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STATE OF WISCONSIN

BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST

DAVID L. KLEINGARTNER, R.Ph.,

RESPONDENT.

MODIFICATION OF ORDER

(June 1999)

To:

David L. Kleingartner, R.Ph.
1827 16th Ave.
Bloomer, WI 54724

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.

On June 16, 1999 the board considered a request from Mr. Kleingartner that he be permitted to work 18 hours every week without the supervision of another pharmacist. The board determined that it is appropriate to permit Mr. Kleingartner to commence providing pharmacy services without supervision. However, the board believes that Mr. Kleingartner should initially resume unsupervised practice on a more limited basis than requested at this point in his recovery. Accordingly, as ordered below, the board authorizes Mr. Kleingartner to practice without supervision for 8 hours each week, with a maximum of 4 consecutive hours on any given day.

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 eight (8) 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.

Dated: June 22nd, 1999.

STATE OF WISCONSIN

PHARMACY EXAMINING BOARD

Daniel F. Luce, R.Ph.

Chairman