

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST

ST. JOSEPH'S HOSPITAL PHARMACY

FINAL DECISION AND ORDER

RESPONDENT

99 PHM 27

The parties to this action for the purposes of §227.53, Wis. Stats., are:

St. Joseph's Hospital

5000 W. Chambers St.

Milwaukee, WI 53210

Wisconsin Pharmacy Examining Board

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent St. Joseph's Hospital (Pharmacy) is and was at all times relevant to the facts set forth herein an institutional pharmacy licensed in the State of Wisconsin pursuant to license #1681, originally granted on 4/4/32.
2. Respondent did, for a number of years before August 9, 1999, provide prescription blanks imprinted with the name and telephone number of the pharmacy, to its staff physicians. There is no practical way to determine how many thousand such blanks were printed and distributed, but at least three separate directors of pharmacy were employed during the time when these blanks were in use, and it appears that more than 16,000 such prescription blanks were provided and used per month since 1983, when the current rule went into effect.
3. Although this matter was brought to the Board's attention by complaint of another licensee, respondent's current director of pharmacy has assured the Board that he noticed the violation before the Board notified him of the complaint, and that he had already taken steps to cease using the imprinted blanks.

CONCLUSIONS OF LAW

A. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to §450.10, Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.

B. The conduct described in paragraph 2, above, violated § Phar 10.02(15). Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that St. Joseph's Hospital Pharmacy shall FORFEIT \$4,000, to be paid within 30 days of this Order.

IT IS FURTHER ORDERED, that respondent shall pay COSTS in this matter in the amount of \$300, within 30 days of this order.

IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and ch. RL 6, Wis. Adm. Code, if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license of respondent be summarily suspended pending investigation of the alleged violation.

WISCONSIN PHARMACY EXAMINING BOARD

John Bohlman

August 9, 2000

A member of the board

Date