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STATE OF WISCONSIN

BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST

DEBORAH A. TEMEYER, R.Ph.

FINAL DECISION AND ORDER

RESPONDENT

LS0008093PHM

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

Deborah A. Temeyer, R.Ph.

8106 Madison Ave.

Urbandale, IA 50322

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 Deborah A. Temeyer (dob 1/6/53) 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 #10468, originally granted on 12/14/83. She is also licensed in Iowa and Illinois.
2. Respondent did, on 3/4/98, suffer a head injury from having a bicycle display fall on her while at work at her employing pharmacy in Wisconsin. Following this, respondent was prescribed Esgic® and other medications by one of her physicians, a Dr. Porter, and the injury was reported and treated as a worker's compensation injury.
3. In the months following, respondent's prescription profile at her employing pharmacy was audited by her supervisor as part of followup on the worker's compensation claim. Her supervisor contacted her physician to determine whether several Esgic® orders shown on the profile were, in fact, ordered by Dr. Porter, or had been ordered by another of her physicians, Dr. Tan. Dr. Porter denied authorizing these later prescription orders, and Dr. Tan stated that he did not prescribe this medication for respondent. Similar discrepancies were discovered with respect to Ambien®, Depakote®, and Ultram®. Some of these profile records have supporting telephone prescription orders, and most do not. Ambien® is a controlled substance.
4. Respondent's supervisor confronted respondent about these discrepancies. Respondent stated to her supervisor that her physicians had, in fact, authorized these medications. Respondent left the employment of that pharmacy on 9/23/98.

5. On 7/26/99, respondent was interviewed by a department investigator, and stated that these prescriptions did not represent actual dispensings, but were instead entries she had made as part of training new employees how to use the computer system at the pharmacy. Upon further questioning, respondent could not recall the names of any such new employees, nor could she produce any records of their names.
6. Respondent's employer reported to DEA that 80 dosage units of Ambien® 10 mg were missing. The other missing medications amount to approximately 1000 dosage units over a six month period.
7. Respondent has been evaluated comprehensively on an inpatient basis and there is insufficient evidence to conclude that she is impaired, dependent, or addicted, nor are there any current medical or psychological conditions which render her unfit for duty as a pharmacist. Recommendations were made to her which are in her best interest and which will safeguard the public.

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 paragraphs 2-6, above, violated one or more of the following: §§450.10(1)(a)2. and 6,, 450.11(1), 961.38(3), and 961.41(3g), Wis. Stats., and §§ Phar 8.8.05(2) and 10.03(1), (2), and (5), 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 Deborah A. Temeyer, R.Ph., is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall comply with the recommendations of the evaluating professionals which have been given to her in their report of 5/19/00.

IT IS FURTHER ORDERED, that respondent shall, upon request of the Board or any staff of the department, or her own physician or other health care provider, provide a sample of blood, urine, or hair, as designated by the requester, forthwith or as otherwise directed by the requester.

IT IS FURTHER ORDERED, that respondent shall furnish a complete copy of this Final Decision & Order to her employer within 5 days, and to any future employer before commencing professional services for that employer.

IT IS FURTHER ORDERED, that respondent shall pay COSTS in this matter in the amount of \$1200, within six months of this order. Respondent shall also pay all the costs of the evaluation conducted in this matter, before her license is next renewed.

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