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Alexandra Blasi, Executive Secretary

Laura Kelly, Governor

August 5, 2021

ROLANDA ASKEW
4531 WABASH AVE
KANSAS CITY, MO 64130

RE: Case No. 21-123

Dear Ms. Askew:

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.

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.

Sincerely,

Kansas Board of Pharmacy

Enclosure

Filed By

AUG 5 2021

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Rolanda Askew)
)
Applicant _____)

Case No. 21-123 KANSAS STATE BOARD OF PHARMACY

SUMMARY ORDER OF DENIAL

NOW, on this 5th day of August 2021, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Rolanda Askew (“Applicant”), for application for a Kansas pharmacy technician registration.

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, the Board makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On December 7, 2020, the Board received Applicant’s application for registration as a pharmacy technician in the State of Kansas (“Applicant’s Application”).
2. As part of the application, Applicant answered “YES” to the questions: *Have you ever been 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 and Have you ever been charge with or convicted of (includes plea of guilty or no contest) a violation of any federal or state drug law(s) or rule(s) whether or not a sentence was*

imposed, suspended, or diverted? The application directs that if the applicant answers “YES”, the applicant must attach a Form S-150: Personal History (“Form S-150”).

3. In her Form S-150, Applicant listed an assault charge and a drug possession offense, both of which separately resulted in probation. Applicant also noted a robbery charge which she believed was an error on her criminal record. Applicant included no supporting court documentation whatsoever.

4. On or about December 10, 2020, the Board received information regarding additional charges laid against Applicant for a 1996 robbery offense and a 2011 offense of driving while intoxicated by alcohol.

5. On December 23, 2020, the Board sent a letter to Applicant’s address of record requesting a more detailed explanation of these offenses, as well as certified copies of the court pleadings from each case.

6. On December 29, 2020, the Board received from Applicant an email disclosing that she was currently on probation for a speeding charge until June 2021, explaining the 2011 DWI charge, and noting that she did not commit any robbery. Applicant did not detail the circumstances of the assault charge or of the drug possession charge, and stated that “the things you want me to dig for are from wayyyyyyyyyyy back in the 90s!” Applicant included with her email statement no supporting court documentation whatsoever.

7. On April 8, 2021, the Board sent a second letter, this time to Applicant’s email address of record, requesting she provide certified court documents for the charges in question. Applicant did not respond to the Board’s request.

8. On July 8, 2021, the Board mailed a final letter to Applicant's address of record again requesting she provide certified court documentation to support her narrative of the charges in question. Applicant did not respond to the Board's final request.

9. To date, the Board has not received from Applicant any court documentation, nor any further correspondence since the time of her email statement on December 29, 2020.

CONCLUSIONS OF LAW

1. Pursuant to K.S.A. 65-1663 the Board may deny an application for issuance 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. That pursuant to K.S.A. 65-1627 (a)(15), the Board may take action against the license of a pharmacist if the licensee has failed to furnish the Board, its investigators, or its representatives any information legally requested by the Board.

3. Applicant's failure to supply the Board with the requested documentation concerning her criminal history is a violation of K.S.A. 65-1627(a)(15) and a basis to deny Applicant's Application.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application is hereby DENIED.

NOTICES

The Applicant is hereby notified as follows:

1. The 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.

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.

8/5/2021
Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 5th day of August 2021, 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:

ROLANDA ASKEW
4531 WABASH AVE
KANSAS CITY, MO 64130



Kansas Board of Pharmacy Staff