

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST

GORDON M. GWOSDOW, R.Ph.,

FINAL DECISION AND ORDER

RESPONDENT

LS0008092PHM

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

Gordon M. Gwosdow

1806 E. Robin Way, Apt. A

Appleton, WI 54915

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, Gordon M. Gwosdow, 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 # 10784, originally granted on March 25, 1986.
2. In June, 1999, Respondent was hospitalized for colon cancer surgery. Since his release from the hospital Respondent has been the subject of chemotherapy and other medications. Respondent is not currently engaged in the practice of pharmacy.
3. Respondent was the subject of prior discipline by the Board in case 99 PHM 042 arising from alteration by Respondent of two personal prescription orders on June 14, 1999, as to refills and address. Respondent's conduct at that time was attributed by his psychiatrist to acute delirium associated with post-operative medication. An AODA evaluation of Respondent on October 7, 1999, resulted in a finding of no diagnosable drug or alcohol related condition.
4. On April 4, 2000, Respondent was issued a written prescription order for # 30 Valium® 5 mg. Tablets by his treating physician. Respondent apparently altered the order to read "# 80". When Respondent's spouse presented the order for filling the pharmacist observed the alteration and contacted the prescriber to determine the correct prescription.
5. On May 26, 2000, Respondent's psychiatrist reported that Respondent suffers from severe depression and moderate anxiety. The therapist attributes Respondent's recent conduct to a compromised cognitive

capacity resulting from chemotherapy. There is no other evidence of medication misuse by Respondent.

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 § 450.11(7)(a), (c) and (e) Stats. and PHAR 10.03(1) 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,

1. Gordon M. Gwosdow is REPRIMANDED for his unprofessional conduct in this matter.
2. The license of Respondent to practice as a pharmacist in the state of Wisconsin is LIMITED for an indefinite period, as follows:

a. Respondent shall not engage in the clinical practice of pharmacy until further order of the Board. Any request by Respondent to remove this limitation shall be accompanied by the written recommendation of Respondent's physician and psychiatrist which must contain evidence satisfactory to the Board that Respondent is able to safely and reliably practice as a pharmacist. In granting such a request the Board may impose such conditions and limitations upon Respondent's practice as the Board in its discretion may deem necessary to protect the public.

b. Respondent shall continue to participate in treatment for his medical and mental conditions as recommended by his physician and psychiatrist.

c. Respondent shall continue to cause to be filed with the Department Monitor at the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, WI 53708-8935, on a quarterly basis as directed, the following:

1. copies of compliance reports filed by Respondent with the Outagamie County Circuit Court,
2. reports from Respondent's supervising health care provider assessing Respondent's medical and mental health status,
3. reports from Respondent's employer, if any, assessing Respondent's work performance.

1. Respondent shall furnish a copy of this Order to any present and prospective pharmacy employer during the term of this Order.

4. Respondent shall pay COSTS in this matter in the amount of \$ 100.00, within 30 days of this order.

5. 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, by:

John Bohlman

August 9th , 2000

A member of the board

Date