

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 :
 : FINAL DECISION AND ORDER
STEVEN V. HENNINGFIELD, R.PH., :
RESPONDENT. :

0004825

Division of Legal Services and Compliance Case No. 15 PHM 004

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

Steven V. Henningfield, R.Ph.
6313 Bradley Pl.
Madison, WI 53711

Wisconsin Pharmacy Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 Steven V. Henningfield, R.Ph., (dob May 6, 1952) is licensed in the state of Wisconsin to practice pharmacy, having license number 9961-40, first granted on June 12, 1981, and current through May 31, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6313 Bradley Place, Madison, Wisconsin 53711.

2. At all times relevant to this proceeding, Respondent was employed as the director of pharmacy at a care center (Center), located in Madison, Wisconsin.

3. Respondent admitted to dispensing non-controlled prescription medications to coworkers on three (3) occasions in November 2014.

4. Respondent did not have valid prescriptions on file for the medications he dispensed.

5. 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(1), 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, Steven V. Henningfield, R.Ph., engaged in unprofessional conduct as defined by Wis. Admin. Code § Phar 10.03(1), by administering, dispensing, supplying or obtaining a drug other than in legitimate practice, or as prohibited by law.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Steven V. Henningfield, R.Ph., is REPRIMANDED.

3. The license to practice pharmacy issued to Steven V. Henningfield, R.Ph., (license number 9961-40) is LIMITED as follows:

a. Within one hundred twenty (120) days from the date of this Order, Respondent shall successfully complete the Multistate Pharmacy Jurisprudence Examination (MPJE) administered by the National Association of Boards of Pharmacy (NABP).

i. If, within 120 days of the date of this Order Respondent fails the MPJE on all attempts, he shall submit evidence that he did not pass the examination within 120 days from the date of this order, and the Department Monitor shall extend this limitation for an additional 60 days to allow Respondent retake the examination. If Respondent is unable to pass the examination within 180 days of the date of this Order, the Board's Monitoring Liaison may decide, in an exercise of discretion, that Respondent's license may be suspended until Respondent successfully passes the examination or the Monitoring Liaison, in an exercise of discretion, with just cause, is authorized to grant Respondent additional time to take and pass the examination.

- b. Respondent shall cause proof of successful completion of the MPJE to be delivered to the Department Monitor at the address stated below.
- c. This limitation shall be removed from Respondent's license after Respondent satisfies the Board or its designee that Respondent has passed the MPJE in compliance with this Order.
- d. Respondent is responsible for all costs associated with this Order.

4. Within ninety (90) days from the date of this Order, Steven V. Henningfield, R.Ph., shall pay COSTS of this matter in the amount of \$669.00.

5. 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:

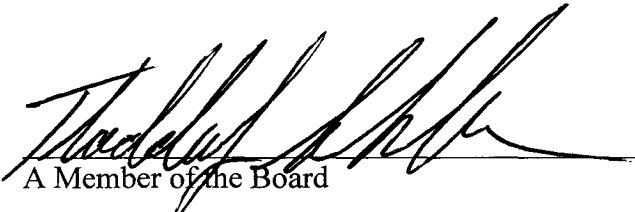
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 costs as ordered, or Respondent fails to pass the MPJE as required by this Order, Respondent's license (no. 9961-40) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and passed the MPJE.

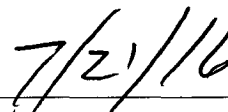
7. This Order is effective on the date of its signing.

WISCONSIN PHARMACY EXAMINING BOARD

by:


A Member of the Board

Date



STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
STEVEN V. HENNINGFIELD, R.PH., :
RESPONDENT. : 0004825

Division of Legal Services and Compliance Case No. 15 PHM 004

Respondent Steven V. Henningfield, R.Ph., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Michael Luebke.

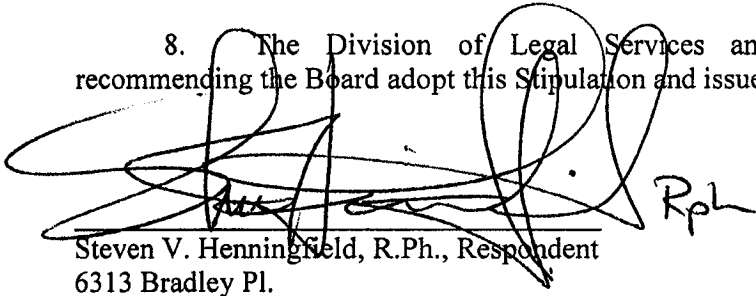
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Pharmacy Examining (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

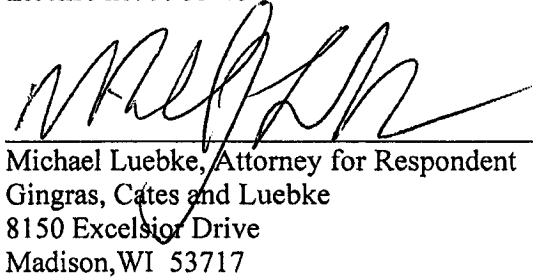
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Rph

Steven V. Henningfeld, R.Ph., Respondent
6313 Bradley Pl.
Madison, WI 53711
License no. 9961-40

01 June 2016
Date



Michael Luebke, Attorney for Respondent
Gingras, Cates and Luebke
8150 Excelsior Drive
Madison, WI 53717

6/1/16
Date



Sandra L. Nowack, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

6/6/16
Date