

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
MARSHA D. SCHLUETER, R.PH., :
RESPONDENT. :
 :
 : ORDER 0001008

[Division of Enforcement Case #10 PHM 056]

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

Marsha D. Schlueter, R.Ph.
1074 Jerico Lane
Sun Prairie, WI 53590

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. Marsha D. Schlueter, R.Ph. ("Respondent"), was born on November 18, 1948 and is licensed to practice as a pharmacist in the State of Wisconsin (license #8335-40). This license was first granted on June 12, 1972.

2. Respondent's most recent address on file with the Pharmacy Examining Board is 1074 Jerico Lane, Sun Prairie, Wisconsin.

3. At all times relevant to this proceeding, Respondent worked as a pharmacist at Walgreens Pharmacy, located in Madison, Wisconsin.

4. On August 30, 2010, "Kytte," a Siamese Mix cat (DOB January 1991), presented with urination issues. Dr. L.C. prescribed Amitriptyline.

5. The prescription for "Amitriptyline 10 mg, ½ qd" was called in to Walgreens Pharmacy on the same day. The prescription was recorded accurately over the phone by another pharmacist and scanned into Walgreens' pharmacy computer system.

6. A pharmacy intern then incorrectly typed the prescription into the computer system as "Amitriptyline 100 mg, ½ qd."

7. Respondent was responsible for verifying the typed data, but failed to notice the error in the typed prescription.

8. Later that day at approximately 6:00 P.M., Client J.J., Kytte's owner, picked up the prescription. At the consultation, Respondent commented that the dosage appeared high for an animal, but failed to verify her suspicion by checking the scanned-in prescription in the computer system.

9. Client J.J. administered one dosage, half of one 100mg pill, to Kytte that evening. Kytte immediately showed signs of overdose.

10. After consultation with her veterinarian, Client J.J. brought Kytte to Exceptional Care for Animals for emergency care on August 31, 2010. On presentation, Kytte was vocal, weak in her hind end and ataxic in her hind limbs.

11. On September 14, 2010, Kytte was euthanized.

12. Respondent's conduct in failing to detect the initial error and follow up on her suspicion regarding the dosage constitutes a danger to the health, welfare, and safety of a patient, which deviated from the standard of practice and minimum competence in pharmacy.

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 described above violated Wis. Admin. Code § Phar 10.03(2) and (3). Such conduct constitutes unprofessional conduct within the meaning of the Code.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Marsha D. Schlueter (license #8335-40), is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days of the date of this Order, pay forfeiture in the amount of \$250.00. 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. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of \$300.00. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

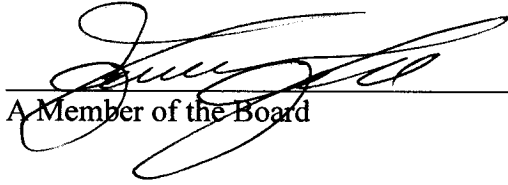
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4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional 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 forfeiture or costs, the Respondent's license (#8335-40) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with this Order.

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

Wisconsin Pharmacy Examining Board

By:


A Member of the Board

7/27/11
Date