

FILED

July 13, 1993

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC
SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
DOCKET NO.

In the Matter of an Application)
For Licensure by:)

MICHAEL SCHUTZ, M.D.)

To Practice Medicine and Surgery)
in the State of New Jersey)

Administrative Action

REVISED ORDER GRANTING
LIMITED LICENSURE

This matter was presented to the New Jersey State Board of Medical Examiners upon the request of Dr. Schutz to reconsider an Order denying him a license filed on April 23, 1987. That Order had denied licensure to Dr. Schutz upon his admission that he had been arrested on March 9, 1984 for an offense involving drugs and had admitted that he was the owner of a bag of marijuana stuffed into his shoe which was found in his brother's bedroom. Upon further inquiry by the Board, Dr. Schutz admitted that he had begun using marijuana in college and was using it approximately four times a week, that he purchased it in sufficient quantity to resell some of it to his friends, that he had used cocaine in college and once or twice during the third and fourth year of medical school. He denied using cocaine during his residency, but did acknowledge that he used marijuana approximately six times after the date of his arrest, as recently as six to nine months prior to the Board's interview, and compared its use to the drinking of beer at a corner bar for social purposes and relaxation. Because of the casual attitude expressed by Dr.

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Schutz toward drugs the use of which is known to result in the impairment of mental and physical faculties and which is unlawful, the Board denied Dr. Schutz a license and ruled that he may not reapply for licensure prior to the expiration of one year from the date of denial.

Upon his application for reconsideration, Dr. Schutz testified that he has attempted to comply with the Board's Order as follows:

He has arranged to take the UMDNJ course regarding the use of controlled dangerous substances in October, 1987; he has complied with the requirements of the Impaired Physicians Committee including random urine monitoring begun in July of 1987; begun attendance at weekly meetings of the North Jersey Professional Group in Morristown and supervision of his practice by an individual within his training program. He pointed out that under the prior Order of the Board he was permitted to remain in an approved postgraduate training program on condition that his supervisor agreed to provide a more intensive degree of supervision in light of the background of this matter. He also noted that although he has been permitted to continue as a PGY 3 resident, he is being paid as a PGY 2 resident (that is, some \$2,000 less) because of his unlicensed status.

Dr. Canavan, of the Impaired Physicians Program, appeared and testified on behalf of Dr. Schutz indicating his belief that Dr. Schutz had been a recreational drug user in the past and not an addict, and that he had made progress during the few months that he had been involved with the Impaired Physicians Committee.

Dr. Canavan supported Dr. Schutz's attempt to obtain a limited license to allow him to practice and be compensated as a PGY 3.

In light of the information now presented to the Board, and the Board believing that the within Order is adequately protective of the public interest, and for good cause shown,

IT IS ON THIS 6 DAY OF July, 1993,

ORDERED:

1. That a restricted license be issued to Dr. Michael Schutz which allows him to practice in an institutional setting only. Dr. Schutz shall not hold his own C.D.S. number, but may only prescribe C.D.S. under the institutional number.

2. Dr. Schutz shall comply in all other ways with the Order of this Board filed April 23, 1987.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: 
SANFORD M. LEWIS, M.D.
BOARD PRESIDENT

Originally entered September 27, 1987, revised May 1993.

