

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
ANN E. MOORE, R.PH.,	:	LS02111202PHM
RESPONDENT	:	

01 PHM 004

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

Ann E. Moore, R.Ph.
3140 Spring Valley Road
Oshkosh, WI 54904

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 Ann E. Moore, R.Ph. (d.o.b. 08/19/53) 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 # 9927, originally granted March 18, 1981. Ms. Moore was the managing pharmacist of Vencare Pharmacy Services, New Berlin, Wisconsin, from April 1, 2000, to November 27, 2000.

2. A review of the "emergency" schedule II controlled substance prescription orders during the period that Respondent was the managing pharmacist in the year 2000, revealed that on 8 occasions the pharmacy had not obtained written orders signed by the prescribing practitioner and containing the words "authorization for emergency dispensing" as required by Phar. 8.09(4). The pharmacy did not notify the board or department of the failure to obtain the written orders.

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 § 450.10(1)(a)(2) Stats., and Phar. 8.02(1), 8.09(4) and 10.03(7) 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, Ann E. Moore, R.Ph., is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that Respondent shall pay a FORFEITURE OF \$ 800, and COSTS in this matter in the amount of \$ 200.00, within 30 days of this order to the Department of Regulation and Licensing.

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 November 12th, 2002.

Susan Sutter

A Member of the board