

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

FILE COPY

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

CHARLES E. HALL, R.PH.,
RESPONDENT

FINAL DECISION AND ORDER

87 PHM 69

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

Charles E. Hall, R.Ph.
113 Helen Street
Sauk City, WI 53583.

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 is Charles E. Hall, (dob 11/23/44), and was at all times material to this matter licensed as a Registered Pharmacist in the state of Wisconsin with license number 7976. During all times material to this matter, respondent was the owner and managing pharmacist for Hall's Drug Store, where all activity relevant to this matter occurred. For each finding herein listed, respondent either committed the violations alleged, or is responsible for the actions of his subordinates by virtue of his position as managing pharmacist.

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2. On or about December 13, 1988, respondent failed to have on hand a biennial inventory of all Schedule II, III, IV, and V substances in the pharmacy.
3. On and near October 9, 1988 through November 4, 1988, respondent assigned the same prescription number, A17553, to three separate prescriptions: one dated October 27, 1988 to Monay W. for 40 Percocet, a Schedule II controlled substance, one undated prescription to Ralph C. for 100 Roxicet, a Schedule II controlled substance, and one dated 11/4/88 to Eric M. for 35 Percocet. The prescriptions for Ralph C. and Eric M. do not have the prescriber's DEA number upon them. None of the prescriptions includes a patient address, a date of dispensing, or the initials or other mark of the dispensing pharmacist.
4. On and near September 14, 1988 through November 8, 1988, respondent assigned the same prescription number, A17557, to three separate prescriptions: one on September 14, 1988 to Carol S. for 25 Percocet, one on October 13, 1988 to Virginia B. for 3 Tylox, and one on November 8, 1988 to Jeff L. for 50 Percocet. None of the prescriptions contains the prescriber's DEA number, the patient's address, the date of dispensing, or the initials or other mark of the dispensing pharmacist. In the cases of Virginia B. and Carol S., Roxicet has been written upon the face of the prescriptions, and apparently substituted for the prescribed medication, without further explanation or endorsement.
5. On or about October 11, 1988, respondent received a prescription for Mary Ann B. for 60 Percocet, which he listed as dispensed on that date in the patient's profile as 60 Percocet. On the face of the prescription, the word "Percocet" is lined out and the word "Roxicet" is written in a different handwriting. On November 11, 1988, respondent received a prescription for Philip J. for 50 Percocet, which prescription does not contain the DEA number of the prescriber, or the address of the patient. This prescription was assigned number A17558 by respondent. That prescription number is entered in Mary Ann B.'s patient profile as having been dispensed to her on October 14, 1988 as 60 Roxicet. On November 8, 1988, a prescription was issued to Mary Ann B. for 168 Percocet. This prescription was taken to respondent's pharmacy, where it was assigned number 117568. Respondent's profile for this patient shows that this prescription (by number) was dispensed to this patient on November 15, 1988 as 168 Roxicet. On none of the prescriptions does the date of dispensing, the initials or other mark of the dispensing pharmacist, or an explanation of the change between Percocet and Roxicet, appear.
6. On or about December 13, 1988, respondent failed to maintain his controlled substances inventory in a manner that obstructs theft.
7. On and before December 13, 1988, respondent failed to file his Schedule III, IV and V prescriptions in a readily retrievable manner, in that they were filed with

prescriptions for non-controlled substances and without a red "C" one inch in height in the lower right hand corner of the prescription order.

8. On and before December 13, 1988, respondent filed his Schedule II controlled substances prescriptions with those for non-controlled substances.

9. On each of the following dates, respondent sold a Schedule V controlled substance, without a prescription, to a person without recording the name and address of the person to whom the substance was sold: May 3, 1988, December 26, 1987, October 9, 1987, August 2, 1987, and May 22, 1987.

10. On and between February 8, and October 8, 1985 respondent sold 35 bottles of Schedule V codeine-containing substance to Judy A., without a prescription and not for a valid medical purpose or in good faith.

11. On and between February 8 and September 28, 1986, respondent sold 26 bottles of Schedule V codeine-containing substance to Mark E., without a prescription and not for a valid medical purpose or in good faith.

12. On and between August 26 and 27, 1986, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Mark E., without a prescription and within a 48 hour period.

13. On and between April 5, 1986 and May 20, 1988, respondent sold 120 bottles of Schedule V codeine-containing substance to Adelina E., without a prescription and not for a valid medical purpose or in good faith.

14. On and between September 11, and 12, 1986, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Adelina E., without a prescription and within a 48 hour period.

15. On and between May 5 and 6, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Adelina E., without a prescription and within a 48 hour period.

16. On and between December 17, 1983 and December 31, 1984, respondent sold 26 bottles of Schedule V codeine-containing substance to Rick F., without a prescription and not for a valid medical purpose or in good faith.

17. On and between January 8 and May 10, 1988, respondent sold 14 bottles of Schedule V codeine-containing substance to Candie G., without a prescription and not for a valid medical purpose or in good faith.

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18. On and between August 2, 1985 and May 15, 1988, respondent sold 130 bottles of Schedule V codeine-containing substance to Pat G., without a prescription and not for a valid medical purpose or in good faith.

19. On and between April 22, 1985 and December 5, 1988, respondent sold 130 bottles of Schedule V codeine-containing substance to James G., without a prescription and not for a valid medical purpose or in good faith.

20. On and between January 20 and 21, February 8 and 9, and April 21 and 22, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to James G., without a prescription and within a 48 hour period.

21. On and between January 1 and May 24, 1988, respondent sold 40 bottles of Schedule V codeine-containing substance to Darrel H., without a prescription and not for a valid medical purpose or in good faith.

22. On and between April 21 and 22, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Darrel H., without a prescription and within a 48 hour period.

23. On and between November 16, 1985 and August 5, 1987, respondent sold 39 bottles of Schedule V codeine-containing substance to Kim H., without a prescription and not for a valid medical purpose or in good faith.

24. On and between July 28 and 29, August 6 and 7, and September 4 and 5, 1986, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Kim H., without a prescription and within a 48 hour period.

25. On and between June 19, 1986 and December 8, 1988, respondent sold 186 bottles of Schedule V codeine-containing substance to Jody S., f/k/a Jody I., without a prescription and not for a valid medical purpose or in good faith.

26. On and between January 8 and 9, and July 4 and 5, 1987, March 24, 25, 26, and 27, April 18 and 19, May 7 and 8, and May 15 and 16, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Jody S., f/k/a Jody I., without a prescription and within a 48 hour period.

27. On and between May 16, 1986 and May 15, 1988, respondent sold 97 bottles of Schedule V codeine-containing substance to Arlene J., without a prescription and not for a valid medical purpose or in good faith.

28. On and between January 29 and 30, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Arlene J., without a prescription and within a 48 hour period.

29. On and between February 7 and August 16, 1986 respondent sold 23 bottles of Schedule V codeine-containing substance to Chris K., without a prescription and not for a valid medical purpose or in good faith.

30. On and between May 25, 1985 and May 19, 1988, respondent sold 95 bottles of Schedule V codeine-containing substance to Larry K., without a prescription and not for a valid medical purpose or in good faith.

31. On and between July 1 and 2, July 29 and 30, August 21 and 22, August 25, 26, and 27, September 1 and 2, and September 4, 5, 6, and 7, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Larry K., without a prescription and within a 48 hour period.

32. On and between November 15, 1987 and May 16, 1988, respondent sold 14 bottles of Schedule V codeine-containing substance to Mark K., without a prescription and not for a valid medical purpose or in good faith.

33. On a date unknown but between March 27 and April 11, 1988, respondent sold a bottle of Schedule V substance to Mark K., without recording the date of the sale or the name of the product.

34. On a date unknown but between May 6 and 13, 1988, respondent sold a bottle of Schedule V substance to Mark K., without recording the date of the sale.

35. On and between March 19, 1985 and June 22, 1987, respondent sold 43 bottles of Schedule V codeine-containing substance to Helen K., without a prescription and not for a valid medical purpose or in good faith.

36. On March 19, 1985, respondent sold a bottle of Schedule V substance to Helen K., without recording the name of the product.

37. On a date unknown but between September 20 and October 19, 1985, respondent sold a bottle of Schedule V substance to Helen K., without recording the date of the sale.

39. On January 5 or 6, 1984, July 18, 1986, a date unknown but between September 18 and 27, 1987, a date unknown but between November 3 and 25, 1987, and December 4, 1987, respondent sold a bottle of Schedule V substance to Helen K., without

recording the name of the product or (in the two instances noted), without recording the date of sale.

38. On and between December 11, 1983 and May 15, 1988, respondent sold 102 bottles of Schedule V codeine-containing substance to Alice K., without a prescription and not for a valid medical purpose or in good faith.

40. On and between August 14 and 15, 1987, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Alice K., without a prescription and within a 48 hour period.

41. On and between August 20, 1985 and September 28, 1986, respondent sold 72 bottles of Schedule V codeine-containing substance to Ken K., without a prescription and not for a valid medical purpose or in good faith.

42. On and between July 3 and 4, July 29, 30, and 31, August 4, 5, 6, and 7, September 8 and 9, September 11, 12, 13, 14, 15, and 16, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Ken K., without a prescription and within a 48 hour period.

43. On and between January 20, 1985 and September 30, 1986, respondent sold 38 bottles of Schedule V codeine-containing substance to Fred S., without a prescription and not for a valid medical purpose or in good faith.

44. On and between November 10, 1987 and May 21, 1988, respondent sold 40 bottles of Schedule V codeine-containing substance to Scott S., without a prescription and not for a valid medical purpose or in good faith.

45. On December 3, 1987, a date unknown but between February 27 and March 16, 1988, a date unknown but between March 26 and April 17, 1988, respondent sold a bottle of Schedule V substance to Scott S., without recording the name of the product or the signature of the pharmacist, or (in the two instances noted), without recording the date of sale.

46. On and between December 8, 1983 and May 26, 1988, respondent sold 536 bottles of Schedule V codeine-containing substance to Wendy G., a/k/a Wendy S., without a prescription and not for a valid medical purpose or in good faith.

47. On two separate occasion on dates unknown but between December 1 and 9, 1984, respondent sold a bottle of Schedule V substance to Wendy G. without recording the date of sale.

48 On and between February 6 and 7, February 14 and 15, March 14 and 15, 19 (twice on this day), 23 and 24, April 4 and 5, 9 (twice on this day), 12 and 13, 21 and 22, May 12 and 13, 23 and 24, June 3 and 4, July 14 and 15, 29, 30 and 31, 12 and 13, 27 and 28, September 4 and 5, October 4 and 5, 8 and 9, 13 (twice on this day), November 21 (twice on this day), December 9 and 10, 14 and 15, 23 and 24, 1984, January 2, 3 and 4, 14, 15 and 16, 18, 19 and 20, 24 (twice on this day), and 29 and 30, March 1 and 2, 4 and 5, 28 (twice on this day), 29 and 30, April 3 (twice on this day) 15 and 16, 21 and 22, June 6 and 7, 15 and 16, 21 and 22, July 3 and 4, August 3 and 4, and October 6 and 7, 1985, June 20 and 21, July 7 and 8, 14 and 15, 27 and 28, 30 and 31, August 26 (twice on this day), September 17 and 18, 1986, July 6 and 7, August 24 and 25, November 27 and 28, December 8 and 9 and 24 and 25, 1987, January 2, 3 and 4, 7 and 8, 14 and 15, 22 and 23, 26 (twice on this day), February 16 and 17, 21 and 22, March 3 and 4, 10 and 11, 22 and 23, April 12 (twice on this day), 15 and 16, 28 (twice on this day), May 1 and 2, 10 and 11, 17 and 18, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Ken K., without a prescription and within a 48 hour period.

49. On and between April 26, 1986 and December 8, 1988, respondent sold 231 bottles of Schedule V codeine-containing substance to Anthony S., without a prescription and not for a valid medical purpose or in good faith.

50. On and between January 8 and 9, July 4 and 5, 15 (twice on this day), September 15 and 16, November 16 and 17, 20 and 21, and 29 and 28, 1987, January 4 and 5, 29 and 30, February 19 and 20, March 24, 25, 26, and 27, April 2 and 3, 18 and 19, May 7 and 8, 10 and 11, 15 (twice on this day) and 16, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Anthony S., without a prescription and within a 48 hour period.

51. On and between April 30 and December 26, 1987, respondent sold 18 bottles of Schedule V codeine-containing substance to Jeff S., without a prescription and not for a valid medical purpose or in good faith.

52. On and between September 18 and 19 and October 23 and 24, 1987, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Anthony S., without a prescription and within a 48 hour period.

53. On and between July 7, 1986 and May 21, 1988, respondent sold 104 bottles of Schedule V codeine-containing substance to Barb S., without a prescription and not for a valid medical purpose or in good faith

54. On and between September 11 and 12, 1986, February 14 and 15, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Barb S., without a prescription and within a 48 hour period.

55. On and between February 6, 1984 and September 26, 1986, respondent sold 112 bottles of Schedule V codeine-containing substance to Linda T., without a prescription and not for a valid medical purpose or in good faith.

56. On and between October 2 and 3 and December 14 and 15, 1984, and March 12 and 13 and April 22 and 23, 1985, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Linda T., without a prescription and within a 48 hour period

57. On and between December 12, 1987 and May 15, 1988, respondent sold 22 bottles of Schedule V codeine-containing substance to Terry W., without a prescription and not for a valid medical purpose or in good faith

58. On and between November 11, 1987 and May 19, 1988 respondent sold 32 bottles of Schedule V codeine-containing substance to Jeff W., without a prescription and not for a valid medical purpose or in good faith.

59. On and between March 29 and 30 and April 29 and 30, 1988, respondent sold two 4 ounce bottles of Schedule V codeine-containing substance to Jeff W., without a prescription and within a 48 hour period.

60. On and between January 17 and April 16, 1988, respondent sold 11 bottles of Schedule V codeine-containing substance to Steve W., without a prescription and not for a valid medical purpose or in good faith.

61. On 12/10/91, respondent filled two telephoned prescriptions, #'s 2003981 and 2003982, for methadone, a Schedule II controlled substance, under nonemergency conditions and in amounts greater than necessary for an emergency situation.

62. On 11/4/91, respondent dispensed percocet under prescription # 2003949, which prescription did not contain the DEA controlled substance registration number of the prescriber.

63. On 11/27/91, respondent, through his subordinate F. Stinton, filled a telephoned prescription, # 2003926, for 20 Roxicet tablets, a Schedule II controlled substance, under nonemergency conditions and in an amount greater than necessary for an emergency situation, and without obtaining, within 72 hours, a signed written prescription from the prescriber

64. On 11/19/91, respondent dispensed Roxicet under prescription # 2003886, which prescription did not contain the DEA controlled substance registration number of the prescriber.

65. On 11/18/91, respondent filled a telephoned prescription, # 2003885, for 50 Roxicet tablets, a Schedule II controlled substance, under nonemergency conditions and in an amount greater than necessary for an emergency situation, and without obtaining, within 72 hours, a signed written prescription from the prescriber.
66. On 11/11/91, respondent, through his subordinate F. Stinton, filled a telephoned prescription, # 2003849, for 20 MS-Contin 30 mg. tablets, a Schedule II controlled substance, under nonemergency conditions and in an amount greater than necessary for an emergency situation, and without obtaining, within 72 hours, a signed written prescription from the prescriber.
67. On 11/8/91, respondent filled a telephoned prescription, # 2003837, for 5 Duragesic patches, a Schedule II controlled substance, under nonemergency conditions and in an amount greater than necessary for an emergency situation, and without obtaining, within 72 hours, a signed written prescription from the prescriber.
68. On 12/9/91, respondent filled a telephoned prescription, # 2003974, for 21 Roxiprin tablets, a Schedule II controlled substance, under nonemergency conditions and in an amount greater than necessary for an emergency situation, and without obtaining, within 72 hours, a signed written prescription from the prescriber.
69. On 12/7/91, respondent dispensed Roxicet under prescription # 2003972, which prescription did not contain the DEA controlled substance registration number of the prescriber.
70. On 12/7/91, respondent filled two telephoned prescriptions, #'s 2003970 for 40 percocet tablets and 2003971 for 10 Roxicet tablets, Schedule II controlled substances, under nonemergency conditions and in an amount greater than necessary for an emergency situation, and without obtaining, within 72 hours, a signed written prescription from the prescriber.
71. On 12/6/91, respondent dispensed Roxicet under prescription # 2003968, which prescription did not contain the DEA controlled substance registration number of the prescriber, and failed to indicate on the label of the medication the prescriber's instruction that the patient was not to take more than two per day.
72. On 12/7/91, respondent dispensed Roxicet under prescription # 2003966, which prescription did not contain the DEA controlled substance registration number of the prescriber.
73. On 12/6/91, respondent dispensed Roxicet under prescription # 2003965, which prescription did not contain the DEA controlled substance registration number of the prescriber.

74. On 12/6/91, respondent dispensed Roxicet under prescription # 2003963, which prescription did not contain the date the prescription was written by the prescriber.

75. On 12/5/91, respondent dispensed percocet under prescription # 2003960, which prescription did not contain the signature of the prescriber.

CONCLUSIONS OF LAW

76. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to § 450.10(1), Wis. Stats.

77. The Board is authorized to enter into the attached Stipulation pursuant to § 227.44(5), Wis. Stats.

78. The conduct described in paragraphs 2-75, above, violated one or more of the following: §§ 161.23(2) and (5), 161.38(4), 450.11(4)(a)6., Wis. Stats. and §§ Phar 6.07(3), 8.02(2), 8.03(2), 8.05(1) and (2), 8.09(1)(a) and (c), (2)(a), and (4), and 10.03(1), (3), (4), and (5), Wis. Adm. Code, and 21 CFR §1306.32(b) and (e). 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 the license to practice pharmacy of Charles E. Hall is hereby SUSPENDED effective 12:01 AM, May 1, 1992, until the respondent does the following:

(a) He shall take and pass with a grade of "C" or better the 3 credit course in Jurisprudence offered at the University of Wisconsin School of Pharmacy, or equivalent course at another accredited school of pharmacy. Respondent shall cause the school to report respondent's grade directly to the board. Respondent shall provide the board with a syllabus of the course, if taken at a school other than the University of Wisconsin, and the board shall determine whether the course is substantially equivalent. Such determination shall be reasonable.

(b) He shall take and pass both the Federal Drug Law Examination and the Wisconsin Pharmacy Jurisprudence Examination. The state examination may, at respondent's option, be taken through the PLATO professional development center. The state examination shall not be taken until respondent has completed the jurisprudence course.

Upon proof of passing the course and examinations, respondent's license shall be forthwith reissued and restored by the staff of the department, with no further action by the board.

During the period of suspension, respondent shall not personally consult or speak with the managing pharmacist of any pharmacy in which he has any ownership interest, on any matter involving any issue relating to the professional practice of pharmacy. Respondent may receive written business and financial reports, and discuss general marketing and business issues with the managing pharmacist. Respondent shall not be in the professional area of any pharmacy, nor shall he order or dispense prescription medications or perform any other act requiring licensure as a pharmacist including providing consultations to patients, nor shall he display any indicia of licensure.

IT IS FURTHER ORDERED, that the license of Charles E. Hall is LIMITED in the following respect: neither he, nor any pharmacy in which he has any ownership interest or for which he is the managing pharmacist, shall sell any Schedule V controlled substance without a valid prescription from an authorized practitioner.

IT IS FURTHER ORDERED, that respondent shall pay a civil forfeiture of \$33,450, this sum being determined as follows:

(a) \$22,800 for the 2,280 bottles of Schedule V controlled substances improperly sold to the various patients listed above.

(b) \$8,750 for the 175 violations of the 48 hour rule and the rules regarding complete recordkeeping in the register.

(c) \$1,000 for failing to make and have on hand a controlled substances inventory.

(d) \$1,500 for the Schedule II controlled substance prescription violations.

Respondent shall pay this sum at a rate of no less than \$2,000 per month beginning May 1, 1992, until paid in full.

IT IS FURTHER ORDERED, that respondent shall pay the costs of investigation and prosecution of this matter, in the amount of \$2,000, within 60 days of this order.

Dated this 14th day of April, 1992.

WISCONSIN PHARMACY EXAMINING BOARD

by: Thomas McEugene
a member of the Board

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
CHARLES E. HALL, R.PH.	:	
RESPONDENT.	:	87 PHM 69

It is hereby stipulated between the above Respondent, personally on his own behalf, and the Department of Regulation and Licensing, Division of Enforcement by its undersigned attorney as follows:

1. This Stipulation is entered into as a result of a pending investigation of licensure of Respondent by the Division of Enforcement. Respondent consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Respondent is aware and understands his rights with respect to disciplinary proceedings, including the right to a statement of the allegations against him; a right to a hearing at which time the State has the burden of proving those allegations; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel attendance of witnesses by subpoena; the right to testify himself; 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Respondent voluntarily and knowingly waives the rights set forth in paragraph 2 above, on the condition that all of the provisions of this Stipulation are approved by the Board.
4. Respondent is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to execution of this Stipulation.
5. With respect to the attached Final Decision and Order, Respondent admits the facts set forth in the Findings of Fact, and further agrees that the Board may reach the conclusions set forth in the Conclusions of Law, and may enter the Order.

Stipulation
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6. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation or the proposed Final Decision and Order, 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.

7. If the Board accepts the terms of this Stipulation, the parties to this Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

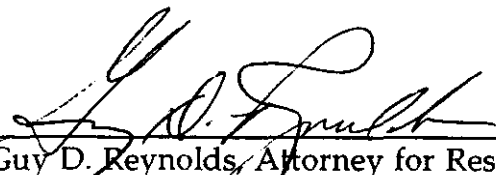
8. Respondent agrees that an attorney for the Division of Enforcement may appear at any deliberative meeting of the Board, in open or closed session, without the presence of Respondent or Respondent's attorney, with respect to this Stipulation but that appearance is limited to statements solely in support of this Stipulation, and to answering questions asked by the Board and its staff, and for no other purpose.

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

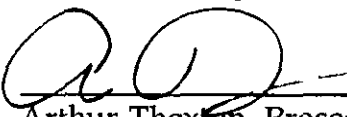
10. Respondent is informed that should the board adopt this stipulation, the board's final decision and order adopting the terms of the stipulation shall be published in the Monthly Disciplinary Report issued by the department, and a summary of the order adopting the terms of the stipulation shall be published in the Wisconsin Regulatory Digest issued semiannually by the department, all of which is standard Department policy and in no way specially directed at Respondent.


Respondent

3-31-92
Date


Guy D. Reynolds, Attorney for Respondent

3-31-92
Date


Arthur Thexton, Prosecuting Attorney
Division of Enforcement

4/6/92
Date

NOTICE OF APPEAL INFORMATION

**(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)**

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with

the State of Wisconsin Pharmacy Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Pharmacy Examining Board

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Pharmacy Examining Board.

The date of mailing of this decision is April 15, 1992.