

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CYNTHIA R. HENNEN, R.PH.,	:	
RESPONDENT.	:	<b>ORDER 0007196</b>

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Division of Legal Services and Compliance Case No. 18 PHM 170

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

Cynthia R. Hennen, R.Ph.  
New Berlin, WI 53151

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 Cynthia R. Hennen, R.Ph., (DOB: XX/XX/1957) is licensed in the state of Wisconsin to practice pharmacy, having license number 10709-40, first issued on June 26, 1985, and current through August 30, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in New Berlin, Wisconsin 53151.

### Prior Discipline

2. On October 9, 2012, Respondent was alleged to have entered her place of employment (an outpatient pharmacy) to remove an unknown amount of Phentermine 37.5mg tablets.<sup>1</sup> Respondent denied any wrongdoing in the incident.

3. On May 22, 2013, Respondent's license was suspended for thirty days and placed in limited status by the Wisconsin Pharmacy Examining Board (Order 0002448). Respondent was required to complete education and submit quarterly work reports.

4. On June 6, 2016, Respondent's request for return of her full, unrestricted license, was denied by the Wisconsin Pharmacy Examining Board until the Respondent complied with the complete terms and conditions of the order.

5. On March 1, 2019, Respondent's request for return of her full, unrestricted license, was denied by the Wisconsin Pharmacy Examining Board until the Respondent complied with the complete terms and conditions of the order.

### Current Case

6. At all times relevant to this proceeding, Respondent was employed as a pharmacist at a hospital (Hospital), located in Waukesha, Wisconsin.

7. On September 16, 2018, Respondent contacted the Department to report a job status change as required by Order 0002448.

8. Respondent told the Department her departure from the Hospital was due to being required to work an overwhelming number of hours.

9. The Department followed up with the Hospital to confirm the reason for Respondent's resignation. The Hospital reported that Respondent violated one of their policies, by preparing an intravenous iron compound and distributing it to a non-patient.

10. The Hospital suspended Respondent for the violation of the policy. Respondent resigned prior to completion of the investigation.

11. Respondent stated she received a verbal order from a physician and prepared the IV pursuant to that order.

12. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

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<sup>1</sup> Phentermine was, at the time the 2012 investigation, and still is a Class IV controlled substance.

### 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 engaged in unprofessional conduct as defined by Wis. Admin. Code § Phar 10.03(8), by providing false information to the pharmacy examining board or its agent.

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

### ORDER

1. The attached Stipulation is accepted.

2. Respondent Cynthia R. Hennen, R.Ph., is REPRIMANDED.

3. The license to practice pharmacy issued to Cynthia R. Hennen, R.Ph., (license number 10709-40) is LIMITED as follows:

- a. Within ninety (90) days from the date of this Order, Respondent shall successfully complete four (4) hours of education on the topic of ethics offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.
- b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- c. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- d. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within ninety (90) days from the date of this Order, Cynthia R. Hennen, R.Ph., shall pay COSTS of this matter in the amount of \$789.00.

5. Request for approval of courses, proof of successful course completion and 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

You may also submit this information online via the Department's Monitoring Case Management System at

<https://dspsmonitoring.wi.gov>

6. In the event that Respondent violates any term of this Order, Respondent's license (no. 10709-40) to practice pharmacy in the state of Wisconsin may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Section 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.

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

WISCONSIN PHARMACY EXAMINING BOARD

by:

  
A Member of the Board

28 January 2021

Date

STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

CYNTHIA R. HENNEN, R.PH.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

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**ORDER 0007196**

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Division of Legal Services and Compliance Case No. 18 PHM 170

Respondent Cynthia R. Hennen, 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.

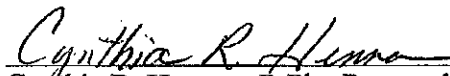
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

  
Cynthia R. Hennen, R.Ph., Respondent  
New Berlin, WI 53151  
License no. 10709-40

9-12-2020  
Date

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

September 22, 2020  
Date