

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
 :
 :
DAVID L. KARBULKA, R.PH., : LS0802063PHM
RESPONDENT. :

Division of Enforcement Case #07 PHM 030

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

David L. Karbulka, R.Ph.
2722 N. Main Street
Racine, WI 53402

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 & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 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. David L. Karbulka, R.Ph., (DOB 05/20/1972) is duly licensed as a pharmacist in the state of Wisconsin (license #40-13257). This license was granted on June 29, 2000.
2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 2722 N. Main Street, Racine, WI 53402.
3. On or about April 17, 2006, Respondent performed an online license renewal for his pharmacist license. In so doing, he marked a box indicating he completed the required continuing education for the biennium beginning June 1, 2004 and ending May 31, 2006.
4. On or about October 30, 2006, a representative of the Department contacted Respondent to inform him that he was 3 credits short of the required continuing education.

5. On or about November 7, 2006, Respondent wrote a letter to the Department explaining that he was unable to locate proof of the three remaining CE hours and therefore submitted two credits taken on June 24, 2006 and one credit taken on October 14, 2006 to make up for the missing CE credits.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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. The conduct described in paragraph 3 thru 5, above, constitutes a violation of Wis. Stat. §§ 450.085 and 450.10(1)(a)1. and subjects Respondent to discipline pursuant to Wis. Stat. 450.10(1)(b).

ORDER

NOW, THEREFORE, IT IS ORDERED that:

1. David L. Karbulka, R.Ph. (license #40-13257), is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days from the date of this Order, pay a forfeiture of two hundred fifty (\$250) dollars.

3. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of one hundred (\$100.00) dollars.

All payments shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P. O. Box 8935
Madison, WI 53708-8935
Tel. (608) 267-3817
Fax (608) 266-2264

4. Case number 07 PHM 030, shall be, and hereby is, closed without further proceedings.

5. The continuing education credits obtained in June 2006 and October 2006 to satisfy the 2004-2006 biennium requirement may not be applied to satisfying the 2006-2008 biennium requirement.

6. In the event the Respondent fails to pay the forfeiture or the costs as ordered the Respondent's license SHALL BE SUSPENDED until the Respondent has complied with the terms of this Order.

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

WISCONSIN PHARMACY EXAMINING BOARD

By: Gregory C. Weber

2/6/08

Member, Wisconsin Pharmacy Examining Board

Date