

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CHRISTOPHER J. SCHULTZ, R.PH.,	:	
RESPONDENT.	:	

0002392

Division of Legal Services and Compliance¹ Case No. 12 PHM 062

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

Christopher J. Schultz, R.Ph.
311 E. Erie Street, Unit 301
Milwaukee, WI 53202

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

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Pharmacy Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Christopher J. Schultz, R.Ph. (dob October 7, 1976) is licensed in the State of Wisconsin as a registered pharmacist, having license number 14217-40, first issued on July 20, 2004 and current through May 31, 2014. Mr. Schultz's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 311 E. Erie Street, Unit 301, Milwaukee, Wisconsin 53202.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this proceeding, Respondent was a staff pharmacist of Aurora Pharmacy #1018 in Milwaukee, Wisconsin. Respondent had authority to order Schedule III medications for the pharmacy.

3. On October 23, 2012, Respondent admitted to his employer that he diverted approximately 96,500 tablets of hydrocodone/APAP 10/325, a Schedule III controlled substance, over a 2.5 year period. Respondent has also admitted to diverting alprazolam, diazepam, hydrocodone/APAP, hydrocodone/ibuprofen, and oxycodone. Respondent diverted the drugs to another person.

4. The Drug Enforcement Administration (DEA) performed an audit of the Schedule II controlled substance, Oxycodone 30mg tablets, which showed a shortage of 2,852 tablets between May 29, 2009 and December 11, 2012.

5. A DEA audit of all Schedule III and IV controlled substances showed the following shortages between May 29, 2009 and December 11, 2012:

- a. 105,445 tablets of hydrocodone/APAP 10/325.
- b. 4,600 tablets of hydrocodone/APAP 10/500.
- c. 9,083 tablets of hydrocodone/ibuprofen 7.5/200.
- d. 2,700 tablets of APAP/codeine 300/60.
- e. 31,148 tablets of alprazolam 2mg.

6. According to the DEA audit, Respondent diverted an approximate total of 155,828 tablets of Schedule II, III, and IV controlled substances.

7. Aurora Pharmacy #1018 terminated Respondent. Respondent represents that he is not currently practicing as a registered pharmacist, and does not intend to practice until this matter with the Board is resolved.

8. On April 2, 2013, Respondent logged onto the Department's website using his personal identification number and the name "J.J. Schultz." Respondent changed his name in Department records from "Christopher Schultz" to "Christopher Schlitze." Respondent did not legally change his name.

9. On April 16, 2013, Respondent logged onto the Department's website using his personal identification number and changed his name back to "Christopher Schultz."

10. On April 17, 2013, Respondent admitted that he changed his name to "Christopher Schlitze" to avoid this matter becoming public.

11. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 450.10, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Christopher J. Schultz, R.Ph., violated Wis. Stat. § Phar 10.03(1) by obtaining a drug other than in legitimate practice, or as prohibited by law.

3. By the conduct described in the Findings of Fact, Christopher J. Schultz, R.Ph., violated Wis. Stat. § Phar 10.03(8) by providing false information to the Pharmacy Examining Board or its agent.

4. As a result of the above violations, Christopher J. Schultz, R.Ph., is subject to discipline pursuant to Wis. Stat. § 450.10(1)(b)1.

ORDER

1. The attached Stipulation is accepted.

2. The license of Respondent Christopher J. Schultz, R.Ph., to practice as a registered pharmacist (license no. 14217-40) is hereby REVOKED.

3. Within fourteen (14) days from the date of this Order, Respondent shall mail or physically deliver all indicia of licensure to the Department Monitor, at the address below.

4. Respondent shall not practice as a pharmacist in the State of Wisconsin without a license to engage in such practice.

5. Respondent shall not re-apply for any credential under the jurisdiction of the Wisconsin Pharmacy Examining Board for a period of five (5) years. After a period of five years, Respondent may re-apply to the Board for licensure. The Board shall retain sole discretion in determining whether to grant licensure, and to impose conditions or limitations as the Board deems appropriate.

6. Within ninety (90) days from the date of this Order, and prior to applying for any professional license in the State of Wisconsin, Christopher J. Schultz, R.Ph., shall pay COSTS of this matter in the amount of TWO THOUSAND THREE HUNDRED NINETY DOLLARS (\$2,390.00).

7. Within ninety (90) days from the date of this Order, and prior to applying for any professional license in the State of Wisconsin, Christopher J. Schultz, R.Ph., shall pay a FORFEITURE in this matter in the amount of ONE THOUSAND DOLLARS (\$1,000.00).

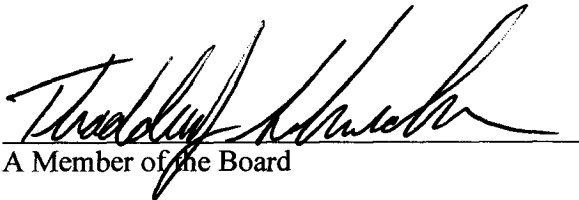
8. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

9. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety, and welfare.

10. This Order is effective on the date of its signing.

WISCONSIN PHARMACY EXAMINING BOARD

by: 
A Member of the Board

5-22-13
Date