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KANSAS STATE
Board of Pharmacy

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BEFORE THE KANSAS STATE BOARD OF PHARMACY

In the Matter of the Application of)
Yvonne L. Soliz-Mondragon, for a) Case No. 11-143
Pharmacy Technician Registration.)

SUMMARY ORDER

NOW this 7th day of NOVEMBER, 2011, the above captioned matter comes before the Kansas State Board of Pharmacy ("Board") on the application of Yvonne L. Soliz-Mondragon ("Respondent") for a Pharmacy Technician Registration. After considering the foregoing, the Board's Investigation Member, in accordance with the authority granted to him by the Board, enters the following Summary Order:

FACTS

1. Respondent is a resident of 105 E. Sedgwick, Maize, Kansas 67101.
2. The Board has the authority to grant Respondent a Pharmacy Technician Registration.
3. On October 3, 2011, Respondent applied for a Pharmacy Technician Registration with the Board.
4. The Board's application for a Pharmacy Technician Registration ("Application") states the following: "If you do not fully and truthfully report your history, your application will be denied and/or you will be subject to other sanctions."

5. Part IV of the application for Pharmacy Technician Registration (“Application”) asks: “Have you ever been cited, arrested for, charged with, or convicted of the commission of any crime, offense, or violation of the law in any state or by the federal government even if those charges were dismissed or expunged?” Respondent responded “YES.”

6. The Application further states: “. . . if the answer is ‘Yes’ to any part of these questions, you must provide a notarized written detailed explanation of the circumstances.

7. Respondent provided any explanation to her “YES” response to the above question, disclosing previous domestic battery charges and a March 3, 2011 arrest by the Wichita Police Department for Driving Under the Influence of Alcohol or Drugs.

8. The Kansas Bureau of Investigation did a criminal background search on Respondent and provided the Board with an Abstract of Criminal History, more commonly known as the RAP Sheet.

9. Respondent’s RAP Sheet corroborates Respondent’s disclosures.

10. Additionally, Respondent’s RAP sheet documents that Respondent has not yet been prosecuted for the 2011 charge.

CONCLUSIONS OF LAW AND FACT

For purposes of this order, the Board’s Investigation Member makes the following conclusions of law and fact:

1. Respondent has applied to the Board for a Pharmacy Technician Registration.

11. On March 3, 2011, Respondent was arrested by the Wichita Police Department for Driving Under the Influence of Alcohol or Drugs in violation of K.S.A. § 08-1567.

2. Respondent’s RAP sheet documents that Respondent has not yet been prosecuted for the 2011 charge.

3. Part IV of the application for Pharmacy Technician Registration asks: "Have you ever been cited, arrested for, charged with, or convicted of the commission of any crime, offense, or violation of the law in any state or by the federal government even if those charges were dismissed or expunged?" Respondent responded "YES."

4. The Application further states: ". . . if the answer is 'Yes' to any part of these questions, you must provide a notarized written detailed explanation of the circumstances.

5. Respondent provided an explanation to her "YES" response to the above question.

6. Pursuant to K.S.A. § 65-1663(e)(1), 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.

WHEREFORE, the Board, having considered the facts and law, hereby GRANTS Respondent's application for Pharmacy Technician Registration with the following conditions:

1. Respondent's registration as a pharmacy technician shall remain in probationary status for an indefinite period;
2. Respondent shall comply with the laws of the United States and the State of Kansas, including all state and federal pharmacy laws and regulation;
3. Respondent shall notify the Board of the results of the pending arrest and any charges, convictions, and/or dismissals related to her March 3, 2011 arrest for Driving Under the Influence of Alcohol or Drugs; and
4. Respondent shall notify the Board of any name, address, phone number and/or employment changes during the term of probation.

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is hereby GRANTED a Pharmacy Technician Registration pursuant to K.S.A. § 65-1627a and under the terms and conditions stated above.

NOTICES

Respondent is hereby notified as follows:

1. Respondent may request a hearing pursuant to the Kansas State Administrative Procedures 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 Summary 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 § 77-613. The agency officer designated to receive service of a petition for judicial review is:

Debra Billingsley
Executive Director
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612.

IT IS SO ORDERED.

11-7-2011

Date



David R. Schoech

CERTIFICATE OF SERVICE

I hereby certify that I did, on the 8th day of November, 2011, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Yvonne L. Soliz-Mondragon
105 E. Sedgwick
Maize, KS 67101.



Holly Fisher, Compliance Counsel