

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF
THE LICENSE OF

BONNY M. KIMBALL, R.PH.,
PETITIONER

:
:
:
:
:
:

ORDER GRANTING
MODIFICATION

LS0810294PHM

TO: Bonny M. Kimball
5152 Anton Drive #213
Fitchburg, WI 53719

Department Monitor
Division of Enforcement
1400 East Washington Avenue
Madison, WI 53703

The Pharmacy Examining Board considered this matter at its meeting on May 30, 2012.

BACKGROUND

On October 29, 2008, for the reasons stated in the Final Decision and Order of the same date, the Pharmacy Examining Board indefinitely suspended Bonny M. Kimball's pharmacist license, number 14533-40. Among other conditions, the Order required Ms. Kimball to undergo drug and alcohol screenings at a frequency of 96 times per year for the first year the Order was in effect. The Order permitted the Board to reduce the frequency of screenings, after the first year, only upon a determination by the Board or its designee after receiving a petition for modification.

On March 24, 2009, the Board granted a stay of Ms. Kimball's suspension.

On April 20 and June 17, 2010, the Board denied Ms. Kimball's requests for modifications of various requirements in the October 29, 2008 Order. The April 20, 2010 denial was based on Ms. Kimball's record of missed screening calls and failures to comply with written work report requirements. The June 17, 2010 denial was based on her failure to provide the Board with the additional information it had requested in the April 20, 2010 Order Denying Modification.

On October 4, 2010, May 11, 2011, and October 3, 2011, the Board reduced Ms. Kimball's drug screening frequency to 48 times per year and granted her 12 PIC hours; reduced the required frequency of her therapy sessions to 2 times per quarter; and increased her PIC hours to 24, respectively.

On May 30, 2012, the Board considered Ms. Kimball's petition for modification of the October 29, 2008 and October 4, 2010 Board Orders. Ms. Kimball requested a reduction in the frequency of drug and alcohol screenings from 48 to 24 times per year, with not less than one hair strand test per year. Based upon the information of record, the Board now finds and makes the following:

FINDINGS OF FACT

1. Ms. Kimball has been and continues to attend AA/NA meetings at least weekly and therapy sessions approximately twice per quarter, as required by the Board. She has been sober for approximately four (4) years.
2. Ms. Kimball has had no positive drug and alcohol screens during May 2011 to May 2012.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 450.10.
2. Based on the record of this case and the findings outlined above, the Board concludes that Ms. Kimball is in compliance with the terms and conditions of the Board's Orders dated October 29, 2008, October 4, 2010, May 11, 2011, and October 3, 2011.

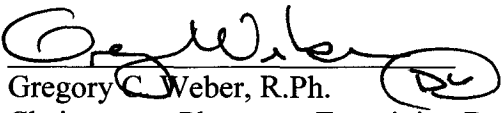
ORDER

NOW, THEREFORE, IT IS ORDERED that Ms. Kimball's request for a reduction in the frequency of drug and alcohol screenings is **GRANTED**. Ms. Kimball shall undergo testing of her specimens at a frequency of 28 times per year, with at least one hair test.

IT IS FURTHER ORDERED that, unless modified herein or in the Board Orders dated October 4, 2010, May 11, 2011, and October 3, 2011, Ms. Kimball shall comply with Sections C and D of the Board's October 29, 2008 Order.

This order is effective on the date signed below.

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD


Gregory C. Weber, R.Ph.
Chairperson, Pharmacy Examining Board

6/22/12
Date