

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

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IN THE MATTER OF THE LICENSE OF : FINAL DECISION AND ORDER  
: FOR REMEDIAL EDUCATION  
LAURA M. ERYOU, R.Ph. :  
: LS0906243PHM

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[Division of Enforcement Case #06 PHM 075]

The parties to this proceeding for purposes of Wis. Stat. § 227.53 are:

Laura M. Eryou, R.Ph.  
1543 Jewel Drive  
Woodbury, MN 55125

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

Wisconsin Pharmacy Examining Board  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Wisconsin Pharmacy Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Laura M. Eryou, R.Ph, Licensee, date of birth February 7, 1957, is licensed by the Wisconsin Pharmacy Examining Board as a pharmacist in the state of Wisconsin pursuant to license number 14329, which was first granted February 14, 2005.

2. Licensee's address of record with the Department of Regulation and Licensing (DRL) is 1543 Jewel Drive, Woodbury, MN 55125.

3. On February 24, 2006, a family member went to Econofoods Pharmacy #344, to retrieve prescriptions for MP1. MP1's prescriptions were to have been for Ibuprofen (800mg) and Cyclobenzaprine (10 mg). MP1 took the prescriptions for several days and became ill. When he examined the medicine bottles, he discovered that the pharmacy had given him someone else's prescriptions, which were for Synthroid (.1 mg) and Lisinopril (10 mg).

4. On February 25, 2006, another consumer, MP2, whose last name was similar to MP1's, called Econofoods Pharmacy #344 to report that she had called in a refill prescription but was told it had been dispensed. After checking with

her husband, MP2 became aware that no one had picked up the prescription on her behalf. In response, Licensee and another pharmacist on duty began an investigation to determine what had happened to MP2's prescription. Review of a surveillance tape revealed that on February 24, 2006, a male technician had dispensed the medication to a female customer.

5. The Division initiated an investigation and on March 1, 2007, a consumer protection investigator had communication with Licensee. Licensee cooperated fully with the investigation and confirmed that she had not been on duty when the dispensing error occurred, but explained it was her practice to tell technicians she wanted to counsel for every new prescription "and have anyone picking up refills asked if they would like to speak to or had any questions for."

6. Wisconsin Admin. Code § PHAR 7.01(e) requires that the pharmacist provide direct consultation on all prescriptions, including new prescriptions and refills.

### CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 450.10.

2. The Wisconsin Pharmacy Examining Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Within 180 days of the date of this Order, Licensee shall provide proof sufficient to the Board, or its designee, of Licensee's satisfactory completion of a total of 3 hours of continuing education in legal aspects of pharmacy practice, which course(s) shall first be approved by the Board, or its designee.

2. Respondent has requested and the Pharmacy Examining Board designee has approved the following courses: "A Review of Federal Legislation Affecting Pharmacy Practice", 2 hours, instructors Van Dusen and Spies; "Fraudulent Activities in Pharmacy Practice", 2 hours, the University of Florida College of Pharmacy; "Reducing Prescription Medication Errors: What You Need to Know and What Your Patients Should Be Told", 2 hours, instructor, Burns.

3. Licensee shall, within 60 days of completion of this educational requirement, file an affidavit with the Board stating under oath that he has attended in their entirety two of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance shall be filed with:

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

All certifications, affidavits or other documents required to be filed with the Board will be deemed filed upon receipt by the Department Monitor.

4. Licensee shall be responsible for paying the full cost of attendance at these courses. Licensee shall not apply any of the continuing education credits earned in satisfaction of this Order toward satisfaction of her Wis. Stat. § 450.08(2)(a) biennial training requirements.

IT IS FURTHER ORDERED:

5. In the event Licensee fails to timely comply with the ordered continuing education, Licensee's license SHALL BE SUSPENDED, without further notice or hearing, until Licensee has complied with the terms of this Order. The Board or

its designee shall remove the suspension, if provided with sufficient information that Licensee is in compliance with the Order and that it is inappropriate for the suspension to remain in effect. The Board in its discretion may impose additional conditions and limitations for a violation of any of the terms of this Order.

6. Licensee is responsible for compliance with all of the terms and conditions of this Final Decision and Order.
7. This Order is effective on the date of its signing.

WISCONSIN PHARMACY EXAMINING BOARD

By: Gregory C. Weber  
A Member of the Board

6/24/09  
Date

**STATE OF WISCONSIN**

**BEFORE THE PHARMACY EXAMINING BOARD**

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IN THE MATTER OF THE LICENSE OF :  
: STIPULATION  
LAURA M. ERYOU, R.Ph., : LS \_\_\_\_\_ PHM  
:

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[Division of Enforcement Case # 06 PHM 075]

It is hereby stipulated and agreed, by and between Laura M. Eryou, R.Ph., Licensee, and Sandra L. Nowack, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Licensee by the Division of Enforcement (file 06 PHM 075). Licensee consents to the resolution of this investigation by stipulation and without a hearing.

2. Licensee understands that by signing this Stipulation, she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Licensee has been provided an opportunity to obtain advice of legal counsel prior to signing this Stipulation.

4. Licensee agrees to the adoption of the attached Final Decision and Order by the Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Licensee waives all rights to any appeal of the Board's Order, if adopted in the form as attached.

**5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.**

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board ever assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee or Licensee's attorney, if any, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Licensee in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

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Laura M. Eryou, R.Ph.  
Licensee

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Date

1543 Jewel Drive  
Woodbury, MN 55125

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Sandra L. Nowack  
Attorney for Complainant  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935

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Date