

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE REVOCATION	:	
OR SUSPENSION OF THE LICENSE OF	:	FINAL DECISION
	:	AND ORDER
RICHARD H. JESSEN, R.Ph.,	:	
Respondent	:	

The State of Wisconsin, Pharmacy Examining Board, having considered the above-entitled matter and having reviewed the record and the proposed decision of the examiner makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Findings of Fact and Conclusions of Law in the proposed decision of the examiner, a copy of which is annexed hereto, and that part of the opinion relating to the Findings' of Fact and Conclusions' of Law derivations from the amended complaint as admitted by respondent shall be, and hereby are, made and ordered as part of the Final Decision of the State of Wisconsin, In the Matter of the Revocation or Suspension of the License of Richard H. Jessen, R.Ph.

It is further ordered, that the license as a pharmacist No. R8180 issued to Richard H. Jessen shall be, and hereby is, revoked for not less than 24 months, said revocation to commence on September 13, 1978.

It is further ordered, that the respondent may make application for relicensure after the 24 month revocation period, and as part of such application the respondent shall provide the Pharmacy Examining Board with such medical evidence as the Board may require as proof that respondent is not physically or psychologically drug dependent as a result of drug misuse or abuse.

It is further ordered, that consideration be given by the Board for the issuance of a new license to the respondent by the Pharmacy Examining Board after the 24 month revocation period upon respondent's completion of not less than 160 hours of practice experience under the supervision of a licensed pharmacist approved by the Board, and successful completion by respondent of a written practice of pharmacy examination of approximately three hours and a written pharmacy jurisprudence examination of approximately one and one half hours to be given by the Board at one of its regularly scheduled examinations.

It is further ordered, that during the initial six month period of practice as a pharmacist following relicensure, respondent's license shall be subject to the following conditions of probation: (1) the respondent must provide the Pharmacy Examining Board with such medical evidence as the Board may require as proof that respondent is not physically or psychologically drug dependent as a result of drug misuse or abuse; (2) the respondent shall not violate any federal, state or pharmacy drug laws.

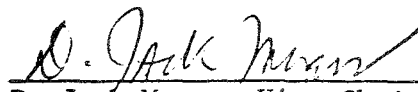
It is further ordered, that violation by respondent of any of the above probationary conditions constitutes grounds for revocation of respondent's license as a pharmacist.

BASIS FOR VARIANCE

The proposed decision of the examiner was a suspension for 18 months with specified conditions for reinstatement of respondent's license as a pharmacist. The Board's order is for a revocation of not less than 24 months with slight variations in the conditions for reinstatement. The Board's modification of the decision is based upon the potentially serious, harmful consequences to the public's health and safety of respondent's actions recited in paragraph 3 of the Findings of Fact, to-wit: substitution of mephobarbital for meperidine, and nitroglycerin and colchicine for codeine in a pharmacy's stock bottles of the respective drug. Such conduct is malum in se, in addition to the Conclusions of Law in paragraph III in the annexed proposed decision. It is therefore the judgment of the Pharmacy Examining Board that a revocation of not less than 24 months is an appropriate disciplinary sanction and that an 18 month suspension is disproportionate to the seriousness of the facts of the matter.

Let a copy of this order be served on the Respondent by certified mail.

Dated at Madison this 19 day of September, 1978.



D. Jack Myers, Vice-Chairman
Pharmacy Examining Board