

May 10, 2024

Connor Cupp
1107 Prairie Ave
Scott City, KS 67871

RE: Case No. 24-192

Dear Mr. Cupp:

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

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Connor Cupp)
)
Registration No. 3-121105)

Case No. 24-192

SUMMARY ORDER

NOW, on this 10th day of May, 2024, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Connor Cupp, (“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 issued Respondent Pharmacy Intern Registration Number 3-121105 authorizing Respondent to perform the functions of a pharmacy intern in the State of Kansas (“Respondent’s Registration”).
2. On or about November 21, 2023, the Board received information from Respondent self-reporting a November 17, 2023 arrest for DWI. Respondent provided a statement regarding his choice to consume alcohol and then drive a car.
3. On November 27, 2023, Applicant provided the Board with a copy of the DWI offense ticket.

4. On January 18, 2024, the Board sent a letter to Respondent's address of record requesting any updates regarding the court proceedings and copies of the court pleadings from the case.

5. On January 26, 2024, the Board received the requested documents, which indicated Respondent had been charged with DWI and the court proceedings had been continued to a later date.

6. On February 18, 2024, the Board received an email from Respondent indicating he planned to accept a suspended imposition of sentence (SIS) for the DWI charge, similar to a 12-month diversion program.

7. On March 12, 2024, the Board received copies of the SIS court documents, placing Respondent on SIS probation for a period of two years.

CONCLUSIONS OF LAW

1. That pursuant to K.S.A. 65-1676, the Board may limit, suspend, or revoke a registration or deny an application for issuance or renewal of any registration as a pharmacy intern 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)(3), the Board may place in a probationary status the license of any pharmacist who has been found guilty of unprofessional conduct.

3. Pursuant to K.S.A. 65-1626(vvv)(7), unprofessional conduct means conduct likely to deceive, defraud or harm the public.

4. Respondent's November 2023 driving while intoxicated offense was unprofessional conduct likely to harm the public, as indicated by Respondent, and is a basis to place Respondent's Registration in a probationary status pursuant to K.S.A. 65-1627(a)(3).

Furthermore, Respondent has yet to complete the 2-year SIS program with the court and is, therefore, unable to fully demonstrate rehabilitation from this offense, an additional reason for stricter oversight in the pharmacy setting.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby placed on a 2 year probationary status. The terms of Respondent's probation are as follows:

- Respondent must continue compliance with the terms of their SIS;
- Respondent must notify the Board of any change in their court status within 10 days of the change;
- Respondent must notify the Board of any arrest or criminal charge within 10 days of the date of the arrest or charge;
- Respondent must notify the Board of any change in employment within 10 days of the change and obtain Board approval for the change;
- Respondent must respond to the Board's regular check-in requests;
- Respondent must inform employers of the probationary status of her pharmacy technician registration;
- Respondent must obtain the signature of her pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Respondent must comply with all rules and regulations of the Pharmacy Practice Act.

NOTICES

Respondent is hereby notified as follows:

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

IT IS SO ORDERED.

5/10/2024

Date

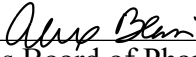


Alexandra Blasi, JD, MBA
Executive Secretary
Kansas Board of Pharmacy

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 10th day of May, 2024, 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:

Connor Cupp
1107 Prairie Ave
Scott City, KS 67871



Kansas Board of Pharmacy Staff