

September 3, 2024

Amber Bouse
808 S Holyoke
Wichita KS 67218

RE: Case No. 24-252

Dear Ms. Bouse:

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)
)
Amber Bouse)
)
Registration No. 14-103131)

Case No. 24-252

SUMMARY ORDER OF REVOCATION

NOW on this 3rd day of September, 2024 comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Amber Bouse (“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 of Revocation 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 issued Respondent Pharmacy Technician Registration Number 14-103131 authorizing Respondent to perform the functions of a pharmacy technician in the State of Kansas (“Respondent’s Registration”).

2. On June 13, 2024, the Board received a notification of potential diversion of phentermine from Golden Plains Pharmacy (“Pharmacy”). Subsequently, the Board’s inspector conducted an investigation, requested statements from Pharmacy staff, and requested a copy of the DEA-106 and relevant video recordings.

3. On July 30, 2024, the Board received the completed DEA-106 form and a copy of the Pharmacy incident report.

4. The Pharmacy staff statements, incident report, and DEA-106 indicated the following:
- a. On May 29-30, 2024, Pharmacy staff conducted a controlled substance inventory and discovered shortage of several drugs, including phentermine. Pharmacy staff reviewed dispensing records from May 15, 2024 and video recordings from May 17, 2024.
 - b. On May 17, 2024, Respondent was restocking Pharmacy shelves with medication bottles that had been used that day, a routine procedure that occurs at the end of the shift. While Respondent was restocking the shelves, she removed a bottle of 37.5 tablets of phentermine from the shelf and placed it into the basket of bottles she was in the process of restocking. Respondent did not remove any other bottles from the shelves. Respondent then left the view of the camera and stepped into an empty office with the basket. The office houses a coat rack with employees personal belongings. Respondent's shift ended 5-10 minutes later and she entered the office again prior to leaving the Pharmacy.
 - c. There were no phentermine prescriptions in process from May 17 – May 30 and the bottle was never returned to the shelf until it was discovered missing during the inventory.
 - d. On May 31, 2024, Pharmacy staff confronted Respondent about the video recording and Respondent verbally admitted that she stole the bottle of phentermine. She also admitted to one other instance in the previous month where she had taken phentermine. Respondent's employment was immediately terminated.

e. The following controlled substances were unaccounted for at the Pharmacy and reported as Employee Theft:

1. Phentermine 37.5mg tablets - #70
2. Phentermine 30mg tablets - #31
3. Alprazolam 1mg tablets - #31

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. That the Board may take action against the license of a pharmacist for unprofessional conduct or professional incompetency as set forth in K.S.A. 65-1627(a)(3).

3. That K.S.A. 65-1626(www) defines unprofessional conduct to include the unlawful possession of drugs and/or conduct likely to deceive, defraud, or harm the public.

4. Respondent's theft of controlled substances from the Pharmacy is a violation of K.S.A. 65-1627(a)(3) and a basis to revoke Respondent's Registration.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent's Registration is hereby REVOKED.

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.

9/3/2024

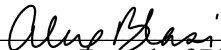
Date

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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 3rd day of September, 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:

Amber Bouse
808 S Holyoke
Wichita KS 67218



Kansas Board of Pharmacy Staff