

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
SCOTT D. ISAACSON, R.Ph.,	:	LS# 0610191PHM
RESPONDENT.	:	

Division of Enforcement Case #06 PHM 065

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

Scott D. Isaacson, R.Ph. – DOC #526199
Dodge Correctional Institution
P.O. Box 700
Waupun, WI 53963

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

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

PROCEDURAL HISTORY

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Pharmacy Examining Board on October 17, 2006. An Amended Complaint was filed on October 23, 2006. An interim order suspending Respondent's license during the pendency of this proceeding was signed on October 27, 2006.

Prior to the hearing on the Amended Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition 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. 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 Scott D. Isaacson – DOC #526199, Dodge Correctional Institution, P.O. Box 700, Waupun, WI 53963.
3. Respondent was previously a co-owner of five pharmacies. He worked primarily at Mahlum's Pharmacy in Mondovi, Wisconsin, but worked at other of the pharmacies he co-owned as well.
4. On or about September 4, 2006, Respondent telephoned the Eau Claire Police Department to report that his wife was dead. An autopsy showed that she died of an acute Fentanyl overdose. Her blood toxicology showed .044 mg/l of Fentanyl. In addition, she tested positive for Venlafaxine and Hydromorphone.

5. Susan Momont, the Respondent's wife, was a Medical Doctor and was addicted to a number of medications and had a history of intravenous drug use, predating her marriage to the Respondent. Her drug of choice being Demerol.

6. Respondent admitted that he provided his wife with Demerol or its generic equivalent on at least 25 different occasions since March of 2006. He diverted the drugs from his pharmacy in Mondovi.

7. Respondent told police that he took approximately 125 pills of Demerol or its generic equivalent. However he told a co-worker of the pharmacy, E.K., that he took approximately 300-400 pills of Demerol or its generic equivalent. According to E.K., injectable liquid Demerol is missing from the pharmacy as well. Pursuant to a search warrant, police found a bottle of liquid Demerol in Respondent's bedroom. Nothing on the bottle indicated a prescription.

8. Respondent admitted that his wife, who was a physician, had on occasion and with his knowledge written prescriptions for friends and filled them for her personal use. M.R., a friend of Respondent and his wife, admitted that she had allowed Respondent's wife to write her a prescription for generic Demerol and had filled it and given it to the wife. A prescription bottle of generic Demerol bearing M.R.'s name was found in Respondent's vehicle. According to E.K., computer records at Mahlum Pharmacy regarding M.R.'s generic Demerol prescriptions appeared to be altered.

9. M.R. admitted that she and Respondent's wife had done drugs together at Mahlum Pharmacy.

10. Respondent denies giving his wife Fentanyl. Fentanyl patches and the packaging for those patches were found, in plain view, in Respondent's kitchen. A box of Fentanyl, partially used, was found in Dr. Momont's purse in her closet. A sticker on the box indicated that it came from Mahlum Pharmacy. Mahlum Pharmacy is missing three boxes of 100 microgram Fentanyl.

11. Bacteriostatic water used for mixing injectable solutions, was also found in Respondent's home. The bacteriostatic water was traceable, by lot number and bar code to Mahlum Pharmacy.

12. Syringes and syringe packaging were also found in Respondent's home. Syringes were missing from Respondent's pharmacy.

13. According to L.W., a Mahlum Pharmacy employee, Respondent always handled the Schedule II drugs. The inventory for those Schedule II drugs often was not correct.

14. According to L.W., at times the pharmacy had pills that should have been destroyed, and Respondent would tell her to put them in the bottom drawer of his workstation. Some of those pills later went missing.

15. Respondent called the L.W. at her home at approximately 7:30 a.m. on September 5, 2006. He asked L.W. to dispose of a box of used syringes that were in the pharmacy. The pharmacy turned that box of used syringes over to police. The box contained 176 syringes with fluid in them. Eleven of those syringes tested positive for generic Demerol, and one tested positive for Hydromorphone. The pharmacy does not administer medications by syringe. If any used syringes were brought in by patients to be disposed of, they would have been in a different location.

16. In addition to the other drugs and items mentioned, Tussionex cough syrup was missing from Mahlum Pharmacy in substantial quantities. Tussionex contains Hydrocodone, a narcotic.

17. On or about January 10, 2008, Respondent entered a no contest Alford plea to a charge of second degree reckless homicide. He was sentenced on March 7, 2008 to two years of initial confinement, and five years of extended supervision.

CONCLUSIONS OF LAW

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

2. By diverting controlled substances from a pharmacy and by providing those drugs to a person with known addictions in quantities that were dangerous to that person's health, Respondent violated Wis. Stat.

§450.10(1)(a)2 and Wis. Admin. Code §§Phar 10.03(1) and (2) is subject to discipline pursuant to Wis. Stat. §450.10(1)(b)1.

ORDER

IT IS HEREBY ORDERED:

1. The stipulation of the parties is approved.
2. The Board accepts the surrender of Scott D. Isaacson's license to practice pharmacy in Wisconsin.
3. Respondent shall pay costs of One Thousand Dollars (\$1,000.00) to the Department of Regulation and Licensing, within ninety (90) days of this Order.
4. This Order shall become effective upon the date of its signing.

Department of Regulation and Licensing

By: Gregory C. Weber
A Member of the Board

4/9/08
Date