

August 1, 2024

Janel Catlett
1012 N. Elm St.
Newton, KS 67114

RE: Case No. 24-249

Dear Ms. Catlett:

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)
)
Janel Catlett)
)
Registration No. 24-123196)

Case No. 24-249

SUMMARY ORDER

NOW, on this 1st day of August, 2024, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Secretary, the matter of Janel Catlett, (“Applicant”), for 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 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 June 3, 2024, 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 question 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.” The application directs that if the applicant answers yes, the applicant must attach a Form S-150: Personal History (“Form S-150”).

3. In conjunction with Applicant's Application, Applicant provided an S-150 indicating Applicant had two driving under the influence (DUI) offenses in 2017 and 2023, she had been a CNA for 17 years, and had stopped drinking.

4. Applicant also provided court documents which indicated the following:

- a. Applicant was granted a diversion agreement by the court for a DUI offense in 2012 which was completed in 2014.
- b. Applicant was granted a diversion agreement by the court for a domestic battery 2nd offense in 2020 which was completed in 2021.
- c. Applicant was charged with misdemeanor DUI and aggravated endangering a child (person felony) in 2023, for which Applicant pleaded guilty to misdemeanor DUI 2nd offense and was sentenced to jail time, one year of probation, and payment of a fine. The one year probationary period commenced in February 2024 and has not yet been completed.

5. On June 20, 2024, the Board emailed and mailed Applicant a letter requesting an updated Form S-150, as well as certified copies of the court pleadings from each case.

6. On or about June 21, 2024, the Board received the requested documentation. Applicant indicated that she was still serving probation for the 2023 offense and had an ignition interlock installed in her car.

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)(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(vv)(7), unprofessional conduct means conduct likely to deceive, defraud or harm the public.

4. Applicant's repeated DUI offenses from 2012 and, more recently, in 2023, are unprofessional conduct likely to harm the public. Furthermore, since Applicant has not yet fulfilled the requirements of her court-mandated one year of probation, she has not yet been able to sufficiently demonstrate rehabilitation to warrant the public trust, especially in the pharmacy setting. Therefore, additional oversight is necessary in the pharmacy and is a basis to place Applicant's registration in a probationary status pursuant to K.S.A. 65-1627(a)(3).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Applicant's Application for issuance of pharmacy technician registration is hereby GRANTED subject to a 2-YEAR probationary status. The terms of Applicant's probation are as follows:

- Applicant must continue compliance with the terms of their court plea agreement;
- Applicant must notify the Board of any change in their court status within 10 days of the change;
- Applicant must notify the Board of any arrest or criminal charge within 10 days of the date of the arrest or charge;
- Applicant must notify the Board of any change in employment within 10 days of the change;
- Applicant must respond to the Board's regular check-in requests;

- Applicant must inform employers of the probationary status of their pharmacy technician registration;
- Applicant must obtain the signature of their pharmacist-in-charge (PIC) documenting knowledge of her probationary status to the Board; and
- Applicant must comply with all rules and regulations of the Pharmacy Practice Act.

NOTICES

Applicant is hereby notified as follows:

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

IT IS SO ORDERED.

8/1/2024

Date



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

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 1st day of August, 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:

Janel Catlett
1012 N. Elm St.
Newton, KS 67114



Kansas Board of Pharmacy Staff