

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
ALAN W. ROEBER, RPH	:	<u>ORDER 0000501</u>
RESPONDENT.	:	

[Division of Enforcement Case # 08 PHM 04]

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

Alan W. Roeber
5928 W. Vliet St.
Suite 100
Milwaukee, WI 53208

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

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. Alan W. Roeber ("Respondent") was born on February 16, 1947, and is licensed to practice pharmacy in the state of Wisconsin pursuant to license number 8136. This license was first granted on April 14, 1971.

2. Respondent's most recent address on file with the Wisconsin pharmacy Examining Board is 5928 W. Vliet St., Suite 100, Milwaukee, WI 53208.

3. At all times relevant to this proceeding, Respondent was working as a pharmacist at Aurora Pharmacy in Milwaukee, Wisconsin.

4. On July 18, 2007 Complainant received Hydralazine 25 mg instead of the prescribed Hydroxyzine 25 mg from Aurora pharmacy causing Complainant to become dizzy, have blurred vision, and break out in hives among other symptoms; Respondent was in charge at the pharmacy on this date. Complainant returned to the pharmacy to have the error corrected.

5. On January 4, 2008 Complainant received Clonazepam 2mg instead of the prescribed Hydroxyzine 25 mg; Complainant realized the mistake when she arrived home and returned to the pharmacy to get the correct medications. Respondent was again in charge at the pharmacy on this date.

6. Respondent takes full responsibility for the errors made as described in paragraphs four and five, above, since he was the Pharmacist in charge on the dates.

CONCLUSIONS OF LAW

1. The Wisconsin pharmacy Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. §450.10(1)(b), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 4 and 5 above, constitutes a violation of Wisconsin Administrative Code § Phar 10.03(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Alan Roeber, RPH is hereby REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days from the date of this Order, pay forfeiture in the amount of five hundred dollars (\$500.00) pay costs of this proceeding in the amount of three hundred dollars (\$300.00). 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

3. 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 pay costs as ordered the Respondent's license (#8136) 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).

Pharmacy Examining Board

By: 
A Member of the Board

10/27/10
Date