

## 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

APR 12 2019

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JENNIFER A. HANSEN, R.PH.,  
RESPONDENT.

FINAL DECISION AND ORDER

0006201

Division of Legal Services and Compliance Case No. 17 PHM 141

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

Jennifer A. Hansen, R.Ph.,  
8126 Hearts Lane  
St. Germain, WI 54558

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 Jennifer A. Hansen, R.Ph., (DOB August 1, 1969) is licensed in the state of Wisconsin to practice pharmacy, having license number 16630-40, first issued on May 23, 2012, and current through May 31, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 8126 Hearts Lane, St. Germain, Wisconsin 54558.

2. At all times relevant to this proceeding, Respondent was employed as a managing pharmacist at a pharmacy (Pharmacy) located in St. Germain, Wisconsin. Respondent's employment with the Pharmacy terminated in September 2017.

3. On September 17, 2017, the following occurred:
  - a. Respondent misappropriated five (5) morphine sulfate 30 mg tablets from the Pharmacy. Respondent did not have a prescription for the morphine sulfate.
  - b. Respondent ingested five (5) morphine sulfate 30 mg tablets, 100 to 110 mg of lorazepam, and an alcoholic beverage with the intent of committing suicide. Respondent had a prescription for the lorazepam.
4. On September 18, 2017, when Respondent did not report to work, a coworker went to Respondent's address, found Respondent to be in medical need, and transported Respondent to a medical center. Respondent was hospitalized for two days before being transferred to a mental health facility where she received treatment for nine days.
5. Respondent, recognizing that she needed professional help in addition to her brief hospitalization, sought in-patient treatment in California for approximately a two (2) month period beginning in October through early December 2017.
6. Upon return from treatment in California, Respondent has continued with professional counseling, seeking treatment several times per month.
7. In mid-December 2017, Respondent obtained new employment as a pharmacist working for three (3) pharmacies located in grocery stores. Respondent works approximately thirty (30) hours per week and does not work as a managing pharmacist. Respondent's current employer, via the managing pharmacist, is aware of the facts contained in paragraphs one (1) through seven (7).
8. 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. Pursuant to Wis. Stat. § 961.16(2)(a)10., morphine is a schedule II controlled substance for which, under the circumstances at issue, a prescription is required pursuant to Wis. Stat. § 961.38(1r).
3. By the conduct described in the Findings of Fact, Respondent 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.
4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § 10.03(2), by engaging in any

pharmacy practice which constitutes a danger to the health, welfare, or safety of patient or public, including but not limited to, practicing in a manner which substantially departs from the standard of care ordinarily exercised by a pharmacist which harmed or could have harmed a patient.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 450.10(1)(b)1. and 3.

### ORDER

1. The attached Stipulation is accepted.
2. The license to practice pharmacy issued to Respondent, (license number 16630-40) is SUSPENDED as follows:

### SUSPENSION

- A.1. The license of Respondent, to practice pharmacy in the state of Wisconsin is SUSPENDED for a period of three (3) years following this order. The Board in its discretion may restore Respondent's license to full, unlimited status only upon petition by Respondent after completion of three (3) years of practice of pharmacy in compliance with all terms and conditions of this Order, and a demonstration that Respondent may practice pharmacy without condition or limitation with skill and safety to patient and public.

### STAY OF SUSPENSION

- B.1. The suspension is immediately stayed. The stay of the suspension shall be lifted for two (2) weeks (fourteen (14) consecutive days) within the first six (6) months following this order, at Respondent's discretion. Respondent shall notify the Department Monitor one (1) week in advance of the proposed two (2) week period. At the conclusion of the approved two (2) weeks, the suspension shall, again, be stayed.
- B.2. The Board or its designee may, without hearing, remove the stay upon receipt of information that Respondent is in violation of any of the terms of this Order. The Board or its designee may, in conjunction with any removal of any stay, prohibit the Respondent for a specified period of time from seeking a reinstatement of the stay under paragraph B.3.
- B.3. The Board or its designee may reinstate the stay, if provided with sufficient information that Respondent is in compliance with the Order and that it is appropriate for the stay to be reinstated. Whether to reinstate the stay shall be wholly in the discretion of the Board or its designee.

### CONDITIONS OF STAY AND LIMITATIONS

- C.1. Within forty-five (45) days of the date of this Order, Respondent shall, at her own expense, undergo a fitness for practice evaluation with a pre-approved psychiatrist or

psychologist (Evaluator) who has not provided treatment to Respondent and is experienced in evaluating whether a health care professional is fit for practice.

- a. Prior to evaluation, Respondent shall provide a copy of this Final Decision and Order to the Evaluator.
- b. Respondent shall identify and provide the Evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
- c. Within fifteen (15) days of the completion of the evaluation, a written report regarding the results of the evaluation shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere with her ability to practice safely and competently and, if so, shall provide any recommended limitations for safe and competent practice.
- d. Respondent shall execute necessary documents authorizing the Division to obtain records of the evaluation, and to discuss Respondent and her case with the Evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Board or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Board.
- e. If the Evaluator determines that Respondent is not fit for practice or is fit for practice with limitations, the Board or its designee may remove the stay on the suspension of Respondent's license until Respondent provides proof sufficient to convince the Board or its designee that Respondent is able to practice with reasonable skill and safety of patients and the public and does not suffer from any condition which prevents Respondent from practicing in that manner.
- f. If the Evaluator determines that Respondent is fit for practice or is fit for practice with limitations, the Board or its designee may limit Respondent's license in a manner to address any concerns the Board or its designee has as a result of the conduct set out in the Findings of Fact and to address any recommendations resulting from the evaluation, including, but not limited to:
  - i. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with quarterly reports to the Board by the therapist.
  - ii. Additional professional education in any identified areas of deficiency.
  - iii. Restrictions on the nature of practice, practice setting, or requirements for supervision of practice by a professional approved by the Board, with periodic reports to the Board by the supervisor.

- C.2. Within forty-five (45) days of the date of this Order, Respondent shall, at her own expense, undergo an Alcohol and Other Drug Abuse (AODA) evaluation with a pre-approved evaluator (Evaluator) who has not provided treatment to Respondent and is experienced in evaluating whether a health care professional has alcohol or drug abuse issues.
- a. Prior to the evaluation, Respondent shall provide a copy of this Final Decision and Order to the Evaluator.
  - b. Respondent shall identify and provide the Evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated for alcohol and/or drug usage and/or abuse issues.
  - c. Within fifteen (15) days of the completion of the evaluation, a written report regarding the results of the evaluation shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere with her ability to practice safely and competently and, if so, shall provide any recommended limitations for safe and competent practice.
  - d. Respondent shall execute necessary documents authorizing the Division to obtain records of the evaluation, and to discuss Respondent and her case with the Evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Board or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Board.
  - e. The Board, or its designee, may impose additional limitations upon Respondent's license based on the results of the evaluation and/or the Evaluator's recommendations.
  - e. Respondent shall comply with the Evaluator's recommendations.
- C.3. Respondent shall not be employed as or work in the capacity of a "managing pharmacist" as defined in Wis. Admin. Code § Phar 1.02(6), without preapproval by the Board. Respondent may still be employed as or work in the capacity of a "Pharmacist-in-charge" as defined in Wis. Admin. Code § 1.02(9).
- C.4. Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel (including the managing pharmacist) at all pharmacies where Respondent is engaged in the practice of pharmacy as defined in Wis. Stat. § 450.01(16). Respondent shall also provide a copy of this Final Decision and Order to all future prospective employers during the period of time that this Order remains in effect.

- C.5. Respondent shall obtain from her supervising pharmacist an agreement to conduct a full and exact (not estimated) count of all controlled substances in inventory immediately, and accountability audits of all controlled substances every six (6) months for the duration of this Order. The audit shall be conducted by, and certified by, a licensed pharmacist other than Respondent. A summary of all audits required under this subparagraph shall be provided to the Board within two (2) weeks following the audit. However, any discrepancy or missing drugs indicated by the audits shall be immediately reported in writing to the Board.
- C.6. Respondent shall arrange for agreement by her managing pharmacist to immediately report to the Board any conduct or condition of Respondent that may constitute a violation of this Order to a danger to the public.
- C.7. Respondent shall not own in whole or in part any interest in a pharmacy during the period of time this Order remains in effect.
- C.8. Respondent shall report to the Board any change of employment status, residence, address, or telephone number within five (5) days of the date of change.

#### MISCELLANEOUS

- D.1. Any payments, requests, petitions, reports and other information required by this Order may be mailed, faxed, or emailed to:

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](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS' Monitoring Case Management System, here:

<https://app.wi.gov/DSPSMonitoring>

- D.2. Respondent is responsible for compliance with all the terms and conditions of this Order, including the timely submission of reports by others. Respondent shall promptly notify the Department Monitor of any failures of a provider, employer, managing pharmacist, or any other individual or entity to conform to the terms and conditions of this Order. Respondent shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order by Respondent.
- D.3. Respondent shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order.

D.4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$907.00.

D.5. In addition to the terms contained in paragraph B.2., the Board may refer any violation of this Order to the Division for further investigation and action.

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

WISCONSIN PHARMACY EXAMINING BOARD

by:   
A Member of the Board

5/22/2019  
Date

Jessica A. Hansen, PharmD 4-9-19  
Respondent



STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JENNIFER A. HANSEN, R.PH.,  
RESPONDENT.

STIPULATION

0006201

---

Division of Legal Services and Compliance Case No. 17 PHM 141

Respondent Jennifer A. Hansen, 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.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Pharmacy Examining Board (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.

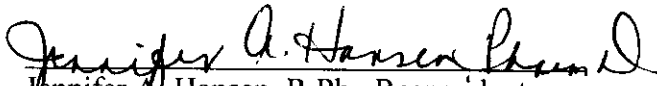
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

  
Jennifer A. Hansen, R.Ph., Respondent  
8126 Hearts Lane  
St. Germain, WI 54558  
License no. 16630-40

4-9-19  
Date

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

4/22/19  
Date