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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

GORDON M. GWOSDOW, R.Ph.;

RESPONDENT.

FINAL DECISION AND ORDER

LS9912071PHM

99 PHM 042

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

Gordon M. Gwosdow, R.Ph.
1806 E. Robin Way, Apt. A
Appleton, WI 54915

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

1. Respondent Gordon M. Gwosdow (dob 04/12/51) 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 # 10784, originally granted on March 25, 1986.
2. At all times relevant to this action Respondent was employed as a clinical pharmacy coordinator at St. Elizabeth Hospital, Appleton, Wisconsin.
3. On June 1, 1999, Respondent was hospitalized for colon cancer surgery. On June 14, 1999, Respondent was released from the hospital while under the effect of prescribed morphine and benzodiazepine medication. According to Respondent's physician the medications induced delirium, confusion and hallucinatory distortions.
4. Upon discharge from the hospital Respondent was issued prescription orders for Humulin insulin with one refill authorized, and Tylenol # 3 with codeine with no refills authorized. Respondent altered the prescription orders to provide 11 refills of the insulin and 2 refills of the Tylenol # 3. Respondent also added an address to both prescription orders.
5. The prescription orders were presented by Respondent's wife to a Walgreen's pharmacist who detected the alterations and contacted the prescriber.
6. Upon confrontation Respondent admitted to making the alterations but had no rational explanation for doing so. Respondent's psychiatrist attributes the conduct to acute delirium associated with post-operative

medication and found no evidence of cognitive impairment or other condition. An AODA evaluation of Respondent conducted by Dr. Bruce Heyl, M.D., on October 7, 1999, resulted in a finding of no diagnosable drug or alcohol related condition.

7. Respondent entered into a deferred prosecution agreement in Outagamie Circuit Court Case 99 CM 1189 for a period extending to October, 2000.
8. Respondent remains in recuperative treatment for his medical condition and is not currently employed as a pharmacist.

CONCLUSIONS OF LAW

A. 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.

B. The conduct described in paragraph 2, above, violated § 450.11(7)(a), (c) and (e) Stats., and PHAR 10.03(1) Wis. Adm. Code. 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

1. Gordon M. Gwosdow is REPRIMANDED for his unprofessional conduct in this matter.
2. The license of Respondent to practice as a pharmacist in the state of Wisconsin is LIMITED in that for a period of one year following the date of this Order Respondent shall cause to be filed with the Department Monitor, Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, WI 53708-8935, on a quarterly basis as directed, the following:
 - a. copies of compliance reports filed by Respondent with the Outagamie County Circuit Court,
 - b. report from Respondent's supervising health care provider assessing Respondent's medical and mental health status,
 - c. report from Respondent's pharmacy practice employer assessing Respondent's work performance.
3. Respondent shall furnish a copy of this Order to all present and prospective pharmacy employers during the term of this Order before engaging in the practice of pharmacy.
4. Respondent shall pay COSTS in this matter in the amount of \$ 100.00, within 30 days of this order.
5. 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 December 7, 1999

WISCONSIN PHARMACY EXAMINING BOARD, by

Daniel Luce, R. Ph.

a member of the board