

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

FINAL DECISION AND ORDER
ADOPTING STIPULATION
92 PHM 59

4. During this period, Jennifer Helbig was impaired with a serious

cocaine addiction which, Helbig asserts, caused her to unlawfully divert for her own use significant quantities of the cocaine ordered for the Dean Clinic.

5. Helbig, while acting in her capacity as a licensed pharmacist and managing pharmacist of Dean Pharmacy, diverted for her own use without any authorization significant quantities of cocaine hydrochloride and attempted to cover this diversion either by falsifying records or not keeping adequate records of the manner in which the cocaine was held or distributed to the other Dean pharmacies or dispensed to the clinics.

6. Jennifer Ann Helbig has undergone inpatient and outpatient treatment for chemical abuse and dependency from April 5, 1992 to April 21, 1992, and has subsequently undergone outpatient treatment for the same conditions. Ms. Helbig has been diagnosed with cocaine, cannabis and alcohol dependence.

7. On March 9, 1993, Jennifer Helbig pled guilty to one count of obtaining possession of a controlled substance by misrepresentation, fraud, deception or subterfuge, contrary to 21 U.S.C. sec. 843(1)(c), a federal offense carrying a potential fine of four (4) years imprisonment and a \$30,000 fine. This case is assigned to Judge John C. Shabaz.

8. Conviction of the federal offense listed above is substantially related to the practice of pharmacy and by itself may be a basis for disciplinary action under sec. 450.10(1)(b).

9. Since entering drug treatment in April 1992, Jennifer Helbig represents she has continued to participate in outpatient treatment including impaired professionals support groups at New Start, in addition to AA and NA meetings.

10. Respondent represents it has been difficult under the circumstances for Ms. Helbig to find work in any capacity, and she has spent a considerable amount of her free time working in the Community Meal Program serving meals to the homeless and impoverished through St. Paul Catholic Church in Madison, Wisconsin.

11. In lieu of summary suspension, on July 14, 1992 and February 9, 1993, the Pharmacy Examining Board issued an Interim Order Adopting Stipulation concerning Jennifer Ann Helbig, R.Ph., which order provided for the voluntary surrender by Ms. Helbig of her license to practice pharmacy in the State of Wisconsin, pending investigation and final action by the Board in this matter.

CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to sec. 450.10(1), Wis. Stats., and is authorized to enter the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

2. Jennifer Ann Helbig, R.Ph., engaged in conduct which constituted a danger to the health, welfare and safety of patients and the public, and as such constitutes unprofessional conduct under sec. Phar 10.03(2), Wis. Adm. Code and sec. 450.10(1)(a), Wis. Stats., and therefore subjects her to discipline under sec. 450.10(1)(b), Wis. Stats.

3. Jennifer Ann Helbig, R.Ph., practiced pharmacy while her ability to do so was impaired by abuse of drugs, which constitutes unprofessional conduct

under sec. 450.10(1)(a)3, Wis. stats., and therefore subjects her to discipline under sec. 450.10(1)(b), Wis. Stats.

4. Jennifer Ann Helbig, R.Ph., engaged in conduct as described above in violation of federal statutes and rules substantially related to the practice of pharmacy, which constitutes unprofessional conduct under sec. 450.10(1)(a)3, Wis. Stats., and therefore subjects her to discipline under sec. 450.10(1)(b), Wis. Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED as follows:

1. The Stipulation of the parties is hereby accepted.
2. Effective immediately, the license to practice pharmacy in the State of Wisconsin of Jennifer Ann Helbig, R.Ph., license #10348, is hereby REVOKED. Jennifer Ann Helbig shall not apply again for a license to practice pharmacy in the State of Wisconsin for a period of not less than three (3) years following the date of this Order.
3. Effective immediately, Jennifer Ann Helbig shall not practice pharmacy in any capacity in any pharmacy, nor shall be present in the licensed professional service area of any pharmacy, in the State of Wisconsin while not licensed as a pharmacist by the Wisconsin Pharmacy Examining Board.
4. Upon any application for relicensure by Jennifer Ann Helbig, the Board may impose any terms, conditions or limitations for consideration of application or re-licensure that it deems necessary and appropriate in its discretion for protection of the public relating to rehabilitation, re-education, monitoring, supervision, examination, and periodic reporting.
5. Jennifer Ann Helbig is hereby assessed costs of this investigation and proceeding pursuant to sec. 440.22, Wis. Stats., in the amount of \$3904.00. No license or credential shall be issued by the Department to Jennifer Ann Helbig unless costs assessed herein are paid in full.

Dated this 11 day of MAY, 1993.

WISCONSIN PHARMACY EXAMINING BOARD

By: Charles M. Dunkel, R.Ph.
A member of the Board

I, Jennifer Ann Helbig, have read and understand the terms of the foregoing Final Decision and Order Adopting Stipulation, and pursuant to the attached Stipulation hereby freely consent to the issuance of the foregoing Final Decision and Order Adopting Stipulation by the Wisconsin Pharmacy Examining Board.

Dated: 5-10-93

Dated: 5-11-93

Jennifer Ann Helbig, R.Ph.
Jennifer Ann Helbig, R.Ph., Respondent

Glenn C. Reynolds
Attorney for Respondent

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
JENNIFER ANN HELBIG, R.PH.,	:	92 PHM 59
RESPONDENT	:	
	:	

The parties in this matter, Jennifer Ann Helbig, R.Ph., Respondent, personally and by her attorney, Glenn C. Reynolds, and the Department of Regulation and Licensing, Division of Enforcement, by its attorney, Robert T. Ganch agree and stipulate as follows:

1. An investigation is pending concerning the license to practice pharmacy in the State of Wisconsin of Jennifer Ann Helbig, R.Ph. Jennifer Ann Helbig, R.Ph., consents to the resolution of this matter by stipulation and without formal disciplinary proceedings.
2. The Respondent understands by signing this Stipulation that she voluntarily and knowingly waives her rights in this matter, including the right to a hearing on the allegations against her, at which time the State has the burden of proving the allegations by preponderance of the evidence, the right to confront and cross-examine the witnesses against her, the right to call witnesses on her own behalf and to compel their attendance by subpoena, the right to testify in her own behalf, 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 and the Wisconsin Administrative Code.
3. The Respondent neither admits nor denies, but chooses not to contest the material factual allegations and statements of the Findings of Fact and Conclusions of Law in the attached Final Decision and Order Adopting Stipulation and accepts the terms of discipline of the attached Order.
4. The Respondent and the Division of Enforcement recommend that the Pharmacy Examining Board adopt this Stipulation and the attached Final Decision and Order Adopting Stipulation in this matter.
5. If the terms of this Stipulation and attached Final Decision and Order Adopting Stipulation are not acceptable to the Board, then none of the parties shall be bound by any of the terms, and this matter shall be returned to the Division of Enforcement for further proceedings.
6. The attached Findings of Fact, Conclusions of Law, Final Decision and Order may be made and entered in this matter by the Wisconsin Pharmacy Examining Board, without prior notice to any party.

7. All parties agree that the attorney for the Department of Regulation and Licensing, Division of Enforcement and the Board Advisor appointed in this matter may appear before the Wisconsin Pharmacy Examining Board to argue in favor of acceptance of this Stipulation and the entry of the attached Findings of Fact, Conclusions of Law, Final Decision and Order. The parties further agree that the Division's attorney and the Board Advisor may further respond to any questions of the Board during its deliberation on this matter in closed session. The parties further agree that each waives any objection that the Pharmacy Examining Board may be considered biased or prejudiced in any manner by the Board's consideration of this proposed Stipulation and Final Decision and Order Adopting Stipulation.

8. This agreement in no way prejudices the Pharmacy Examining Board from any further action against Respondent based on any acts not stated in the present Findings of Fact which might be violative of the Wisconsin Pharmacy Examining Board Statutes and Rules.

9. If this Stipulation is adopted by the Wisconsin Pharmacy Examining Board, the attached Order shall become effective as stated in the Order.

May 11, 1993
Date

Robert T. Ganch
Robert T. Ganch
Attorney
Department of Regulation and Licensing
Division of Enforcement

5-10-93
Date

Jennifer Ann Helbig
Jennifer Ann Helbig, R.Ph., Respondent
Glenn C. Reynolds
Glenn C. Reynolds, Attorney for
Respondent

5-11-93
Date

Pharmacy Examining Board, by:

5-11-93
Date

Charles H. Dinkel, R.Ph.
A Member of the Board

RTG
ATY2

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 MAY 14, 1993.