

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	ORDER DENYING
PROCEEDINGS AGAINST	:	PETITION FOR STAY OF
	:	SUSPENSION
JOHN L. SCHUETT, D.C.,	:	95 CHI 078
RESPONDENT.	:	

On March 14, 1996, the Chiropractic Examining Board issued its Final Decision and Order in the above captioned matter, a copy of which is attached hereto, imposing an indefinite suspension of the license to practice chiropractic in the state of Wisconsin of John L. Schuett, D.C., license # 2109.

On May 3, 1996, Respondent John L. Schuett petitioned the Chiropractic Examining Board for a stay of the suspension imposed by the Final Decision and Order dated March 14, 1996. Dr. Schuett supplemented his petition with requests dated May 13, 1996 and May 14, 1996 for modifications of the Final Decision and Order: 1) permitting him to substitute more frequent blood medication level testing in lieu of the requirement for witnessed medication consumption, and 2) allowing him to resume practice provided that another staff person is present with him at all times that he has patient contact.

In conjunction with the Board's consideration of Dr. Schuett's petition for stay of suspension and requests for modifications of the Final Decision and Order dated March 13, 1996, the Board also received a report from the Department Monitor regarding Dr. Schuett's compliance with the terms of the Final Decision and Order. The Department Monitor reported, and the Board finds, that Dr. Schuett had not complied with a number of terms and conditions of the Order, including the following:

1. Dr. Schuett had not requested or obtained prior approval by the Board, under paragraph B. 1) of the Order, of a health care provider to perform a current independent evaluation of Dr. Schuett's mental health status, nor had submitted a detailed evaluation report of such evaluation.
2. Dr. Schuett had not submitted documentation of continuous adherence to an appropriate medication regime for a period of at least 30 days immediately prior to submission of the petition, including witnessed consumption of medication(s) as well as drug level screens, as required under paragraph B. 2) of the Order.
3. Dr. Schuett had not submitted acceptable documentation that Dr. Schuett's mental condition has stabilized for a period of at least 30 days prior to the submission of the petition for stay as required under the second paragraph B. 3) of the Order.
4. Dr. Schuett has not filed with the Department Monitor current releases authorizing release of all of Dr. Schuett's drug screen results, medical and treatment records and reports for all treatment facilities and personnel, medication witness(es), laboratories, and collection sites, all as required under paragraph 12, page 8. of the Order, and that further, Dr. Schuett has not complied with requests for copies of evaluation reports and treatment records from certain treatment providers as requested by the department, including Dr. Robbins, Waukesha County Mental Health Center and Community Memorial Hospital of Menomonee Falls.

Dr. Schuett has failed to comply with several key requirements and conditions of the March 14, 1996 Final Decision and Order. In view of the entire record in this matter, strict compliance by Dr. Schuett with all terms and conditions of the Order are essential for the Board to be assured that Dr. Schuett's mental health status has stabilized such that the Board may permit him to resume practice consistent with the health and safety of the public. Accordingly, the Board has no choice but to deny Dr. Schuett's petition for stay of suspension and deny his requests for modifications of the March 14, 1996, Final Decision and Order. Consistent with its responsibility to the health and safety of the public, the Board will entertain a petition for stay of suspension only upon a record acceptable to the Board of strict compliance by Dr. Schuett with all terms and conditions of the March 14, 1996, Final Decision and Order.

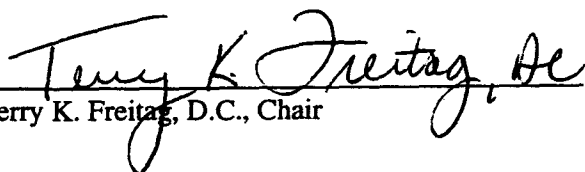
**ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED, that the petition for stay of the suspension of license to practice chiropractic in the state of Wisconsin of John L. Schuett, D.C., imposed by the Final Decision and Order dated March 14, 1996, is hereby DENIED.

IT IS FURTHER ORDERED, that the requests by Dr. Schuett for modifications of the terms and conditions of the Final Decision and Order dated March 14, 1996, are hereby DENIED.

Dated this 13<sup>th</sup> day of June, 1996.

Wisconsin Chiropractic Examining Board

  
Terry K. Freitag, D.C., Chair