

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
:
HANLIE DE VRIES, R.PH., :
RESPONDENT. : ORDER 0000054
:

Division of Enforcement Case # 07 PHM 012

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

Hanlie De Vries, R.Ph.
3317 Westminster Road
Janesville, WI 53546

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 and 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. Hanlie De Vries, R.Ph., Respondent, date of birth May 20, 1962, is licensed by the Wisconsin Pharmacy Examining Board as a pharmacist in the State of Wisconsin pursuant to license number 14022-40, which was first granted October 17, 2003.

2. Respondent's address of record with the Department of Regulation and Licensing is 3317 Westminster Road, Janesville, Wisconsin 53546.
3. At the time of the events set out below, Respondent was employed as a pharmacist by CVS Pharmacy#8550, 1407 Creston Park, Janesville, Wisconsin 53545.
4. On February 6, 2007, a consumer, who was a regular customer of the CVS Pharmacy in which Respondent worked, picked up a prescription for 60g cultivate cream.
5. The consumer, however, received only 30g of cultivate cream even though the label indicated 60g of cultivate cream.
6. Respondent acknowledges that she verified the prescription but missed the error in quantity.
7. A proper consultation would have insured that the prescription bottle actually contained the medication indicated on the label.

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 above constitutes a violation of Wis. Admin. Code § Phar 7.01(1)(e) and subjects Respondent to discipline pursuant to Wis. Stat. § 450.10(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Hanlie De Vries, R.Ph., is REPRIMANDED for the conduct set out above.
2. Respondent shall, within 60 days from the date of this Order, pay to the Department of Regulation and Licensing a forfeiture in the amount of \$250.00, pursuant to Wis. Stat. § 450.09(8).
3. Respondent shall, within 60 days from the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$250.00, pursuant to Wis. Stat. § 440.22(2).

4. All payments required by this Order shall be mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

5. In the event Respondent fails to timely submit any payment of the forfeiture as set forth above or fails to pay costs as ordered, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

6. This Order is effective on the date of its signing.

Wisconsin Pharmacy Examining Board

By:

Barbara Severson GL
A Member of the Board

2/12/10
Date