

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
:
PAUL D. ROSS, R.PH., : LS0804092PHM
RESPONDENT. :

Division of Enforcement Case #07 PHM 022

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

Paul D. Ross, R.Ph.
4007 Shadowhill Lane
Valrico, FL 33956

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. Paul D. Ross, R.Ph., (DOB 10/24/1959) is duly licensed as a pharmacist in the state of Wisconsin (license #40-11481). This license was granted on August 14, 1990.
2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 4007 Shadowhill Lane, Valrico, FL 33956.
3. On Respondent's May 30, 2006 licensure renewal application, 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. In October 2006, a representative of the Department contacted Respondent to inform him that he was 7.5 credits short of the required continuing education due to credits submitted being outside of the biennium period.

5. On or about October 25, 2006, Respondent, whose primary state of practice is Florida, responded with a letter to the Department explaining that he is registered in three states having three different completion deadlines and as the result of an oversight submitted 7.5 credits obtained in April 2004, outside of Wisconsin's biennium period.
6. In November 2007, Respondent submitted proof of qualifying continuing education credits obtained in November 2006 to satisfy the 7.5 credit shortage for the June 1, 2004 to May 31, 2006 biennium period.
7. 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 paragraphs 3 through 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. Paul D. Ross, R.Ph. (license #40-11481), 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 (\$250.00) 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 022, shall be, and hereby is, closed without further proceedings.
5. The 7.5 continuing education credits obtained in November 2006 to satisfy the 2004-2006 biennium requirement may not be applied to satisfy 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
Member, Wisconsin Pharmacy Examining Board

4/9/08
Date