

## 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

BRENTON M. SEVERSON, R.PH.,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008234**

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Division of Legal Services and Compliance Case No. 22 PHM 061

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

Brenton M. Severson, R.Ph.  
Madison, WI 53711

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 Brenton M. Severson, R.Ph., (Year of Birth 1987) is licensed in the state of Wisconsin to practice pharmacy, having license number 17623-40, first issued on August 7, 2014, and current through May 31, 2022.<sup>1</sup> Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Madison, Wisconsin 53711.

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<sup>1</sup> On April 14, 2022, Respondent timely applied for renewal of his license and reported pending charges. His renewal is pending legal review and his license remains active pursuant to Wis. Stat. § 227.51(2).

2. At all times relevant to this matter, Respondent was employed as a pharmacist at a pharmacy located in Wauwatosa, Wisconsin 53226 (Pharmacy).

3. On March 11, 2022, Respondent was intoxicated while working at the Pharmacy and his blood alcohol concentration (BAC) was 0.16. On the same date, Respondent submitted to a urine drug screen which tested positive for marijuana. Respondent was placed on leave from the Pharmacy pending an investigation.

4. Later on March 11, 2022, Respondent was arrested after driving erratically and causing an accident in the City of Madison, Wisconsin, at which time his BAC was noted to be 0.25. Respondent was charged in Dane County Circuit Court case number 22CT0472 with OWI (3<sup>rd</sup>), a misdemeanor in violation of Wis. Stat. § 346.63(1)(a), and Operating w/ PAC (3<sup>rd</sup>), a misdemeanor in violation of Wis. Stat. § 346.63(1)(b). Those charges are pending.

5. On April 20, 2022, Respondent was found guilty, in Waukesha County Circuit Court case number 22TR676, of OWI (1<sup>st</sup>), a forfeiture in violation of Wis. Stat. § 346.63(1)(a), his license was revoked for nine (9) months, and he was required to submit to twelve (12) months of an ignition interlock device and undergo an alcohol assessment. The underlying conduct occurred on January 18, 2022.

6. On August 18, 2022, Respondent was charged in Dane County Circuit Court case number 22CF2149 with two (2) counts of Neglecting a Child (No Harm and Child < 6 Yrs or Disability), a felony in violation of Wis. Stat. § 948.21(2). The charges are based on an incident on October 30, 2021, in which Respondent's children were found unattended while Respondent was intoxicated and passed out in his home. Those charges are pending.

7. On April 19, 2022, Respondent began intensive outpatient treatment, and was diagnosed with anxiety disorder and alcohol dependence. He was discharged on May 17, 2022.

8. On September 28, 2022, Respondent entered into an impairment program, separate from this Order.

9. 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 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.

3. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Stat. § 450.10(1)(a)3., by practicing pharmacy while the person's ability to practice is impaired by alcohol or other drugs or physical or mental disability or disease.

4. 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. Respondent's license to practice pharmacy (license no. 17623-40) is LIMITED as follows:

- a. Respondent must comply with the impairment program contract dated September 28, 2022.
- b. Any violation of the terms of the impairment program contract dated September 28, 2022, is a violation of this order.
- c. Respondent may petition for termination of this limitation upon successful completion of the impairment program.

4. In the event Respondent is discharged from the impairment program prior to successful completion, Respondent's license may, in the discretion of the Board or its designee, be immediately suspended. In addition to, or instead of, the suspension, the Board may impose additional limitations to address any concerns regarding the conduct described in the Findings of Fact and facts leading to Respondent's discharge from the impairment program.

5. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,166.00.

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://dpsmonitoring.wi.gov>.


7. In the event Respondent violates any term of this Order, Respondent's license (number 17623-40) 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.

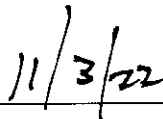
WISCONSIN PHARMACY EXAMINING BOARD

By:

A Member of the Board

A handwritten signature in cursive script, appearing to read "John Witek", written over a horizontal line.

Date

A handwritten date "11/3/22" written in cursive script over a horizontal line.

STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

BRENTON M. SEVERSON, R.Ph.,  
RESPONDENT.

STIPULATION

**ORDER 0008234**

Division of Legal Services and Compliance Case No. 22 PHM 061

Respondent Brenton M. Severson, 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. Respondent is represented by Attorney Mario Mendoza.
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.

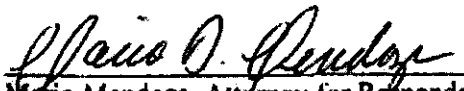
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Brenton M. Severson, R.Ph., Respondent  
Madison, WI 53711  
License No. 17623-40

10/25/22

Date



Mario Mendoza, Attorney for Respondent  
Murphy Desmond S.C.  
33 East Main Street, Suite 500  
Madison, WI 53703

10/26/2022



Carley Peich Kiesling, Prosecuting Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

10/26/2022

Date