

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### **Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

SPECIALTY VETERINARY PHARMACY,  
RESPONDENT.

:  
:  
:  
:  
:

FINAL DECISION AND ORDER

0005690

---

Division of Legal Services and Compliance Case No. 17 PHM 077

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

Specialty Veterinary Pharmacy, Respondent  
4159 Bluebonnet Drive  
Stafford, TX 77477

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 Specialty Veterinary Pharmacy is licensed in the state of Wisconsin to practice pharmacy, having license number 603-43, first issued on October 26, 2010, and current through May 31, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4159 Bluebonnet Drive, Stafford, Texas 77477.

2. Respondent is also licensed as a pharmacy in multiple states including the State of Texas (License no. 25944).

3. On February 8, 2011, Respondent was issued an Agreed Board Order (2011 Order) by the Texas Board of Pharmacy which imposed an administrative penalty of \$5,000 and ordered the Respondent to develop and implement policies and procedures for ensuring that Respondent obtained valid licensure from other state licensing entities necessary to operate in that state as a pharmacy or a wholesale facility.

4. The 2011 Order was based on the charges that from August 3, 2009, through August 28, 2009, Respondent's pharmacist-in-charge allowed Respondent to ship prescription medications to 28 states where Respondent did not have a license from the respective state's board of pharmacy.

5. Respondent failed to report or notify the Board of the 2011 Order.

6. On February 11, 2014, Respondent was issued an Agreed Board Order (2014 Order) by the Texas Board of Pharmacy which suspended Respondent's license for two (2) years, placed Respondent on probation during the suspension, and ordered Respondent to pay a \$1,200 probation fee and pay any costs associated with the 2014 Order.

7. The 2014 Order was based on the charges that from March 24, 2011, through September 23, 2011, Respondent's pharmacist-in-charge allowed Respondent to unlawfully engage in the practice of pharmacy by allowing Respondent to dispense and sell prescription drugs to patients and veterinary offices in five (5) states, involving 17 transactions, where Respondent did not possess a license.

8. Respondent failed to report or notify the Board of the 2014 Order.

9. 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, Specialty Veterinary Pharmacy violated Wis. Stat. § 450.10(1)(a)2, by violating a federal or state statute or rule which substantially relates to the practice of pharmacy.

3. By the conduct described in the Findings of Fact, Specialty Veterinary Pharmacy engaged in unprofessional conduct as defined by Wis. Admin. Code § Phar 10.03(7), by failing to report to the Board any pharmacy practice which constitutes a danger to the health, safety or welfare of a patient or the public.

4. By the conduct described in the Findings of Fact, Specialty Veterinary Pharmacy engaged in unprofessional conduct as defined by Wis. Admin. Code § Phar 10.03(17), by having a pharmacist license revoked or suspended in another state or United States jurisdiction or having been subject to other disciplinary action by the licensing authority thereof.

5. As a result of the above violations, Specialty Veterinary Pharmacy is subject to discipline pursuant to Wis. Stat. § 450.10(1)(b)1.

ORDER

1. The attached Stipulation is accepted.

2. Respondent Specialty Veterinary Pharmacy is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Specialty Veterinary Pharmacy shall pay COSTS of this matter in the amount of \$298.00 and pay a FORFEITURE amount of \$1,000.

4. 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:

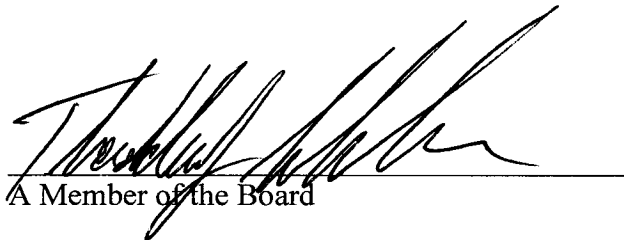
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

5. In the event that Respondent violates any term of this Order, Respondent's license (no. 603-43) to practice pharmacy in the state of Wisconsin may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

6. 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

SPECIALTY VETERINARY PHARMACY,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

0005693

---

Division of Legal Services and Compliance Case No. 17 PHM 077

Respondent Specialty Veterinary Pharmacy, 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.

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.

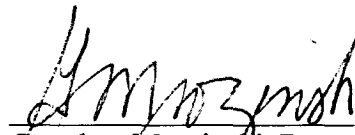
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

  
Specialty Veterinary Pharmacy, Respondent  
~~Mimi Fonnu~~  
4159 Bluebonnet Drive  
Stafford, TX 77477  
License no. 603-43

3/14/18  
Date

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

3-19-18  
Date