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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DAVID L. KLEINGARTNER, R.Ph.,	MODIFICATION OF ORDER
RESPONDENT	(September 1999)

To: David L. Kleingartner, R.Ph.

3028 Hillcrest Pkwy, Apt M1

Altoona, WI 54720

On June 10, 1998, the State of Wisconsin Pharmacy Examining Board issued a *Final Decision and Order* in the above-captioned matter. Among the terms and conditions set forth in the board's order was that Mr. Kleingartner could not be employed nor work in the capacity of a "pharmacist-in-charge", as defined in Phar 1.02 (9), Wis. Adm. Code, and that his pharmacy practice must be performed in the presence of another pharmacist. By a *Modification of Order* dated June 22, 1999, the board authorized Mr. Kleingartner to act as a pharmacist-in-charge for eight hours per week, with a maximum of four consecutive hours on any one day.

Mr. Kleingartner has requested that his practice supervision requirement be modified to permit him to practice without supervision of another pharmacist an additional eight hours per week. His request was supported by his employer and treatment facility. The record indicates that the progress of Mr. Kleingartner in treatment has been such as to permit him additional practice as a pharmacist-in-charge. However, the board does not believe that he should be permitted to practice unsupervised for another full eight hours; but rather, believes it is more appropriate at this time in his recovery that he be permitted another four hours of unsupervised practice. Accordingly, the board granted the corresponding modification to Mr. Kleingartner's Order.

Based upon the foregoing,

IT IS HEREBY ORDERED that David L. Kleingartner, R.Ph., may act as a pharmacist-in-charge within the meaning of section Phar 1.02 (9), Wis. Adm. Code, and thereby perform professional pharmacy services without the continuous presence and supervision of another licensed pharmacist for a maximum of twelve (12) hours per week, with a maximum of four (4) consecutive hours on any one day.

FURTHERMORE, IT IS ORDERED that in all other respects, the previous orders of the board in this matter remain in full force and effect.

Kleingartner Modification Order

September 1999

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Dated: September 15, 1999.

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

Daniel F. Luce, R.Ph.

Chairman