

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
 :
JON D. HERDRICH, R.PH., : LS0909234PHM
RESPONDENT. :

Division of Enforcement Case Number 06 PHM 023

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

Jon D. Herdrich, R.Ph.
2811 Killarney Court
West Bend, WI 53095

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

Wisconsin 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. Jon D. Herdrich, R.Ph., Respondent, date of birth April 16, 1964, is licensed by the Pharmacy Examining Board as a pharmacist in the State of Wisconsin pursuant to license #11072-40, which was first granted March 16, 1988.
2. Respondent's address of record with the Department of Regulation and Licensing is 2811 Killarney Court, West Bend, Wisconsin 53095.
3. On or about May 14, 2002, Respondent was reprimanded by the Wisconsin Pharmacy Examining Board for failing to ensure consultations were provided on refill prescriptions.
4. At all times relevant to this action, Respondent was working as the managing pharmacist at Walgreens Pharmacy #03422, 806 S. Main Street, West Bend, Wisconsin 53095.
5. On or about January 3, 2006, a family member of Patient EH, an 81 year-old heart patient, went to Walgreens

Pharmacy #03422 to fill his prescription for metolazone, a medication used to prevent fluid build up after major heart surgery. Respondent initialed the prescription as the dispensing pharmacist.

6. On or about February 5, 2006, while the same prescription was being refilled, it was found that the previous prescription was filled with methimazole, a thyroid medicine, in error.
7. No harm came to Patient EH as a result of the above medication error.

CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 450.10 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 4 thru 7, above, constitutes a violation of Wis. Admin. Code §§ Phar 7.01(1)(d) and Phar 10.03(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Jon D. Herdrich, R.Ph., is REPRIMANDED for the conduct set out above.
2. Respondent shall, within ninety (90) days from the date of this Order, pay a forfeiture of ONE THOUSAND (\$1000.00) DOLLARS and pay partial costs of this proceeding in the amount of SIX HUNDRED (\$600.00) DOLLARS. Payment shall be made to:

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

3. In the event Respondent fails to timely submit full payment of the costs or forfeiture as set forth above, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.
4. This Order is effective on the date of its signing.

WISCONSIN PHARMACY EXAMINING BOARD

By: Gregory C. Weber
A Member of the Board

9/23/09
Date