

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KARIE L. TULLY, R.PH.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0002535**

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Division of Legal Services and Compliance<sup>1</sup> Case No. 12 PHM 078

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

Karie L. Tully, R.Ph.  
N1059 Bloomer Mill Rd.  
La Crosse, WI 54601

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 Karie L. Tully, R.Ph. (dob September 25, 1980) is licensed in the State of Wisconsin as a pharmacist, having license number 14984-40, first issued on July 12, 2007 and current through May 31, 2014. Ms. Tully's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is N1059 Bloomer Mill Road, La Crosse, Wisconsin 54601.

2. Respondent was employed as the pharmacist-in-charge at the Mayo Clinic Health System-Franciscan Healthcare (MCHS-FH) Onalaska Clinic's retail pharmacy. On November 2,

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<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2012 Respondent was off-duty and came into the pharmacy to have a fraudulent prescription order filled for her friend who was visiting from another state. Respondent informed the on-duty pharmacist that Respondent would fill and dispense the prescription order herself because the on-duty pharmacist was busy. Respondent used the fraudulent prescription order to dispense ten tablets of Sulfamethoxazole DS, a prescription antibiotic, to her friend.

3. Respondent admits that she created the fraudulent prescription order using a random MCHS-FH physician's name that had not authorized or generated the prescription order and that the MCHS-FH physician had never seen or examined her friend.

4. 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, Karie L. Tully, R.Ph. violated Wis. Admin. Code § Phar 10.03(1) by dispensing or obtaining a drug other than in legitimate practice, or as prohibited by law.

3. By the conduct described in the Findings of Fact, Karie L. Tully, R.Ph. violated Wis. Stat. § 450.11(7)(a) by obtaining a prescription drug by fraud.

4. By the conduct described in the Findings of Fact, Karie L. Tully, R.Ph. violated Wis. Stat. §§ 450.11(7)(c) and (e) by willfully making a false statement in any prescription order and by making or uttering a false or forged prescription order.

5. As a result of the above violations, Karie L. Tully, R.Ph. is subject to discipline pursuant to Wis. Stat. § 450.10(1)(b)1.

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Karie L. Tully, R.Ph. is REPRIMANDED.

3. The pharmacist license issued to Karie L. Tully, R.Ph. (license number 14984-40) is SUSPENDED for a period of 30 days, effective the date of this Order.

4. The pharmacist license issued to Karie L. Tully, R.Ph. (license number 14984-40) is LIMITED as follows:

a. Within 90 days of the date of this Order, Respondent shall successfully complete four (4) hours of education on the topic of ethics pertaining to clinical pharmacy practice and six (6) hours of education on the topic of pharmacy law

offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. 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.

c. The limitation shall be removed upon proof satisfactory to the Board or its designee that the terms of the limitation(s) have been satisfied.

5. Within 90 days from the date of this Order, Karie L. Tully, R.Ph. shall pay FORFEITURE in the amount of \$500.00 and COSTS of this matter in the amount of \$700.00.

6. Request of approval of courses, proof of successful course completion, and payment of forfeiture and 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:

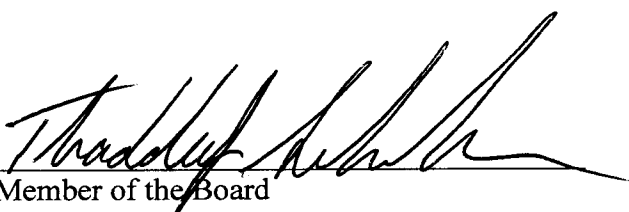
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

7. 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 and costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 14984-40) 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 forfeiture and costs and completion of the education.

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

WISCONSIN PHARMACY EXAMINING BOARD

by:

  
A Member of the Board

7/17/13  
Date