

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE PHARMACY EXAMINING BOARD

In The Matter Of Disciplinary Proceedings Against :  
ORDER : FINAL DECISION AND  
SELECT SPECIALTY HOSPITAL, : LS0308133PHM  
Respondent. :

Division of Enforcement Case No. 02 PHM 104

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

Select Specialty Hospital  
2900 W. Oklahoma Ave. 4<sup>th</sup> Floor  
Milwaukee, WI 53215

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 Wisconsin Pharmacy Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Select Specialty Hospital and by Michael J. Berndt, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Pharmacy Examining Board makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

- 1. Select Specialty Hospital, 2900 W. Oklahoma Ave. 4<sup>th</sup> Floor, Milwaukee, Wisconsin,

53215, is duly licensed as a pharmacy in the State of Wisconsin pursuant to license #42-8237, granted on September 25, 2002.

2. A new pharmacy inspection conducted on November 1, 2002, revealed from September 25, 2002 until November 1, 2002, Select Specialty Hospital (2900 Oklahoma Ave. 4<sup>th</sup> Floor N, Milwaukee, WI 53215, license #42-8237) failed to have a centrally monitored alarm system in the pharmacy as required by Wis. Admin. Code § Phar 6.08.

**CONCLUSIONS OF LAW**

1. 1. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to § 450.10, Stats. and is authorized to enter into the attached Stipulation pursuant to § 227.44(5), Stats.

2. The conduct described in paragraph 2 above is in violation of Wis. Adm. Code § Phar 6.08

**ORDER**

NOW, THEREFORE, IT IS ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that Select Specialty Hospital is REPRIMANDED.

IT IS FURTHER ORDERED that Select Specialty Hospital shall pay costs in the amount of \$100.00, within 30 days of the date of this Final Decision and Order.

IT IS FURTHER ORDERED that Select Specialty Hospital shall forfeit the sum of \$600.00 to be paid to the Department of Regulation and Licensing, 1400 E. Washington Avenue, P.O. Box 8935, Madison, Wisconsin, 53708-8935, within 30 days of the date 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 Select Specialty Hospital 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 at Madison, Wisconsin, this 13<sup>th</sup> day of August, 2003.

WISCONSIN PHARMACY EXAMINING BOARD

**Susan Sutter**

**Member, Wisconsin Pharmacy Examining Board**