

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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
PETER A. DICKMAN, R.Ph.,	:	
RESPONDENT.	:	<b>ORDER 0007581</b>

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Division of Legal Services and Compliance Case No. 20 PHM 087

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

Peter A. Dickman, R.Ph.  
Oconomowoc, WI 53066

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. Peter A. Dickman, R.Ph. (Respondent), (Year of Birth 1964) is licensed in the state of Wisconsin to practice pharmacy, having license number 11222-40, first issued on March 23, 1989, and current through May 31, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Oconomowoc, Wisconsin 53066.

2. At all times relevant to this proceeding, Respondent was employed as the managing pharmacist at a pharmacy in Oconomowoc, Wisconsin (Pharmacy).

3. In December 2018, and again in January 2019, the Pharmacy conducted internal controlled substances inventory audits and discovered significant inventory discrepancies, as well as several unusual balance on hand adjustments manually entered by Respondent.

4. In 2017 and 2018, Respondent filled and dispensed prescriptions for controlled substances to family members in violation of Pharmacy policy.

5. In 2018, Respondent continued to utilize a handwritten logbook to document controlled substances inventory count even after the Pharmacy had switched to an Electronic Perpetual Inventory system, and after Respondent's supervisor advised Respondent to stop using the handwritten logbook.

6. Respondent denies all allegations of diversion of controlled substances related to this matter.

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

#### CONCLUSIONS OF LAW

1. The 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. Wisconsin Stat. § 450.09(1)(a) provides that the pharmacy shall be under the control of the managing pharmacist and that the managing pharmacist shall be responsible for the professional operations of the pharmacy.

3. Wisconsin Admin. Code § Phar 8.02(1) requires a pharmacy to maintain complete and accurate records of each controlled substance received, manufactured, distributed, dispensed, or disposed of in any manner.

4. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct by undertaking pharmacy practices which constitute 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 within the meaning of Wis. Admin. Code § Phar 10.03(1).

5. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 450.10(1)(b)1 and Wis. Admin. Code § Phar 10.03.

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The license issued to Respondent (license no. 11222-40) to practice pharmacy, is LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall at their own expense, successfully complete three (3) hours of education on the topic of controlled substances inventory, three (3) hours of education on the topic of managing pharmacist best practices, and three (3) hours of education on the topic of ethics offered by a provider pre-approved by the Board monitoring liaison, including taking and passing any exam offered for the courses.
  - b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. 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.
  - c. The Board monitoring liaison may change the number of credit hours and/or education topics in response to a request from Respondent. The monitoring liaison may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
  - d. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.
4. Respondent is prohibited from working as a managing pharmacist for one year from the date of this Order.
  5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$2,091.00.
  6. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted 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) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov>

7. In the event Respondent violates any term of this Order, Respondent's license (11222-40), or Respondent's right to renew his license, 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.

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

WISCONSIN PHARMACY EXAMINING BOARD

By:   
A Member of the Board

9/2/2021  
Date

STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

PETER A. DICKMAN, R.Ph.,  
RESPONDENT.

STIPULATION

**ORDER 0007581**

Division of Legal Services and Compliance Case No. 20 PHM 087

Peter A. Dickman, R.Ph. (Respondent) 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. Respondent is represented by Attorney Stacie Rosenzweig.

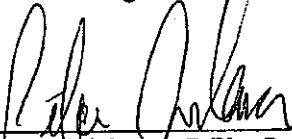
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Pharmacy Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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 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 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.

  
Peter A. Dickman, R.Ph., Respondent  
Oconomowoc, WI 53066  
License No. 11222-40

7/20/21  
Date

  
Stacie Rosenzweig, Attorney for Respondent  
Halling & Cayo, S.C.  
320 E. Buffalo St., Suite 700  
Milwaukee, WI 53202

7/20/21  
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

7/21/21  
Date