

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

SHAWNTE L. ROBINSON, R.Ph.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER
FOR VOLUNTARY SURRENDER

ORDER 0006585

Division of Legal Services and Compliance Case Nos. 17 PHM 068, 19 PHM 025,
and 19 PHM 054

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

Shawnte L. Robinson, R.Ph.
2329 S. 56th Street
West Allis, WI 53219

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 Shawnte L. Robinson, R.Ph., (DOB December 1, 1976) is licensed in the state of Wisconsin to practice pharmacy, having license number 14257-40, first issued on August 12, 2004, and current through May 31, 2020. This license is currently suspended.

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2329 South 56th Street, West Allis, Wisconsin 53219.

3. At all times relevant to this proceeding, Respondent was employed as a managing pharmacist at a pharmacy (Pharmacy), located in Milwaukee, Wisconsin.

17 PHM 068

4. On May 4, 2017, a Department investigator reported that, while investigating another matter, a Prescription Drug Monitoring Program (PDMP) report was reviewed for Patient A.

5. The Department investigator discovered that the Pharmacy, where Respondent was managing pharmacist, reported in the PDMP system four (4) Suboxone® prescriptions for Patient A between January 2017 and February 2017.

6. Despite being prescribed by the same practitioner, the four (4) Suboxone® entries were attributed to different Drug Enforcement Administration (DEA) numbers.

7. The Pharmacy investigated and reviewed Patient A's prescriptions. On two (2) occasions, Patient A's prescription was recorded under the wrong provider's DEA number. The providers shared a mutual first and last name. On another occasion, the prescription was recorded under the Pharmacy's DEA number. On one occasion, the PDMP reflected the correct prescriber.

8. Respondent was unable to recall Patient A or provide current pharmacy policies and procedures regarding PDMP as her employment with the Pharmacy ended in April 2017.

9. Respondent indicated that the PDMP had been monitored through the Pharmacy's corporate office where corrections were made to the PDMP when there were issues.

19 PHM 025 and 19 PHM 054

10. On January 9, 2018, Respondent was disciplined by the Pharmacy Examining Board under Order 0005581 (Order). A requirement of this Order was Respondent's abstention from all personal use of controlled substances except when prescribed, dispensed, or administered by a licensed practitioner for a legitimate medical condition. Respondent was required to submit to random drug screens to ensure compliance.

11. On October 15, 2018, Respondent tested positive for a prohibited substance during a random drug screen which was submitted pursuant to the Order.

12. Respondent provided prescription labels in her name for the prohibited substance purportedly issued by a licensed provider to the Department Monitor in an attempt to document compliance with the Order.

13. On February 4, 2019, the Pharmacy reported to the Department that the Respondent had allegedly created and submitted fraudulent prescriptions for controlled substances in her own name to be dispensed for her personal use between 2016 and 2019.

14. On April 9, 2019, Respondent admitted to Department staff the fraudulent nature of the prescription labels she provided to the Department Monitor after she tested positive for a prohibited substance on October 15, 2018; and that she fraudulently altered the number of refills on prescriptions for herself between 2016 and 2019.

15. On May 7, 2019, the Board issued an indefinite suspension of Respondent's pharmacist license for her violation of the Order and submission of fraudulent prescription labels to the Department Monitor.

16. On June 4, 2019, Respondent was convicted in Milwaukee County Circuit Court case number 19CM266 of one (1) count of obtaining a prescription drug with fraud, a class U misdemeanor, in violation of Wis. Stat. § 450.11(7)(a).

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, Shawnte L. Robinson, R.Ph., engaged in unprofessional conduct as defined by Wis. Stat. § 450.10(1)(a)2, by violating any federal or state statute or rule which substantially relates to the practice of pharmacy.

3. By the conduct described in the Findings of Fact, Shawnte L. Robinson, R.Ph., engaged in unprofessional conduct as defined by Wis. Stat. § 450.11(7)(a), by obtaining a prescription drug by fraud.

4. By the conduct described in the Findings of Fact, Shawnte L. Robinson, R.Ph., engaged in unprofessional conduct as defined by Wis. Admin. Code Phar § 10.03(1), by obtaining a drug other than in legitimate practice, or as prohibited by law.

5. By the conduct described in the Findings of Fact, Shawnte L. Robinson, R.Ph., engaged in unprofessional conduct as defined by Wis. Admin. Code Phar § 10.03(5), by falsifying patient records.

6. By the conduct described in the Findings of Fact, Shawnte L. Robinson, R.Ph., engaged in unprofessional conduct as defined by Wis. Admin. Code Phar § 10.03(18), by violating a formal disciplinary order of the board.

7. By the conduct described in the Findings of Fact, Shawnte L. Robinson, R.Ph., engaged in unprofessional conduct as defined by Wis. Admin. Code § CSB 4.07(1), by failing to electronically correct dispensing data in the PDMP system within 5 business days of discovering an omission, error, or inaccuracy in previously submitted dispensing data.

8. As a result of the above violations, Shawnte L. Robinson, R.Ph., is subject to discipline pursuant to Wis. Stat. § 450.10(1)(b)1.

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of the license and privilege of Shawnte L. Robinson, R.Ph., (license no. 14257-40) to practice pharmacy in the state of Wisconsin is hereby accepted.

3. In the event Respondent petitions the Pharmacy Examining Board for reinstatement as a pharmacist in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. In the event Respondent petitions the Board for reinstatement of her license to practice pharmacy in the state of Wisconsin or applies for another credential with the Department, Respondent shall pay the costs of this matter in the amount of \$1208.00, before any application is considered.

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

WISCONSIN PHARMACY EXAMINING BOARD

by: 
A Member of the Board

12/17/2019
Date

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SHAWNTE L. ROBINSON, R.PH.,
RESPONDENT.

STIPULATION

ORDER 0006585

Division of Legal Services and Compliance Case Nos. 17 PHM 068, 19 PHM 025,
and 19 PHM 054

Respondent Shawnte L. Robinson, 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). 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.

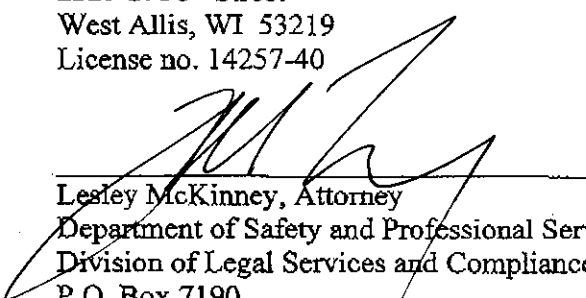
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Shawnte L. Robinson, R.Ph., Respondent
2329 S. 56th Street
West Allis, WI 53219
License no. 14257-40

10/5/2019
Date


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

10/10/19
Date