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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

CONRAD A. CHARLES, R.PH.
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0001615

[Division of Enforcement Case # 11 PHM 078]

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

Conrad A. Charles, R.Ph.
3667 S. 86th Street
Milwaukee, WI 53228

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Pharmacy Examining Board
Department of Safety and Professional Services
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. Conrad A. Charles, R.Ph. ("Respondent") was born on August 17, 1963, and is licensed to practice as a registered pharmacist in the state of Wisconsin pursuant to license number 13063-40. This license was first granted on August 20, 1999. Respondent was also

licensed as a registered pharmacist in Louisiana (license # 13926), and Colorado (license # 13406).

2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 3667 S. 86th St., Milwaukee, WI 53228.

3. At all times relevant to this proceeding, Respondent was working as a registered pharmacist at the Esplanade Pharmacy in New Orleans, Louisiana.

4. On May 7, 2008, the Louisiana Pharmacy Board and Respondent entered into a consent agreement setting conditions for the operation of the pharmacy that he owned and operated in Louisiana; the Esplanade Pharmacy. The consent agreement prohibited a number of individuals from having any access to, or involvement in any manner in the operations of the Esplanade Pharmacy, and further provided that at no time shall the Esplanade Pharmacy "be involved in the any manner with the possession, routing, handling, dispensing, or control of any internet-generated prescriptions pursuant to electronic questionnaires without a legitimate patient-prescriber relationship."

5. On June 13, 2008, the Louisiana Pharmacy Board issued pharmacy permit # 6007-IR to the Esplanade Pharmacy, which Respondent owned and operated. Respondent was the pharmacist-in-charge from June 13, 2008 until he resigned on June 18, 2010.

6. In October of 2010, the DEA and the Louisiana Pharmacy Board conducted an inspection and drug accountability audit of Esplanade Pharmacy and discovered significant shortages of controlled substances, and that some of the individuals who had been prohibited from having access to the pharmacy under the May 7, 2008 consent agreement had been accessing the pharmacy's prescription department.

7. From June 13, 2008 through June 17, 2010, when Respondent was the pharmacist-in-charge at Esplanade Pharmacy, there were shortages of approximately 114,495 tablets of hydrocodone, 75,292 tablets of Alprazolam 2mg., and 1,144,445 mls (2,419 pints) of Promethazine w/codeine.

8. On November 16, 2011, the Louisiana Pharmacy Board accepted and issued a Consent Order that permanently revoked Esplanade Pharmacy's pharmacy permit and Controlled Dangerous Substance license.

9. On November 16, 2011, the Louisiana Pharmacy Board accepted and issued a Consent Order that indefinitely suspended Respondent's pharmacist license, prohibited him from applying for reinstatement of his pharmacy license before October 1, 2016, permanently prohibited him from having an ownership interest in any pharmacy permitted by the Louisiana Pharmacy Board, permanently prohibited him from holding the position of pharmacist-in-charge of any pharmacy permitted by the Louisiana Pharmacy Board, ordered Respondent to pay a \$25,000.00 fine, ordered Respondent to reimburse the Board \$5,663.77 for investigative costs, and ordered Respondent to pay \$250.00 for administrative costs.

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. Respondent, by having had disciplinary action taken against his Louisiana license to practice as a registered pharmacist by the Louisiana Board of Pharmacy, has committed unprofessional conduct as defined by Wis. Admin. Code Phar § 10.03(17).

ORDER

IT IS HEREBY ORDERED that:

1. The Board accepts Conrad A. Charles' **VOLUNTARY SURRENDER** of his license to practice as a registered pharmacist in the state of Wisconsin, pursuant to license number 13063-40.

2. Respondent may petition the Board for reinstatement, however, the Board retains sole discretion of whether or not to grant Respondent licensure to practice as a registered pharmacist in the future and to impose terms, conditions or limitations as the Board deems appropriate.

3. In addition to any other terms, conditions or limitations that the Board may require of Respondent should he petition for re-instatement of the license, no license may issue to Respondent unless he pays the costs of the Division's investigation, in the amount of \$250.00, pursuant to Wis. Stat. § 440.22(3).

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

Wisconsin Pharmacy Examining Board

By:

Gregory C. Weber
A Member of the Board

Date

May 30, 2012