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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST:

CHARLES E. HALL, R.Ph.

FINAL DECISION AND ORDER

RESPONDENT

LS01101011PHM

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

Charles E. Hall, R.Ph.

126 Washington St.

Sauk City, WI 53583

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 Charles E. Hall, R.Ph. (d.o.b. 11/23/44), 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 #7976, originally granted on 4/3/70. Respondent was previously disciplined by the Board in file 87 PHM 69, on 4/14/92, for multiple and repeated controlled substances handling and recordkeeping violations, failure to have a biennial inventory, and inappropriate sales of C-V substances; he was suspended and ordered to take the pharmacy law course at a school of pharmacy and pass the law-related exams then required for licensure, prohibited from selling C-V substances without prescription, and ordered to forfeit \$33,450 plus costs. At all times material to the matters set forth below, respondent was the owner and managing pharmacist of Hall Pharmacies, Inc., a community pharmacy, where the activities described below took place.

2. On 8/8/01, an investigator for the Board observed respondent permit an unlicensed person transfer prescriptions to two patients, without a consultation from a pharmacist.

3. On 5/1/00, respondent signed the following statement in connection with the renewal of his pharmacist license: "I have completed 30 hours of ACPE-approved continuing education beginning June 1, 1998 and ending May 31, 2000, and have or will have evidence of this certification by the providing institution, which I will furnish to the Pharmacy Examining Board upon request." In fact, respondent did not have such evidence, and admitted to a Board investigator that he had discarded all evidence of his CE for the biennium 7/1/98-6/30/00 at the end

of the calendar year 2000 and thus could not demonstrate having taken any CE at all.

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 § Phar 7.01(1)(e) and (em), Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

C. The conduct described in paragraph 3, above, violated §450.085(1), Wis. Stats., and § Phar 16.05, 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, Charles E. Hall, R.Ph., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall FORFEIT \$2,000, consisting of \$50 per missing hour for the CE violation and \$500 for the consultation violation, within 30 days of this order.

IT IS FURTHER ORDERED, that within 60 days of this Order, respondent shall forward to the Department Monitor, evidence of having completed 30 hours of ACPE-approved continuing education. These credits shall not be used to satisfy respondent's CE requirement in the current or any other biennium.

IT IS FURTHER ORDERED, that respondent shall pay COSTS in this matter in the amount of \$300, within 30 days of this order.

IT IS FURTHER ORDERED, that an investigator of the department shall observe the practice of pharmacy at respondent's practice location, without advance notice to respondent, at a time convenient to the department, but no less than six nor more than twelve months from the date of this Order. Respondent shall cooperate by furnishing respondent's work schedule upon request.

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 October 10, 2001.

WISCONSIN PHARMACY EXAMINING BOARD, by:

John Bohlman

A Member of the board