

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	:	
	:	INTERIM ORDER
TIMOTHY J. ENDRES, R.PH.,	:	
RESPONDENT.	:	0005383

Division of Legal Services and Compliance Case No. 16 PHM 199

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

Timothy J. Endres, R.Ph.
206 Saratoga Circle
Madison, WI 53705

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 Timothy J. Endres, R.Ph., (dob October 28, 1960) is licensed in the state of Wisconsin to practice pharmacy, having license number 11571-40, first granted on March 27, 1991, and current through May 31, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 206 Saratoga Circle, Madison, Wisconsin 53705.

2. At all times relevant to this proceeding, Respondent was employed as the managing pharmacist at a pharmacy, located in Montello, Wisconsin.

3. On December 6, 2016, Respondent, in Marquette County Circuit Court case number 2016CF0076, was charged with seven (7) counts of manufacturing/delivering schedule I, II narcotics, in violation of Wis. Stat. § 961.41(1)(a), a felony; and one (1) count of retail theft – intentional transfer of property greater than \$500 - \$5,000, in violation of Wis. Stat. § 943.50(1m)(c), a felony.

4. Respondent has not been convicted of the above charges and the investigation is ongoing and incomplete.

5. Respondent is presumed innocent of these charges.

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).

INTERIM ORDER

1. The attached Stipulation is accepted.

2. The license to practice pharmacy issued to Timothy J. Endres, R.Ph., (license number 11571-40) is SUSPENDED indefinitely from the date of this Order.

3. Respondent shall not engage in the practice of pharmacy, nor work in a pharmacy in any capacity, while his license to do so is suspended.

4. This Interim Order provides for a temporary suspension. It shall not be interpreted to be construed as any admission of a violation. This Interim Order shall remain in effect only until a Final Decision and Order is issued by the Board or the Board closes the case without formal action.

5. Violation of any term of this Interim Order will be considered a violation of a Board order and Respondent will be subject to discipline pursuant to Wis. Stat. § 450.10(1).

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

WISCONSIN PHARMACY EXAMINING BOARD

by: 
 A Member of the Board

7/20/17
 Date

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TIMOTHY J. ENDRES, R.PH.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0005383

Division of Legal Services and Compliance Case No. 16 PHM 199

Respondent Timothy J. Endres, 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 terms of the Interim Order by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights as to the Interim Order only:

- 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. Entering into this stipulation does not constitute a waiver of the above-referenced rights in any other proceeding.

4. 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 Robert Nagel.

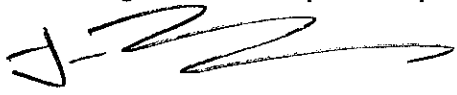
5. Respondent agrees to the adoption of the attached Interim Order by the Pharmacy Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Interim Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal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

6. 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 interim resolution.

7. 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 or Respondent's attorney, 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 Interim Order.

8. Respondent is informed that should the Board adopt this Stipulation; the Board's Interim Order is a public record and will be published in accordance with standard Department procedure.

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



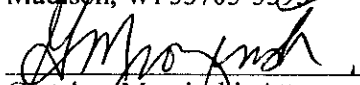
Timothy J. Endres, R.Ph., Respondent
206 Saratoga Circle
Madison, WI 53705
License no. 15171-40

Date 5/19/17



Christopher T. Van Wagner, Attorney for Respondent
Christopher T. Van Wagner, S.C.
110 E. Main Street, Suite 705
Madison, WI 53703-3395

Date 5/19/17



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

Date 5-19-17