

## 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

STEPHEN T. TONSONG, R.PH.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008140**

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Division of Legal Services and Compliance Case No. 22 PHM 009

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

Stephen T. Tonsong, R.Ph.  
Park City, IL 60085<sup>1</sup>

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. Stephen T. Tonsong, R.Ph. (Respondent), (Year of Birth 1973) is licensed in the state of Wisconsin as a pharmacist, having license number 20215-40, first issued on January 27, 2020, and current through May 31, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) shows as Park, Illinois 60085.

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<sup>1</sup> Respondent's address in the Department database system (ICE) as provided by Respondent shows the city and state as "Park, Illinois." However, there is no "Park, Illinois" and the correct city and state is "Park City, Illinois."

2. At all times relevant to this proceeding, Respondent worked for a chain pharmacy (Pharmacy), as a floating pharmacist in Wisconsin.
3. On January 12, 2022, Respondent dispensed new prescription orders for two new medications (Metronidazole and Ciprofloxacin) to Patient A. Respondent did not offer or provide a consultation to Patient A when she picked up her medications.
4. On January 27, 2022, the Division of Legal Services and Compliance (Division), on behalf of the Board, sent Respondent an email at his email address of record with the Department requesting a written response to the allegations of the complaint. Respondent did not respond.
5. On February 4, 2022, the Division, on behalf of the Board, sent Respondent an email at his email address of record with the Department requesting a written response to the allegations of complaint. Respondent did not respond.
6. On February 15, 2022, the Division, on behalf of the Board, sent Respondent a letter at his mailing address of record with the Department requesting a written response to the allegations of complaint. Respondent did not respond.
7. On March 21, 2022, a Division investigator, on behalf of the Board, sent Respondent an email at his email address of record with the Department requesting a written response to the allegations of complaint. Respondent did not respond.
8. On March 30, 2022, a Division investigator, on behalf of the Board, sent Respondent a letter via certified mail to two new mailing addresses that were found during a Lexis/Nexis search of Respondent, requesting a written response to the allegations of complaint. The first was mailed to an address in Park City, Illinois, the second was mailed to an address in Round Lake, Illinois.
9. The letter that was sent via certified mail to the mailing address in Park City, Illinois was delivered on April 1, 2022.
10. On April 10, 2022, Respondent updated his mailing address of record with the Department to a Park, Illinois mailing address.
11. On April 13, 2022, a Division investigator, on behalf of the Board, telephoned Respondent and spoke to him via phone. Respondent stated that he did not receive any letters in the mail, he doesn't check his email, but that he will respond. On April 15, 2022, Respondent provided a response to the Department.
12. On May 18, 2022, a Division investigator, on behalf of the Board, emailed Respondent at his email address of record and asked him when he moved to Park City, Illinois. Respondent did not respond.
13. On June 1, 2022, a Division investigator, on behalf of the Board, again emailed Respondent at his email address of record and asked him when he moved to Park City, Illinois. Respondent did not respond.

14. On June 8, 2022, a Division investigator, on behalf of the Board, telephoned Respondent and spoke to him via phone. Respondent stated that he moved to Park City, Illinois sometime in December of 2020, and that he does not check his email so he does not know if he received any of the Division's recent email requests for additional information.

15. 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. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Phar 7.08(1) by failing to provide a consultation to a patient.

3. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct 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 within the meaning of Wis. Admin. Code § Phar 10.03(2).

4. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct by failing to respond to the satisfaction of the Department, credentialing board, or other board in the department, within 30 days to a request for information from the Department, credentialing board, or other board in the department in connection with an investigation of alleged misconduct within the meaning of Wis. Stat. § 440.20(5)(a).

5. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.11(1) by failing to notify the department of his new address within 30 days of the change in writing.

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

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$607.00.

4. 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

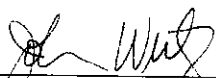
Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

5. In the event Respondent violates any term of this Order, Respondent's license (number 20215-40) 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.

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

WISCONSIN PHARMACY EXAMINING BOARD

By:

  
A Member of the Board

Date

9/1/2022

STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

STEPHEN T. TONSONG, R.PH.,  
RESPONDENT.

STIPULATION

**ORDER 0008 140**

Division of Legal Services and Compliance Case No. 22 PHM 009

Stephen T. Tonsong, 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.

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

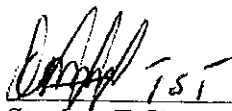
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Stephen T. Tonson, R.Ph., Respondent  
Park City, IL 60085  
License No. 20215-40

07/14/2022

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

7/19/2022

Date