

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	ACCEPTING VOLUNTARY SURRENDER
VIRGIL H. LEE, R.Ph.,	:	(Case No. LS9401122PHM)
RESPONDENT.	:	

The parties to this proceeding for the purposes of Sec. 227.53, Stats., are:

Virgil H. Lee, R.Ph.
1145 First Street N.W.
Oronoco, MN 55960

State of Wisconsin
Pharmacy Examining Board
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708

State of Wisconsin
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708

The rights of a party aggrieved by this decision to petition the board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

A Complaint dated January 11, 1994 was filed in the above-captioned matter. It requested that disciplinary action be taken against the respondent, Virgil H. Lee, R.Ph., based upon a felony conviction substantially related to the practice of pharmacy. The respondent was represented by Attorney Marc Kurzman, Kurzman, Grant and Ojala Law Offices, 2445 Park Avenue South, Minneapolis, MN 55404. The complainant was represented by Attorney Arthur Thexton, Division of Enforcement.

By correspondence to the Pharmacy Examining Board under date of February 14, 1994, respondent voluntarily surrendered his license to practice as a pharmacist in the State of Wisconsin. On March 30, 1994, the Pharmacy Examining Board accepted the voluntary surrender of the license.

Accordingly, the Pharmacy Examining Board makes the following Findings of Fact, Conclusions of Law, and Order as its Final Decision in this matter.

FINDINGS OF FACT

1. The respondent, Virgil H. Lee, R.Ph. (D.O.B. 7/29/36) is licensed as a pharmacist in the State of Wisconsin, pursuant to license #7462. Respondent's most recent address on file with the Department of Regulation and Licensing is 1145 First Street N.W., Oronoco, MN 55960.

2. A Complaint was filed in this matter, dated January 11, 1994, requesting that disciplinary action be taken by the Pharmacy Examining Board against respondent. As a basis for such action, the Complaint cited respondent's conviction on December 17, 1993 in federal court of feloniously selling prescription medication and of transporting checks stolen from a hospital, in violation of 21 USC §353(c)(3)(A)(i) and (ii)(L) and 18 USC §2314. The conviction was alleged to be substantially related to the practice of pharmacy and to constitute a violation of sec. 450.10(1)(a)2., Stats.

3. On March 30, 1994, the Pharmacy Examining Board reviewed and considered correspondence under date of February 14, 1994 from respondent in which he states as follows:

"Please be advised that per this letter I voluntarily surrender my pharmacy license to practice pharmacy in Wisconsin. I am currently serving the commitment order as directed by the Court -- Case No.: 93-CR-100-C-01."

CONCLUSIONS OF LAW

The Pharmacy Examining Board has jurisdiction in this proceeding pursuant to Ch. 450, Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender by Virgil H. Lee of his license to practice as a pharmacist in the State of Wisconsin shall be, and hereby is, accepted.

Dated this 6th day of April, 1994.

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD



John Hofmann, R.Ph.
Chairman

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