(15).

#### ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby DENIED.

#### NOTICES

Applicant is hereby notified as follows:

11. Applicant 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.

12. If a hearing is not requested as described above, the Order denying Applicant's Registration as a pharmacy technician shall become a final order of the Board, effective upon the expiration of the time to request a hearing.

13. 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.

14. 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, JD, MBA  
Executive Secretary  
Kansas Board of Pharmacy  
800 SW Jackson, Suite 1414  
Topeka, KS 66612

IT IS SO ORDERED.

3/21/2018

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 21 day of March, 2018 deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order of Denial, properly addressed to the following:

Rolanda Askew  
4531 Wabash Ave  
Kansas City, MO 64130

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