

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY

|                        |                                 |
|------------------------|---------------------------------|
| PROCEEDINGS AGAINST :  | <b>FINAL DECISION AND ORDER</b> |
|                        | 97 PHM 50                       |
| CRAIG R. OSNESS, R.Ph. | LS9903102PHM                    |
| RESPONDENT             |                                 |

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

*Craig R. Osness, R.Ph.  
2400 E. Bradford Ave.  
Milwaukee, WI 53211*

*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

- Respondent Craig R. Osness (dob 6/6/67) is and was at all times relevant to the facts set forth herein a registered pharmacist licensed in the State of Wisconsin pursuant to license #11805, originally granted on 6/9/92.
- Respondent was, between May, 1995, and October 16, 1996, the managing pharmacist for Walgreen #3616, a community pharmacy in Milwaukee. Following October 16, 1996, it was discovered through audit that 5 pints of codeine and hydrocodone syrup and approximately 58,000 solid oral dosage units of other controlled substances including narcotics, benzodiazepines, phentermine, propoxyphene, and barbiturates, had been received but were missing from the pharmacy and could not be accounted for.
- Respondent has been evaluated on an inpatient basis and there is insufficient evidence to form a diagnosis that he is impaired. Respondent denies any knowledge of the missing controlled substances.

CONCLUSIONS OF LAW

- The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to §450.10, Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
- The conduct described in paragraph 2, above, violated §450.08(1), Wis. Stats., in that the managing pharmacist is responsible for the professional operations of the pharmacy, and § Phar 8.02(1), Wis. Adm. Code, in that complete and accurate records of each controlled substance received by the pharmacy were not kept. 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 Craig R. Osness, R.Ph., is REPRIMANDED for his unprofessional conduct in this matter.  
IT IS FURTHER ORDERED, that the license of respondent is LIMITED in the following respects:

- Respondent shall not be the managing pharmacist of any pharmacy.
  - Respondent shall provide a copy of this Order to any employer who is a licensee of any state board of pharmacy, a DEA registrant, or an FDA registrant, before commencing employment in any capacity with such licensee or registrant. If respondent works for a temporary agency, he shall provide a copy of this Order to the agency and to any such licensee or registrant before commencing services constituting the practice of pharmacy for a client of the agency.
- IT IS FURTHER ORDERED, that respondent shall FORFEIT \$2,000, to be paid before his license is next renewed.  
IT IS FURTHER ORDERED, that respondent shall pay COSTS in this matter in the amount of \$1,400, before his license is next renewed.  
IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and ch. RL 6, Wis. Adm. Code, if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license of respondent be summarily suspended pending investigation of the alleged violation.

Dated this March 10, 1999  
WISCONSIN PHARMACY EXAMINING BOARD,  
Daniel Luce, R.Ph.

by: a member of the board

