

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
MARLA AHLGRIMM, R. PH., :
RESPONDENT. :

0005128

Division of Legal Services and Compliance Case No. 16 PHM 125

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

Marla Ahlgrimm, R. Ph.
2991 Woods Edge Way
Fitchburg, WI 53711-5152

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 Marla Ahlgrimm, R. Ph., (dob June 23, 1955) is licensed in the state of Wisconsin to practice pharmacy, having license number 9521-40, first granted on June 13, 1979, and expired on May 31, 2016. Respondent retains the right to renew her license by payment of a fee through May 30, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2991 Woods Edge Way, Fitchburg, Wisconsin 53711-5152.

2. On September 12, 2014, Respondent was arraigned on a ten-count indictment in the U.S. District Court for the Eastern District of New York, Case no. 14-CR-00374. The indictment alleged criminal activity substantially related to the practice of pharmacy.

3. On February 8, 2016, Respondent pled guilty to Count One of the federal indictment, Conspiracy to Commit Mail and Wire Fraud. As an explicit condition of plea, Respondent agreed to surrender her Wisconsin pharmacist's license.

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(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, Respondent violated a law substantially related to the practice of pharmacy, which is unprofessional conduct as defined by Wis. Stat. § 450.10(1)(a)2.

3. Respondent is subject to disciplinary action pursuant to Wis. Stat. § 450.10(2).

ORDER

1. The attached Stipulation is accepted.

2. The PERMANENT SURRENDER of the license and the right to renew the license to practice pharmacy in the state of Wisconsin issued to Marla Ahlgrimm, R. Ph., (license no. 9521-40) is hereby accepted.

3. In the event Respondent petitions the Board for reinstatement of her license to practice pharmacy in the state of Wisconsin, the Board may enter an order denying such petition without further notice or hearing.

4. Respondent shall immediately return all indicia of Wisconsin licensure 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

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

WISCONSIN PHARMACY EXAMINING BOARD

by:


A Member of the Board

1/17/17
Date

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
MARLA AHLGRIMM, R. PH.,	:	
RESPONDENT.	:	0005 128

Division of Legal Services and Compliance Case No. 16 PHM 125

Respondent Marla Ahlgrimm, 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 and is represented by Attorney Jordan Loeb.


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.

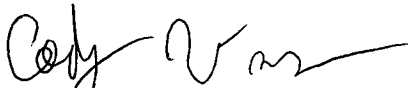
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Marla Ahlgrimm, R. Ph., Respondent
2991 Woods Edge Way
Fitchburg, WI 53711-5152
License no. 9521-40

Nov. 14, 2016

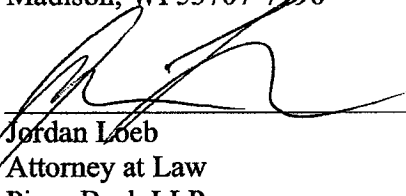
Date



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

11/23/16

Date



Jordan Loeb
Attorney at Law
Pines Bach LLP
122 W Washington Ave, Ste 900
Madison, WI 53703

11/22/16

Date