

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

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:

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DUANE B. ASP, R.Ph.,  
RESPONDENT.

:

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ORDER DENYING  
REMOVAL OF LIMITATION  
LS 9704081 PHM  
(June, 2008)

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Duane B. Asp, R.Ph.  
10607 W. Tropicana Circle  
Sun City, AZ 85351

On June 25, 2008, the Wisconsin Pharmacy Examining Board reviewed a petition by Duane Asp to remove a limitation from license, imposed pursuant to a Final Decision and Order (“*Order*”) in case number, LS 970481 PHM, dated effective as October 14, 1997. The *Order* was issued by the board pursuant to a stipulated agreement with Mr. Asp. Mr. Asp request the removal of the final remaining limitation imposed by the *Order*: 1) that the respondent’s license is permanently limited in that he shall not dispense any C-V substance without a valid prescription from an authorized prescriber.

Asp asserts that such limitation removal is proper because, “The rules for the limits of sale have changed, 961.23 (5), and the limit is now set for no more than 4 oz of a C-V, to any one individual within a 48-hour period.” However, the *Order* (agreed to by Asp) was based upon a violation of Wis. Stat. § 161.23(1), [Schedule V substances must be sold in good faith and not for the purpose of evading Ch. 161.], and Wis. Stat. § 161.38(4), [A schedule V controlled substance shall be dispensed for a medicinal purpose.]

Based upon the board’s review of the petition:

IT IS ORDERED, that the petition for removal of the limitation that Mr. Asp shall not dispense any C-V substance without a valid prescription from an authorized prescriber is, DENIED.

Date: June 25, 2008

STATE OF WISCONSIN  
PHARMACY EXAMINING BOARD

Gregory C. Weber, R.Ph.  
Chairperson