

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST:

JENNY S. KREGEL, R.PH,	FINAL DECISION AND ORDER
RESPONDENT	LS0110104PHM

01 PHM 026

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

Jenny S. Kregel
2227 E. Glendale Avenue
Whitefish Bay, 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

1. Respondent Jenny S. Kregel, R.Ph. (d.o.b. 01/23/57), 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 # 9894, originally granted on December 3, 1980.
2. At all times relevant to this action Respondent was employed as a pharmacist at Walgreens Pharmacy, 8615 N. Port Washington Road, Fox Point, Wisconsin.
3. In June, 2001, while on duty, Respondent was observed pocketing a medication. It was later determined that the medication taken was Fiorinal®, a Schedule III drug. The pharmacy reports that there was a shortage of 27 tablets. Respondent admitted to removing 5 tablets for her personal use.
4. An AODA evaluation of Respondent conducted on July 12, 2001, by Cedar Creek Family Counseling Center resulted in the conclusion of the evaluator: "the incident...appears to be situational in nature." "Ms. Kregel does not appear to meet any of the criteria for any type of chemical dependency or alcohol dependency syndrome." A letter from Respondent's personal physician, Dr. Marvin R. Wooten, M.D., states that Respondent has been under the doctor's care for the past three years for evaluation and treatment of chronic daily tension and migraine

headaches. Therapy involves use of medication including Fiorinal® and the doctor has no evidence to suggest a chemical dependence upon Fiorinal®.

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 10.03(1). 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, Jenny S. Kregel, R.Ph., is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that Respondent shall pay COSTS in this matter in the amount of \$ 100.00, to the Department of Regulation and Licensing 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 10th, 2001.

WISCONSIN PHARMACY EXAMINING BOARD, by:

John Bohlman

A Member of the board