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IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARY B. GULL, R.PH.
RESPONDENT.

FINAL DECISION AND ORDER
99 PHM 31
LS0005174PHM

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

Ms. Mary B. Gull, R.Ph.
N8690 Wilmers Grove Rd.
East Troy, WI 53120

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 Mary Beth Gull (dob 1/14/1963) is and was at all times relevant to the facts set forth herein a registered pharmacist licensed in the State of Wisconsin pursuant to license #10878, originally granted on 12/16/1986. At all times relevant to the matters set forth below, respondent was the managing pharmacist of Osco Drug #1306, West Allis, Wisconsin, where the conduct set forth below took place, and was responsible for the professional operations of the pharmacy.
2. Respondent has implemented, in this Wisconsin pharmacy, a national Osco Pharmacy dispensing procedure which did not require that a pharmacist always review a patient's prescription profile before dispensing a prescription. Under the procedure, each pharmacist relies on Osco Drug's computer system to alert him or her to any irregularities or contraindications for the prescription that he or she is dispensing. If the computer system does not show any "alerts," the patient's prescription profile is typically not reviewed before the prescription was dispensed to the patient.

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 7.07(4) Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes. At the time a prescription order is dispensed, the pharmacist must review the medication history and determine whether the prescription order presented should be dispensed. A computer program may be used only as an aid, and not as a replacement for a pharmacist reviewing a patient's prescription profile.

ORDER

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

IT IS FURTHER ORDERED, that Mary B. Gull, is REPRIMANDED for her unprofessional conduct in this matter.

Dated this May 17, 2000.

WISCONSIN PHARMACY EXAMINING BOARD, by:

John Bohlman, R.Ph.
a member of the board