

BEFORE THE KANSAS PHARMACY BOARD

NOV 30 2004

In the Matter of)
)
DANDURAND DRUG CO.)
7732 E. Central, Wichita, KS 67206)
Kansas Registration No. 2-05313)

Case No. 04-24

STIPULATION AND FINAL AGENCY ORDER

IT IS HEREBY STIPULATED AND AGREED by and between the Kansas Pharmacy Board (the "Board") and Dandurand Drug Co., 7732 E. Central, Wichita, KS 67206 (the "Respondent") as follows:

1. The Board is represented herein by its attorney, Randall J. Forbes of Frieden, Haynes & Forbes, 555 South Kansas Avenue, Suite 303, Topeka, Kansas 66603. The Respondent is represented herein by its attorney, _____

2. The Board is the Kansas agency vested with the authority to carry out and enforce the provisions of the Kansas Pharmacy Law, K.S.A. 65-1626 *et seq.*, including conducting hearings and proceedings to revoke, suspend or otherwise discipline a Kansas registration to operate a pharmacy.

3. The Respondent is presently entitled to operate a pharmacy in the State of Kansas by reason of the Board having issued it Kansas registration number 2-05313. At all times relevant hereto, the Respondent has held a current registration to operate a pharmacy in the State of Kansas.

4. The Board has received certain information, has investigated and has determined that there are reasonable grounds to believe that the Respondent has operated in a manner that violates the Kansas Pharmacy Act, K.S.A. 65-1626 *et seq.* and the Board's regulations.

Respondent hereby admits and waives any further proof in this or any other proceeding before or initiated by the Board that on multiple occasions pharmacists employed by Respondent have failed to prepare incident reports as required by the Board's regulations and the Respondent has not taken effective steps to insure that such reports are appropriately prepared.

The Board finds and concludes that Respondent's conduct, as described above, is grounds for disciplinary action in the State of Kansas pursuant to K.S.A. 65-1627 (e)(1) for violation of K.A.R. 68-7-12b.

5. The Board finds and the Respondent agrees that the following disposition is just and appropriate under the circumstances:

A. FINE. Respondent hereby agrees and consents to the Board's entry of an order whereby within ten (10) days of the Board entering the Final Agency Order provided for herein, it shall pay to the Kansas Pharmacy Board an administrative fine in the amount of one thousand dollars (\$1,000.00).

B. PROCEDURES. within ten (10) days of the Board entering the Final Agency Order provided for herein, the Respondent shall provide to the Board's Executive Director a copy of written procedures adopted by the Respondent and approved by the Pharmacist in Charge that provide for a system to identify the pharmacists that filed each prescription and that provide for a system to verify that the correct prescription is being dispensed.