

BEFORE THE INDIANA STATE
BOARD OF PHARMACY
CAUSE NO.: 96 IBP 004

STATE OF INDIANA,

Petitioner,

v.

KATHERINE WISNIEWSKI, R.Ph.,
License No. 26016812,

Respondent.

FILED

MAR 20 1996

HEALTH PROFESSIONS
BUREAU

EMERGENCY SUSPENSION ORDER

The Indiana State Board of Pharmacy ("Board") pursuant to the authority of IC 4-21.5-4-1 *et seq.* and IC 25-1-9-10, by a vote of 6 to 0, **SUMMARILY SUSPENDS** the pharmacy license held by Katherine Wisniewski, R.Ph., ("Respondent") for ninety (90) days as the Board finds that an emergency exists and that Respondent represents a clear and immediate danger to the public health and safety if allowed to continue to practice pharmacy in the State of Indiana.

This **NON-FINAL** emergency order is based upon the testimony of Frederick G. Biggs which was received and credited by the Board during a hearing held before the Board on March 11, 1996.

The testimony of Mr. Biggs establishes that:

1. Mr. Biggs works for the Indiana State Board of Pharmacy as a Pharmacy Inspector.
2. On March 6, 1996, Mr. Biggs was contacted by Steven Keen of Revco Drug Co. about the loss of medications from several Revco stores in northwest Indiana.

3. On March 7, 1996, Biggs interviewed Keen who indicated that Revco officials confronted Respondent on February 29, 1996 about medication shortages. Keen further stated that Respondent had given Revco officials a statement in which she admitted diverting medications from Revco for her own and her husband's use.

4. On March 7, 1996, Mr. Biggs interviewed Respondent at her Cedar Lake, Indiana, home. Respondent told Biggs that she started diverting Stadol nasal spray in July of 1995 and began diverting diet pills in September of 1995. She stated that she gave some of the medications to her husband for his use. Respondent acknowledged that she diverted the following medications:

<u>NAME</u>	<u>QUANTITY</u>
Fastin 30 mg capsules	150
Adipex-P 37.5 mg tablets	100
Stadol nasal spray units	80
Pondimin 20 mg tablets	200
Tenuate Dospan 75 mg tablets	100
Ionamin 30 mg capsules	700
Acetaminophen with codeine tablets	10

5. Respondent told Biggs that she did not have any prescriptions for these medications. She stated that she diverted medications from several stores because she worked as "floater" for Revco. She stated that she had diverted medications from two stores the previous week.

6. Respondent told Biggs that she diverted drugs at her husband's request and for emotional reasons that she could not identify. She indicated that she suffers from depression and that she had attempted suicide in May of 1995.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for a period of ninety (90) days from the date of this Order.

IT IS FURTHER ORDERED, pursuant to IC 25-1-9-7, because Respondent's physical and mental capacity to practice pharmacy safely is at issue, that the Respondent undergo a complete psychiatric examination and a complete addictionology examination and have complete reports concerning these examinations submitted directly to the Board and to the Office of the Attorney General. These examination shall be performed at the Respondent's expense.

Respondent shall provide the Board, within seven days of receipt of the Order, with the names of three board certified psychiatrists and the names of three certified addictionologists. The Board will then choose the psychiatrist and the addictionologist who will perform the examinations. These examinations shall be completed within thirty (30) days of the date Respondent receives the names of the examining physicians.

Respondent shall provide a copy of this Order to the examining psychiatrist and to the examining addictionologist prior to her examination.

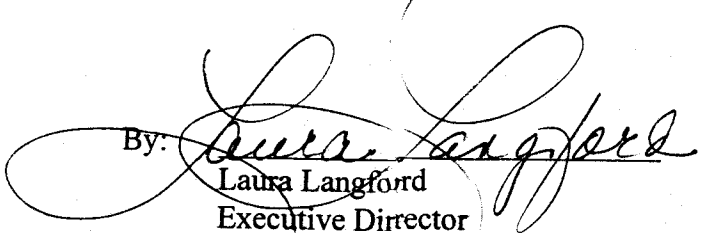
IT IS FURTHER ORDERED, that Respondent shall immediately surrender her pocket license and wall license to the Board in care of the Health Professions Bureau, 402 West Washington Street, Room 041, Indianapolis, Indiana 46204.

Pursuant to IC 4-21.5-4-4, and upon request by the Respondent, the Board shall, as quickly as practicable, set this matter for an evidentiary hearing and an administrative law judge shall determine whether this Order shall be voided, terminated, modified, stayed or continued.

SO ORDERED, this 20th day of March, 1996. This Order is effective on March 11, 1996.

INDIANA STATE BOARD
OF PHARMACY

By:


Laura Langford

Executive Director

Health Professions Bureau

Katherine Wisniewski, R.Ph.

9311 West 141st Avenue

Cedar Lake, IN 46303

SENT CERTIFIED MAIL NO. 2723 108 201

RETURN RECEIPT REQUESTED

Andrew S. Peacock

Deputy Attorney General

Indiana Government Center South

402 W. Washington Street, 5th Fl.

Indianapolis, IN 46204-2770

ASP/82534