

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST:

JOHN R. SCHMITT, R.Ph.,
RESPONDENT

ORDER TERMINATING
STAY OF SUSPENSION

John R. Schmitt, R.Ph.
2710 Cormier Road
Green Bay, WI 54313

On January 10, 2001, the State of Wisconsin Pharmacy Examining Board reviewed the laboratory results of a drug screen test of John R. Schmitt dated December 20, 2000 for a urine specimen collected December 12, 2000. The drug screen test indicated positive for ethanol at a lab result of 22 which was confirmed by gas chromatograph at the equivalent of a blood alcohol content of approximately .02 or one ounce of alcohol in Schmitt's system.

Paragraph 2a of the board's *Final Decision and Order*, ("Order") dated August 13, 1997, provides in part, "Respondent shall remain free of alcohol, prescription drugs and controlled substances not prescribed by a practitioner for legitimate medical purposes."

Paragraph 8 of the board's *Order*, provides, "Violation of any of the terms of this Order or of any law substantially relating to the practice of pharmacy may result in a summary suspension of the Respondent's license; the denial of an extension of the stay of suspension or the termination of the stay; the imposition of additional conditions and limitations; or the imposition of other additional discipline, including revocation of license."

Based upon the board's review of the lab report, the documentation submitted by John R. Schmitt on his behalf, and the testimony of the department monitor, the board finds that John R. Schmitt has violated paragraph 2a of the board's *Order* by failing to remain free of alcohol not prescribed by a practitioner for legitimate medical purposes.

IT IS HEREBY ORDERED: That pursuant to paragraph 8 of the *Order*, the stay of suspension of license #8852 to practice pharmacy in the State of Wisconsin, currently in effect for John R. Schmitt, R.Ph., is hereby terminated.

Dated: January 10th, 2001

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

John P. Bohlman, R.Ph.
Chairman