

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**  
:  
JAMES SCHULZ, M.D., : LS0708154MED  
RESPONDENT. :

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Division of Enforcement Case #07 MED 213

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

James Schulz, M.D.  
3415 Viburnum Dr.  
Madison, WI 53705

Wisconsin Medical Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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

1. Respondent James Schulz, a/k/a James Trotter Schulz (dob 10/21/29) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license #12783, first granted on 8/13/57. Respondent is a general surgeon, and is retired.
2. Since before 1/1/06, and continuing through at least 7/3/07, Respondent has self-prescribed oxycodone, a Schedule II controlled substance, by issuing prescriptions purportedly for his wife (who died several years ago) and for a female relative, to at least three different pharmacies. Respondent then self-administered these products, without a prescription from another authorized prescriber.
3. Specifically, on each of the following dates, Respondent issued prescription orders for oxycodone 5mg, purportedly to the indicated patient, which he then picked up and paid for at the indicated pharmacy (except for the one indicated as having been refused by the pharmacist):

Rx #	Date filled	# tablets dispensed	Pharmacy	Purported Patient
1878157	4/20/2007	200	Walgreen #6130	(deceased spouse)
2031856	4/27/2007	100	Shopko #2029	J. Schulz
2214675	5/2/2007	100	Target #1060	J. Schulz
1882426	5/5/2007	200	Walgreen #6130	(deceased spouse)
2031921	5/14/2007	100	Shopko #2029	J. Schulz
1886575	5/19/2007	200	Walgreen #6130	(deceased spouse)
2214730	5/22/2007	100	Target #1060	J. Schulz
2032011	5/31/2007	100	Shopko #2029	J. Schulz
1890987	6/4/2007	200	Walgreen #6130	(deceased spouse)
2214791	6/13/2007	100	Target #1060	J. Schulz
2032071	6/16/2007	100	Shopko #2029	J. Schulz
1896150	6/22/2007	200	Walgreen #6130	(deceased spouse)
<i>refused</i>	7/3/2007	150	<i>Shopko #2029</i>	<i>J. Schulz</i>
2214877	7/3/2007	150	Target #1060	J. Schulz

Respondent received a total of 1850 tablets in 75 days.

### CONCLUSIONS OF LAW

A. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

B. The conduct described in ¶2, above, violated Wis. Adm. Code § Med 10.02(2)(p) and (z), and Wis. Stat. § 961.38. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that James Schulz, M.D., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that the license to practice medicine and surgery of Respondent is LIMITED as provided in Wis. Stat. § 448.02(3)(e), and as follows: Respondent shall not hold any DEA registration, and shall not prescribe, order, administer, obtain, or otherwise possess any controlled substance, except as a legitimate patient and for a legitimate medical purpose. Respondent shall furnish each of his health care providers who has prescribing authority with a copy of this Order, before receiving any prescription order for medication from that practitioner.

IT IS FURTHER ORDERED, that respondent shall pay the COSTS of investigating and prosecuting this matter of \$300 within 60 days of this Order.

IT IS FURTHER ORDERED, that pursuant to Wis. Stats. §§ 227.51(3) and 448.02(4), violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit full payment of the costs as ordered, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has paid the Costs in full, together with any accrued interest.

Dated this August 15, 2007.

WISCONSIN MEDICAL EXAMINING BOARD

by: Gene Musser MD  
a member of the Board