

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
MELVIN L. WILLIAMS, R.PH.	:	
RESPONDENT.	:	ORDER 0001616

[Division of Enforcement Case # 10 PHM 021]

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

Melvin L. Williams, R.Ph.
2155 Main Street
La Crosse, WI 54601

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

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. Melvin L. Williams, R.Ph. ("Respondent") was born on September 18, 1959, and is licensed to practice pharmacy in the state of Wisconsin pursuant to license number 12089-40. This license was first granted on April 6, 1994.

2. Respondent's most recent address on file with the Wisconsin Pharmacy Examining Board is 2115 Main Street, LaCrosse, WI 54601.

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

4. On April 22, 2010, the pharmacy received an electronic prescription order from a physician for a patient for Clomiphene 50 mg. A pharmacy technician entered the drug's name into the pharmacy's computer system incorrectly as Clomipramine 50 mg. Respondent was the verifying, dispensing, and consulting pharmacist. Respondent mistakenly dispensed Clomipramine 50 mg. (which is used to treat depression) to the patient instead of the correct prescription of Clomiphene 50 mg. (which is used to treat infertility.)

5. Respondent did not provide a consultation to the patient, he only offered to provide a consultation to the patient, and the patient refused a consultation.

6. The patient went home and took the incorrect medication as instructed (take 3 tablets per day for a total dosage of 150 mg.) that was dispensed to her, and began to feel extremely nauseous, dizzy, drowsy, and experienced muscle twitches. The patient did some research on-line and discovered that she had received the wrong medication. The patient contacted the pharmacy, was informed that she had received the wrong medication, and was instructed to contact the poison control center. The patient went to the urgent care center, was examined, her heart activity was monitored because she had an elevated blood pressure and pulse, and she was then discharged with instructions not to drive or work for three days.

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's conduct of failing to make a final check on the accuracy and correctness of a prescription prior to dispensing a prescription to a patient, as described in paragraph 4, above, constitutes a violation of Wis. Admin. Code § Phar 7.01(d) and Wis. Admin. Code § Phar 10.03(2).

3. Respondent's conduct of substituting an offer of a consultation instead of actually providing a consultation to a patient, as described in paragraph 5, above constitutes a violation of Wis. Admin. Code § Phar 7.01(e).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Melvin L. Williams, R.Ph. (license # 12089-40) is hereby REPRIMANDED.

2. Respondent's license is hereby LIMITED by the condition that he shall, within one hundred eighty days (180) days from the date of this Order, successfully complete a minimum of eight (8) hours of ACPE accredited continuing education in the areas of safety, patient counseling, or pharmacy errors. A minimum of four (4) hours of the continuing education must be received in a live, face-to-face, format.

a) Any course must be pre-approved by the Board or the Board's designee before the Respondent takes the course; for purposes of this Order, the Department Monitor is the Board's designee. Respondent shall locate an appropriate course and submit a copy of the syllabus or other similar description of the course to the Department Monitor before taking the course.

b) Respondent is solely responsible for all costs associated with compliance with this Order. Any course the Respondent nominates for compliance with this Order may be approved in whole or in part; Respondent may choose to complete a course that is not approved for purposes of this Order, but only a course or portion of a course that is approved for compliance with this Order will be credited towards compliance with this Order. No portion of any course taken in compliance with this Order may be credited to any other continuing education requirement to which Respondent may be subject.

c) Respondent shall submit a certificate of completion of the course or courses to the Department Monitor, at the address noted below, within ten (10) days of completion of the course.

3. Respondent shall, within ninety (90) days from the date of this Order, pay to the Department of Safety and Professional Services costs of this proceeding in the amount of ONE THOUSAND FOUR HUNDRED dollars (\$1,400.00), pursuant to Wis. Stat § 440.22(2).

4. All payments required by this Order shall be made payable to the Wisconsin Department of Safety and Professional Services, and mailed to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. 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 costs or fails to comply with the ordered continuing education as set forth above, the Respondent's license (# 12089-40) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or

hearing, until Respondent has complied with the payment of the costs or completion of the continuing education.

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

Wisconsin Pharmacy Examining Board

By:

Gregory C. Weber
A Member of the Board

May 30, 2012
Date