

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	<b>FINAL DECISION AND ORDER</b>
	:	
OSCO DRUG # 5020,	:	LS02111203PHM
RESPONDENT.	:	

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

Oscos Drug # 5020  
2300 Roosevelt Road  
Marinette, WI 54143

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 Oscos Drug # 5020 is duly licensed as a pharmacy in the State of Wisconsin pursuant to license # 42-5989, originally granted September 20, 1978.
- Respondent operated as a pharmacy without a managing pharmacist from January 9, 2002, to February 22, 2002 (44 days), in violation of Wis. Stats. s. 450.09(1). Each day of violation constitutes a separate offense.

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 Wis. Stats. s. 450.09(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 Osco Drug # 5020 is REPRIMANDED.

IT IS FURTHER ORDERED, that the Respondent FORFEIT the sum of \$ 2,200.00 to be paid to the Department of Regulation and Licensing within 30 days of the date of this order.

IT IS FURTHER ORDERED, that Respondent shall pay COSTS in this matter in the amount of \$ 600.00, within 30 days of this order.

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 12<sup>th</sup>, 2002.

WISCONSIN PHARMACY EXAMINING BOARD

Susan Sutter

A Member of the board