

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CYNTHIA R. HENNEN, R.PH.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

0002448

Division of Legal Services and Compliance¹ Case No. 12 PHM 074

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

Cynthia R. Hennen, R.Ph.
4200 S. Church Dr.
New Berlin, WI 53151

Wisconsin Pharmacy Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Pharmacy Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Cynthia R. Hennen, R.Ph. (dob February 13, 1957) is licensed in the State of Wisconsin as a pharmacist, having license number 10709-40, first issued on June 26, 1985 and current through May 31, 2014. Ms. Hennen's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4200 S. Church Drive, New Berlin, Wisconsin 53151.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At the time of this incident, Respondent was employed as the Antimicrobial Stewardship Coordinator at Froedtert Hospital's in-patient pharmacy in Milwaukee, Wisconsin.

3. On October 9, 2012, October 23, 2012, and November 7, 2012, Respondent was observed on video surveillance footage entering the specialty clinics out-patient pharmacy, approaching a shelving unit that housed vials of Phentermine 37.5 mg tablets, reaching up and taking a number of vials of Phentermine 37.5 mg tablets from the shelving unit, placing them in her lab coat pocket, and exiting the pharmacy. Respondent claims that she took the vials of Phentermine tablets as a part of her job duties and denies that she took the Phentermine tablets for her own personal use. Respondent was not employed as a pharmacist at the specialty clinics out-patient pharmacy and had no work related reason to be in the specialty clinics out-patient pharmacy or to have access to or to take the Phentermine. Phentermine is a Schedule IV controlled substance that is an appetite suppressant used for weight loss.

4. Froedtert Hospital conducted an audit of the controlled substances at the specialty clinics out-patient pharmacy and discovered that from June 1, 2012 through November 8, 2012 a total of 244 tablets of phentermine 37.5 mg tablets were missing from the specialty clinics out-patient pharmacy.

5. On November 12, 2012, Respondent was terminated and since her termination, there have been no more reported losses of Phentermine 37.5 mg tablets.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Cynthia R. Hennen, R.Ph. violated Wis. Admin. Code § Phar 10.03(1) by obtaining a drug other than in legitimate practice, or as prohibited by law.

3. As a result of the above violations, Cynthia R. Hennen, R.Ph. is subject to discipline pursuant to Wis. Stat. § 450.10(1)(b)1.

ORDER

1. The attached Stipulation is accepted.

2. The pharmacist license issued to Cynthia R. Hennen, R.Ph. (license number 10709-40) is SUSPENDED for a period of 30 days, effective the date of this Order.

3. The pharmacist license issued to Cynthia R. Hennen, R.Ph. (license number 10709-40) is LIMITED as follows:

a. Respondent shall provide a copy of this Order to any and all employers for which she is engaged in the “practice of pharmacy” as defined under Wis. Stat. § 450.01(16).

b. For a period of two years from the date of this Order, Respondent shall submit quarterly work reports from her supervisor to the Department Monitor.

c. Within 90 days of the date of this Order, Respondent shall successfully complete 15 hours of education on the topic of ethics offered by a provider pre-approved by the Board’s monitoring liaison, including taking and passing any exam offered for the courses.

d. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

e. This limitation shall be removed from Respondent's license and respondent will be granted a full, unrestricted license after the two year restriction of providing quarterly work reports has been successfully completed, as described in paragraph 3.b. above, and after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within one year from the date of this Order, Cynthia R. Hennen, R.Ph. shall pay COSTS of this matter in the amount of \$200.00.

5. Request of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. 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 as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent’s license (no. 10709-40) may, in the discretion of the Board or its designee, be SUSPENDED,

without further notice or hearing, until Respondent has complied with payment of the costs and completion of the education.

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

WISCONSIN PHARMACY EXAMINING BOARD

by:


A Member of the Board

5-22-13
Date