

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
SALLY J. KETTERER, R.PH., : LS0606222PHM
RESPONDENT. :

04 PHM 22

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

Sally J. Ketterer, R.Ph.
1573 Hwy 78 S
Mount Horeb, WI 53 572

Wisconsin Pharmacy Examining Board
1400 E. Washington Ave.
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, Sally J. Ketterer, R.Ph., Respondent, and Pamela M. Stach, attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Pharmacy Examining 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. Sally J. Ketterer, R.Ph., 1573 Hwy 78 S, Mount Horeb, Wisconsin, 53572 (D.O.B. October 26, 1946) is duly licensed in the state of Wisconsin as a pharmacist (license # 8050). This license was first granted on June 25, 1970.
2. An investigation, entitled 04 PHM 22 is pending before the Wisconsin Pharmacy Examining Board.
3. On July 15, 2004 an investigator for the Board observed, on multiple occasions, an unlicensed person transfer prescriptions to patients without a consultation from a licensed pharmacist. At the time, the Respondent was the only pharmacist on duty but she did not have any interaction with the patients.

CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction in this proceeding pursuant to §450.10 Wis. Stats. and is authorized to resolve this proceeding by Stipulation without an evidentiary hearing pursuant to §227.44 (5) Wis. Stats.
2. Respondent's conduct of allowing unlicensed persons to transfer prescriptions to patients and failing to provide consultations to patients constituted a violation of § Phar 7.01(1)(e) and (em) Wis. Adm. Code.

ORDER

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

IT IS FURTHER ORDERED, that Sally J. Ketterer, R.Ph., is REPRIMANDED.

IT IS FURTHER ORDERED that Respondent shall FORFEIT TWO HUNDRED FIFTY DOLLARS (\$250), to be paid within sixty (60) days from the date of this order.

IT IS FURTHER ORDERED that Respondent shall pay COSTS in the amount of THREE HUNDRED FIFTY DOLLARS (\$350.00), to be paid within sixty (60) days from the date of this order.

All payments shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to: Department Monitor, Division of Enforcement, Dept. of Regulation & Licensing, P. O. Box 8935, Madison, WI 53708-8935

IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and 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.

This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin, this 22nd day of June, 2006.

By: Michael Bettiga
A Member of the Board