

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	:	
	:	FINAL DECISION AND ORDER
PAUL A. BLAZKOVEC,	:	
RESPONDENT.	:	ORDER0008944

Division of Legal Services and Compliance Case No. 23 PHM 139

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

Paul A. Blazkovec
Milwaukee, 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 Paul A. Blazkovec (Year of Birth 1967) is licensed in the state of Wisconsin as a pharmacist, having license number 11701-40, first issued on January 14, 1992, and current through May 31, 2024. Respondent's license is currently suspended. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Milwaukee, Wisconsin 53219.

Prior Discipline

2. On December 3, 2020, the Board issued Order No. 0007111 reprimanding Respondent and ordering him to comply with his Professional Assistance Procedure (PAP)

contract. Respondent applied to PAP after a complaint was received by the Department reporting he was impaired at work and a breathalyzer showed the presence of alcohol.

3. On September 28, 2023, the Board suspended Respondent's license for violating the terms of Order No. 0007111.

Current Case

4. At all times relevant to this proceeding, Respondent worked as a pharmacist at a pharmacy located in Milwaukee, Wisconsin (Pharmacy).

5. On September 23, 2023, the Pharmacy received a complaint from a customer that Respondent was intoxicated. The Pharmacy instructed Respondent to close the pharmacy until a new pharmacist arrived and suspended his access to the computer system. When the new pharmacist arrived, he observed that Respondent smelled of alcohol and could barely stand or talk. Respondent was suspended until further notice and later resigned.

6. On September 25, 2023, the Pharmacy notified the Department's Monitoring Unit of the incident pursuant to Respondent's PAP contract.

7. On September 28, 2023, Respondent was discharged from PAP.

8. Pursuant to Respondent's PAP contract, Respondent agreed to abstain from alcohol use for a period of five years. If Respondent violated the terms of the PAP contract, he was subject to discharge from PAP and the following facts could be used as evidence in a disciplinary action against his license:

- (a) On September 15, 2019, Respondent drank an estimated 750-1000mL of vodka while watching football.
- (b) The following morning, Respondent arrived late to work as a pharmacist at a Milwaukee hospital.
- (c) Respondent had contact with eight cancer patients before his supervisor, having observed his behavior, brought him to the emergency department for a urine drug screen and breathalyzer test.
- (d) On September 30, 2019, Respondent completed an AODA assessment and was diagnosed with severe alcohol use disorder.
- (e) On December 29, 2022, Respondent had a positive urine alcohol test. Respondent said it was due to over-the-counter cold medication. The Department's Monitoring staff advised him to stop taking any medications containing alcohol and scheduled him for a blood test.
- (f) On January 3, 2023, Respondent had another positive urine alcohol test.

- (g) The results of Respondent's blood test indicated significant alcohol ingestion beyond that of over-the-counter medications. Respondent continued to claim the results were due to ingesting cold medication.

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

3. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by violating any order of the Board, pursuant to Wis. Stat. § 450.10(1)(a)8 and Wis. Admin. Code § Phar 10.03(18).

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

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER by Respondent of his license to practice as a pharmacist in the state of Wisconsin (license no. 11701-40), as well as his right to renew such license, is accepted.

3. In the event Respondent petitions the Board for reinstatement of his license to practice as a pharmacist in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$377.00, before any petition or application for a credential will be considered by the applicable board or Department.

4. Respondent shall not petition the Board for reinstatement of his license to practice as a pharmacist in the state of Wisconsin for at least one (1) year from the date of this Order. If the Respondent petitions for reinstatement after one year, whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.

5. 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>.

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

WISCONSIN PHARMACY EXAMINING BOARD

By: 
A Member of the Board

1/18/2024
Date

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
PAUL A. BLAZKOVEC,	:	STIPULATION
RESPONDENT.	:	ORDER0008944

Division of Legal Services and Compliance Case No. 23 PHM 139

Respondent Paul A. Blazkovec, 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

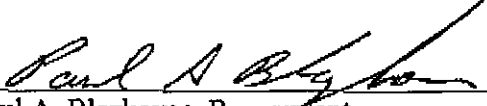
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.


Paul A. Blazkovec, Respondent
Milwaukee, WI 53219
License No. 11701-40

12-5-23
Date


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

12/06/2023
Date