

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST:

JOHN R. SCHMITT, R.Ph.,	ORDER TERMINATING STAY
	OF SUSPENSION
RESPONDENT	LS9708133PHM

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

On July 10, 2001, the State of Wisconsin Pharmacy Examining Board reviewed documentation submitted by the department monitor to support the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

1. Laboratory Report (ThedaCare), Patient ID# LIB-8668, Schmitt, John R.
Collection Date – 06/07/01, 19:00; Ethanol- 60. The presence of ethanol was confirmed with gas chromatography.
2. During a telephone conversation on June 14, 2001, the department monitor spoke with Mr. Schmitt, who admitted drinking alcohol while in his residence, as a result of a death in Mr. Schmitt's extended family.
3. The respondent has failed to remain free of alcohol not prescribed by a practitioner for legitimate medical purposes.

CONCLUSIONS OF LAW

1. The respondent is in violation of Paragraph 2a of the *Final Decision and Order*, ("Order") dated August 13, 1997, which provides in part, "Respondent shall remain free of alcohol, prescription drugs and controlled substances not prescribed by a practitioner for legitimate medical purposes."
2. The board has authority to terminate the respondent's stay of suspension pursuant to Paragraph 8 of the board's *Order*, which 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."

ORDER

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: 7-10-01

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

John P. Bohlman, R.Ph.
Chairman