

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

FILE COPY

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

TODD A. CROWLEY, R.Ph., and,
MEMORIAL COMMUNITY HOSPITAL PHARMACY
RESPONDENTS

FINAL DECISION AND ORDER
93 PHM 022

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

Todd A. Crowley, R.Ph.
5317 Terra Court
Milton, WI 53563

Memorial Community Hospital Pharmacy
313 Stoughton Road
Edgerton, WI 53534

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 in this matter, subject to the approval of the Board. The Board has reviewed the Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Todd A. Crowley (D.O.B. 4/17/57) is duly licensed in the state of Wisconsin as a pharmacist (license # 10909). This license was first granted March 17, 1987. Mr. Crowley's latest address on file with the Department of Regulation and Licensing is 5317 Terra Court, Milton, WI 53563.
2. Memorial Community Hospital Pharmacy is duly licensed in the state of Wisconsin as a pharmacy (license # 5430). This license was first granted April 13, 1973. The latest address of the pharmacy on file with the Department of Regulation and Licensing is 313 Stoughton Road, Edgerton, WI 53534.
3. At all times relevant to this action Todd A. Crowley was the managing pharmacist of the Memorial Community Hospital Pharmacy.
4. Some time prior to January, 1992, Respondent Crowley allowed keys to the locked pharmacy room at Memorial Community Hospital to be distributed to the Director of Nursing and nurse staff supervisor.

5. Controlled substances in the hospital pharmacy room were kept in a locked storage cabinet. However, Respondent Crowley kept a spare key for the controlled substances cabinet in an unlocked desk drawer in the pharmacy room, for use by the hospital nursing staff in an emergency.

6. On February 24, 1992, during a routine inventory Respondent Crowley discovered the following drugs missing from the locked cabinet:

3	B&O Suppositories,
32	Mepergen Fortis capsules,
25	Methadone 5mg UD tablets,
16	Roxicet UD tablets.

7. On March 4, 1992, during a routine inventory of outdated drugs Crowley discovered the following drugs missing from the locked cabinet:

25	Dilaudid 2mg UD tablets,
50	Talwin NX 50mg tablets,
47	Percodan 5mg tablets,
70	Dolophine 5mg tablets,
50	Tylenol # 4 60mg tablets,
10	Morphine 15mg syringes,
4	RMS 10mg suppositories.

8. On March 22, 1992, hospital personnel discovered that sealed bottles that had been stored in the locked cabinet had been tampered with and that the following drugs were missing:

32	Demerol 50mg tablets,
26	Dilaudid 1mg tablets.

9. On March 12, 1993, and March 26, 1993, Respondent Crowley filed a report of theft or loss of controlled substances with the U.S. Drug Enforcement Administration regional office. However, Respondent Crowley did not notify local law enforcement officials and he failed to notify the Wisconsin Pharmacy Examining Board as required by Wis. Adm. Code sec. 8.02(3)(f).

CONCLUSIONS OF LAW

By the conduct described above, Todd A. Crowley is subject to disciplinary action against his license to practice as a pharmacist in the state of Wisconsin pursuant to Wis. Stats. sec. 450.09(2), 450.10(1), and Wis. Adm. Code sec. Phar 6.07(3), 8.02(3)(f) and 10.03(2).

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

The Board is authorized to enter into the attached Stipulation pursuant to Wis. Stats. sec. 224.44(5).

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is accepted.
2. Todd A. Crowley is REPRIMANDED for his unprofessional conduct in this matter.
3. Todd A. Crowley shall, within 20 days of the date of this Order pay to the Department of Regulation and Licensing a FORFEITURE in the sum of \$ 250.00.
4. Todd A. Crowley shall pay the COSTS of the investigation and prosecution of this action in the sum of \$ 200.00 to the Department of Regulation and Licensing within 60 days of the date of this Order.
5. The action against the Respondent, Memorial Community Hospital Pharmacy is dismissed.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

This Order shall become effective upon the date of its signing.

Wisconsin Pharmacy Examining Board

By: Charles H. Dunkel, R.Ph. 9-14-93
Chair Date

jwh

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
TODD A. CROWLEY, R.Ph., and	:	
MEMORIAL COMMUNITY HOSPITAL PHARMACY,	:	93 PHM 022
RESPONDENTS	:	

It is hereby stipulated between Todd A. Crowley, personally on his own behalf and James W. Harris, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Todd A. Crowley's licensure by the Division of Enforcement. Mr. Crowley consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Mr. Crowley understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance 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.

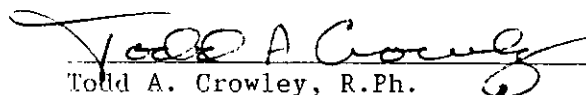
3. Mr. Crowley is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

4. Mr. Crowley agrees to the adoption of the attached Final Decision and Order by the Wisconsin Pharmacy Examining 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. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

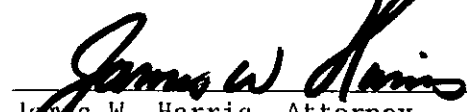
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties 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 for the Division of Enforcement may appear before the Wisconsin Pharmacy Examining Board for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Mr. Crowley in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

 RPh
Todd A. Crowley, R.Ph.

Sept 9, 1993
Date


James W. Harris, Attorney
Division of Enforcement

Sept 9, 1993
Date

jwh

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 September 16, 1993.