

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 :

INTERIM ORDER

SCOTT D. ISAACSON, R.Ph., :
RESPONDENT. :

LS0610191PHM

Division of Enforcement Case No. 06 PHM 065

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

Scott D. Isaacson, R.Ph.
3223 Tiburon Drive
Eau Claire, WI 54701

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Pharmacy Examining Board
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

A Notice of Hearing and Complaint were filed in this matter on October 17, 2006. The parties in this matter agree to the terms and conditions of the attached Stipulation and Interim Order until a Final Decision and Order is entered on the Complaint, subject to the approval of the 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. Scott D. Isaacson, R.Ph., date of birth June 24, 1957, is licensed by the Wisconsin Pharmacy Examining Board as a pharmacist in the state of Wisconsin pursuant to license # 40-10181. This license was granted on June 4, 1982.
2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 122 S. Eau Claire Street, Mondovi, Wisconsin, 54765. His residence address is 3223 Tiburon Drive, Eau Claire, Wisconsin, 54701.
3. On October 17, 2006, a Notice of Hearing and Complaint were filed in this matter. An amended complaint was filed

on October 23, 2006. A copy of the Amended Complaint is attached as Exhibit A.

4. A criminal complaint involving the Respondent and the same set of facts as contained in Exhibit A was filed in Eau Claire County, Wisconsin, on October 13, 2006.

CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 450.10 and has authority to enter into this stipulation for an Interim Order pursuant to Wis. Stat. § 227.44(5).

ORDER

IT IS ORDERED that Respondent's license to practice as a pharmacist in the State of Wisconsin is indefinitely suspended effective the date of this order.

IT IS FURTHER ORDERED that the suspension shall continue until the entry of a Final Decision and Order on the Notice of Hearing and Complaint filed in this matter.

IT IS FURTHER ORDERED that, for the duration of this Interim Order, the Respondent shall not be physically present in the professional area of any pharmacy for any purpose, and shall not be in the public area of any pharmacy except as a bona fide customer.

PHARMACY EXAMINING BOARD

By: Michael Bettiga, RPh
A Member of the Board

10-27-06
Date

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	STIPULATION
	:	
SCOTT D. ISAACSON, R.PH.,	:	LS0610191PHM
RESPONDENT.	:	

Division of Enforcement Case No. 06 PHM 065

Scott D. Isaacson, R.Ph., personally on his own behalf and by his attorney Phillip Steans, and Jeanette Lytle, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. Scott D. Isaacson, R.Ph., (DOB 06/24/1957) is duly licensed as a pharmacist in the State of Wisconsin (license # 40 10181). This license was first granted on June 4, 1982.
2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 122 S. Eau Claire Street, Mondovi, Wisconsin, 54765. His residence address is 3223 Tiburon Drive, Eau Claire, Wisconsin, 54701.
3. A formal complaint is pending before the Wisconsin Pharmacy Examining Board based upon allegations contained in fil

4. A hearing date on the formal complaint is to be determined.
5. Respondent is currently not practicing as a pharmacist and agrees that, while the Interim Order is in effect: (1) he will not work as a pharmacist; (2) he will not be physically present in the professional area of any pharmacy for any purpose; and (3) he will not be in the public area of any pharmacy except as a bona fide customer.
6. Respondent understands that by signing this Stipulation providing for an Interim Order, Respondent voluntarily and knowingly waives significant rights, pertaining to the interim order only, including: the right to a hearing on the allegations against Respondent, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against Respondent; the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena; the right to testify personally; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
7. Respondent has obtained the advice of legal counsel prior to signing this stipulation.
8. Respondent agrees to the adoption of the attached Interim Order by the Pharmacy Examining Board. The parties to the Stipulation consent to the entry of the attached Interim Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
9. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner.
10. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Pharmacy Examining Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Interim Order.
11. Respondent is informed that should the Board adopt this Stipulation, the Board's Interim Order is a public record and will be published in accordance with standard Department procedure.
12. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Interim Order.

Dated: _____

Scott D. Isaacson, R.Ph.
3223 Tiburon Drive
Eau Claire, WI 53095

Dated: _____

Phillip Steans

Attorney for Respondent
393 Red Cedar St. # 6

P.O. Box 384
Menomonie, WI 54751-0384

Dated: _____

Jeanette Lytle, Attorney

Attorney member #1023091

Division of Enforcement

Department of Regulation and Licensing

P.O. Box 8935

Madison, WI 53708