

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

FINAL DECISION AND ORDER

KAREN R. PAWLAK, R.PH., :
RESPONDENT. :

Order _____

ORDER 0001007

Division of Enforcement Case # 10 PHM 035

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

Karen R. Pawlak, R.Ph.
8136 Northwestern Avenue
Racine, WI 53406

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
Division of Enforcement
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 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. Karen R. Pawlak, R.Ph., ("Respondent") was born on October 5, 1971 and is duly licensed to practice as a registered pharmacist in the State of Wisconsin, under license number 14435-40. This license was granted on July 8, 2005.

2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 8136 Northwestern Avenue, Racine, WI 53406.
3. At the time of the events set out below, Respondent was employed as a pharmacist by Walgreens Pharmacy, 4901 Spring Street, Racine, WI 53406.
4. On July 2, 2010, Patient C.H.'s prescriber sent an e-prescription order for 50 mg tablets of Clomiphene to the Walgreens Pharmacy at 4901 Spring Street in Racine, Wisconsin. Clomiphene is a fertility medication that patient C.H. had taken before.
5. A pharmacy employee, "MLG", incorrectly entered the e-prescription order into Walgreens computer system as 50 mg capsules of Clomipramine, an antidepressant.
6. On July 6, 2010, Patient C.H. picked up her prescription from the drive-through at Walgreens. When she got home, she opened the medication and noticed the medication looked different than the medication that she had received for previous refills of her Clomiphene prescription. Patient C.H. called the Walgreens Pharmacy to inquire about her medication, and the pharmacist she spoke to told patient C.H. that she did have the right medication, that the medication looked different because it was being made by a different manufacturer, but that it was the same as her regular prescription.
7. Later that same day, patient C.H. took one capsule and began to feel sick. She became very dizzy, sweaty and nauseous. After checking the package insert, she found that she had ingested Clomipramine, and not her prescribed medication Clomiphene.
8. The Respondent was the pharmacist responsible for reviewing the prescription prior to being dispensed. Respondent acknowledges errors occurred at preparation, checking and dispensing and takes responsibility for the refill error. The managing pharmacist has added a pop-up box on the computer screen for Clomiphene advising the reviewing pharmacist to double check the medication name for accuracy.

CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction over this matter and 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. Respondent's conduct of failing to effectively check the accuracy and correctness of the prescription as described above constitutes a violation of Wis. Admin. Code §§ Phar 7.01(1)(d) and 10.03(2).

ORDER

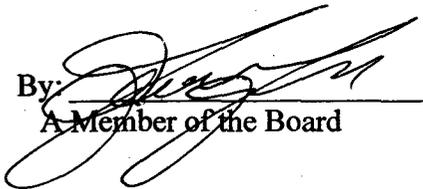
NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Karen R. Pawlak, R.Ph., (License No. 14435-40) is hereby REPRIMANDED.
2. Respondent shall, within ninety (90) days from the date of this Order, pay to the Department of Regulation and Licensing a forfeiture in the amount of TWO HUNDRED AND FIFTY DOLLARS (\$250.00).
3. Respondent shall, within ninety (90) days from the date for this Order, pay costs of this proceeding in the amount of THREE HUNDRED SEVENTY-FIVE DOLLARS (\$375.00). 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

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 any payment of the forfeiture as set forth above, or fails to pay costs as ordered, Respondent's license to practice as a pharmacist in Wisconsin, license (# 14435-40), MAY BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.
5. This Order is effective on the date of its signing.

PHARMACY EXAMINING BOARD

By: 
A Member of the Board

2/2/11
Date