

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
 :
CARDINAL HEALTH, :
RESPONDENT. : LS0810293PHM
 :

Division of Enforcement Case # 04 PHM 073

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

Cardinal Health
153 E. Badger Road
Madison, WI 53713

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. Cardinal Health (license #8554-42), 153 E. Badger Road, Madison, Wisconsin 53713, is duly licensed as a pharmacy in the state of Wisconsin. The license at this location was first granted on February 24, 2006.
2. On or about June 30, 2003, Heartland Diagnostic Services, Inc., located at 121 Nob Hill Road, Madison, Wisconsin 53713, merged with Cardinal Health 412, Inc., a subsidiary of Cardinal Health, which constituted a change in ownership.
3. Beginning on June 30, 2003 and continuing on through May 5, 2004, Cardinal Health, operated as a pharmacy under its new ownership at the 121 Nob Hill Road location without a valid Wisconsin pharmacy license.
4. On May 6, 2004, Cardinal health was granted a license as a pharmacy, license #8394-42 for the 121 Nob Hill Road location.

5. On or about February 24, 2006, Cardinal Health changed its location from 121 Nob Hill Road to 153 E. Badger Road, Madison, Wisconsin 53713. Upon the change of location, Cardinal Health was granted license #8554-42.
6. In resolution of this matter, Cardinal Health consents to 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, above, constitutes a violation of Wis. Admin. Code § Phar 6.02(2) and Wis. Stat. § 450.06.

ORDER

NOW, THEREFORE, IT IS ORDERED that:

1. Cardinal Health (license #8554-42) is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Cardinal Health shall pay costs in the amount of six hundred dollars (\$600.00), within ninety (90) days of the date of this Final Decision and Order.
3. Cardinal Health shall forfeit the sum of three thousand dollars (\$3,000.00) to be paid to the Department of Regulation and Licensing, 1400 E. Washington Avenue, P.O. Box 8935, Madison, Wisconsin, 53708-8935, within ninety (90) days of the date of this Final Decision and Order.
4. In the event the Respondent fails to pay costs as ordered or fails to pay the forfeiture as ordered the Respondent's license SHALL BE SUSPENDED without further notice or hearing, until the Respondent has complied with the terms of this Order.
5. This Order is effective on the date of its signing.

WISCONSIN PHARMACY EXAMINING BOARD

By: Gregory C. Weber
Member, Wisconsin Pharmacy Examining Board

10/29/08
Date