

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
MEDICAL EQUIPMENT SPECIALISTS,	:	<u>ORDER 0000424</u>
RESPONDENT.	:	

[Division of Enforcement Case # 10 PHM 023]

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

Medical Equipment Specialists
11220 W. Lapham Street
West Allis, WI 53214

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 the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Medical Equipment Specialists is duly licensed as a wholesale pharmaceutical distributor in the state of Wisconsin (license # 1894-45). This license was first granted on April 4, 2006.

2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 11220 W. Lapham Street, West Allis, WI 53214.

3. At all times relevant to this action, Respondent was operating as a wholesale distributor of oxygen in West Allis, Wisconsin. The Respondent does not distribute any pharmaceutical supplies other than oxygen.

4. Respondent's license to operate as a wholesale pharmaceutical distributor expired on May 31, 2008, however, the Department gave all distributors until May 31, 2009 in order to renew licenses due to a change in the law which had additional requirements to be met for renewal. The Respondent distributor renewed its license on May 11, 2010. Respondent continued to operate as a wholesale distributor of oxygen in the state of Wisconsin from May 31, 2009 through May 11, 2010, under an expired license.

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 of Respondent practicing dentistry in the state of Wisconsin with an expired license as described in paragraphs 3 through 4, above, constitutes a violation of Wis. Stat. § 450.07(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Medical Equipment Specialists is hereby REPRIMANDED.
2. Respondent shall, within ninety (90) days from the date of this Order, pay a forfeiture of ONE THOUSAND (\$1,000) 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 FIFTY DOLLARS (\$150). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

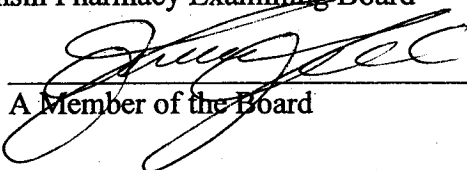
Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as set forth above, the Respondent's license (# 1894-45) may, in the discretion of the board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of the costs.

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

Wisconsin Pharmacy Examining Board

By:


A Member of the Board

Date

