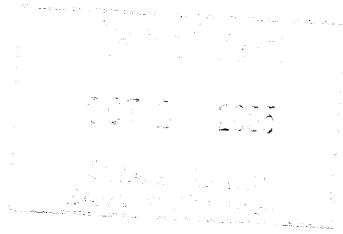


BEFORE THE KANSAS BOARD OF PHARMACY



In The Matter Of)
)
AARON D. GREGORY)
REGISTRATION NO. 14-02219)
_____)

Case No. 05-51

AGENCY ORDER

AARON D. GREGORY (the "Respondent") is currently authorized to function as a pharmacy technician in the State of Kansas by reason of the Kansas Board of Pharmacy (the "Board") having issued his Registration No. 14-02219.

It has come to the attention of the Board's Investigation Member that Respondent has been caught and admitted to diverting drugs, including controlled substances, from his employer and selling said controlled substances to a third party without an appropriate prescription order.

After considering the foregoing, the Board's Investigation Member, in accordance with the authority granted to her by the Board, enters the following agency order.

I. FINDINGS OF FACT

For purposes of this order, the Board's Investigation Member makes the following findings of fact:

1. The Board has previously issued Respondent Registration No. 14-02219 which entitled him to function as a pharmacy technician in the State of Kansas ("Respondent's Registration").

2. The Respondent has been caught and admitted to diverting drugs, including controlled substances, from his employer and that he sold said drugs to a third party without a prescription.

II. CONCLUSIONS OF LAW AND FACT

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

1. That the Respondent was originally issued a registration number on November 8, 2004 pursuant to K.S.A. 65-1663.
2. That pursuant to K.S.A. 65-1663 (f) 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.
3. That the Board may take action against the license of a pharmacist for violating any provision of the pharmacy act of the state of Kansas or any rules and regulations adopted by the board. K.S.A. 65-1627(8).
4. That the Respondent was selling/dispensing drugs which he was not authorized to do, as he was not licensed as a pharmacist. The definition of a pharmacy technician states that a technician may not perform duties restricted to a pharmacist. The sale and distribution of drugs is limited to pharmacies operating under registration of the Board and shall only be made by a pharmacist pursuant to a prescription. Further, the Respondent sold/dispensed drugs without a prescription and attempted to send them through UPS mail facility.