

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

JOHN GREGORY HOFFMANN, M.D.,

ORDER GRANTING THE STAY

Respondent

On October 22, 1997, the Medical Examining Board issued its Final Decision and Order in the above-captioned matter. By the terms of the board's order, respondent's license to practice medicine and surgery in Wisconsin was suspended for a period of not less than five years, with provision for consecutive three month stays of the suspension contingent upon compliance with a number of conditions and limitations on the license. Among other conditions, Dr. Hoffmann was required to enroll and successfully participate in a drug and alcohol treatment program satisfactory to the board, including participation in individual or group therapy on at least a weekly basis; to participate in AA or NA meetings at least once per week; to submit to drug and alcohol screens on a twice-weekly basis; and to be responsible for submission of quarterly practice and therapy reports.

At its meeting of March 26, 1998, the board was made aware that respondent's therapist, Dr. Engel, had not seen Dr. Hoffmann since October 17, 1997, and that Dr. Engel had not even been aware that a board Order had been issued. As of the day of the board's meeting, Dr. Hoffmann had still not seen Dr. Engel, though he was scheduled to see him on March 27, 1998. Accordingly, the board ordered that the suspension of the license be stayed for a period of one month and that Dr. Hoffmann appear before the board at its meeting of April 22, 1998, in support of any request for a further stay of the suspension. Dr. Hoffmann appeared on that date, and the board thereafter granted Dr. Hoffmann a three month stay by its Order dated April 30, 1998.

Pursuant to the board's Order, Dr. Hoffmann again appeared before the board at its meeting of September 24, 1998. At that time, he was asked to explain the circumstances of a recent relapse and a resultant DWI citation. The board considered the matter on that date, and ordered that the stay of the suspension of the license of Dr. Hoffmann be extended for an additional period of three months.

On December 16, 1998, the board considered Dr. Hoffmann's request for a further three month stay of the suspension of his license. The board at that time was presented with evidence that Dr. Hoffmann had again violated the terms and conditions of his limited license; including failure to participate in therapy sessions a minimum of once each week, failure to attend Alcoholics Anonymous or Narcotics Anonymous meetings at least once per week, and failure to provide for timely reports by his Supervising Health Care Provider. Based upon that evidence, the board denied Dr. Hoffmann's request for a further three month stay of the suspension.

On January 20, 1999, the board considered Dr. Hoffmann's request that the stay of the suspension of his license be reinstated. Based upon that request, and upon evidence of his current compliance with the terms and conditions imposed by the board's Order, the board reinstated the stay by its Order dated January 27, 1999.

On March 25, 1999, June 23, 1999, September 23, 1999, December 15, 1999, and March 23, 2000, the board granted Dr. Hoffmann's requests for further stays of the suspension of his license.

On June 22, 2000, the board accepted Dr. Hoffmann's voluntary surrender of his license. By the terms of the Stipulation, respondent agreed that should he desire to renew his registration to practice, the board in its discretion could require respondent to establish that he is not impaired, and could limit his license in a manner consistent with limitations routinely imposed on credential holders who have a history of AODA, to ensure that respondent does not relapse and to protect the public.

On December 19, 2001, the board considered Dr. Hoffmann's request for reinstatement of a limited license to practice medicine and surgery. Based upon that request, and upon other information of record herein, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that J. Gregory Hoffmann, M.D., be, and hereby is, granted a limited license to practice medicine and surgery, imposing the following terms and conditions:

1. Respondent shall submit evidence of having completed 30 hours of "Category I" continuing education courses for the two year period ending on December 31, 2001.
2. Upon a showing by respondent of successful compliance for a period of two years of active practice with the terms of this order, the Board may grant a petition by the Respondent for return of full licensure.
3. Respondent shall enroll and continue successful participation in all components of a drug and alcohol treatment program at a treatment facility acceptable to the Board. The rehabilitation program shall include and respondent shall participate in individual and/or group therapy sessions for the first year of the stayed suspension upon a schedule as recommended by the supervising physician or therapist, but not less than once weekly. After the first year of limitation, this requirement for therapy sessions may be modified only upon written petition, and a written recommendation by the supervising physician or therapist expressly supporting the modifications sought. A denial of such petition for modification shall not be deemed a denial of the license under §§227.01(3) or 227.42, Wis. Stats., or ch. RL 1, Wis. Adm. Code, and shall not be subject to any right to further hearing or appeal.
4. Respondent shall attend Narcotics Anonymous and/or Alcoholic Anonymous meetings or an equivalent program for recovering professionals, upon a frequency as recommended by the supervising physician or therapist, but not less than one meeting per week. Attendance of Respondent at such meetings shall be verified and reported monthly to the supervising physician or therapist, and shall be included in the required quarterly reports.
5. Respondent shall abstain from all personal use of alcohol; and shall abstain from all personal use of controlled substances as defined in §961.01(4), Stats. except when necessitated by a legitimate medical condition and then only with the prior approval of the Supervising Health Care Provider.
6. Respondent shall obtain a Supervising Health Care Provider acceptable to the Board for the full term of this limited license. Respondent shall furnish the Supervising Health Care Provider with a copy of this Order, and the Supervising Health Care Provider shall be responsible for coordinating Respondent's rehabilitation, drug monitoring and treatment program as required under the terms of this Order, and shall immediately report any relapse, violation of any of the terms and conditions of this Order, and any suspected unprofessional conduct, to the Department Monitor. The Supervising Health Care Provider may designate another qualified health care provider acceptable to the Board to exercise the duties and responsibilities of the Supervising Health Care Provider in his or her absence. In the event that a supervising Health Care Provider is unable or unwilling to serve as Supervising Health Care Provider, the Board shall in its sole discretion select a successor Supervising Health Care Provider.
7. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions, and requesting additional monitoring and surveillance. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 261-7938

8. Respondent shall be required to participate in a program of screening established by the Department for testing credential holders.
9. Respondent shall keep the Department Monitor informed of Respondent's location and shall be available for contact by the Department Monitor at all times.
10. The Supervising Health Care Provider shall submit formal written reports to the Department Monitor, on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's progress in the drug and alcohol treatment program and summarize the results of the urine, blood or hair specimen analyses. The Supervising Health Care Provider shall report immediately to the Department Monitor [Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935, FAX - (608) 266-2264, telephone - (608) 267-7139] any violation or suspected violation of the Board's Final Decision and Order.
11. Respondent is responsible for compliance with all of the terms and conditions of this Final Decision and Order. It is the responsibility of Respondent to promptly notify the Department Monitor, of any relapse or suspected violations of any of the terms and conditions of this Order, including any failures of the Supervising Health Care Provider, treatment facility, laboratory or collection sites to conform to the terms and conditions of this Order.
12. Respondent shall appear before the Board at least annually to review the progress of treatment and rehabilitation. Respondent may petition the Board for modification of the terms of this limited license and the

Board shall consider Respondent's petition at the time it meets with Respondent to review the progress of rehabilitation. Any such petition shall be accompanied by a written recommendation from respondent's Supervising Health Care Provider expressly supporting the specific modifications sought. Denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of §227.01(3)(a), Stats. and Respondent shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for modification of the limited license.

13. After two years of continuous active professional practice under this Order and without relapse, and upon recommendation of the Supervising Health Care Provider and Professional Mentor, respondent may petition the Board for a termination of all limitations on the license, and restoration of an unlimited license. Such restoration shall be in the sole discretion of the Board, and denial of the petition in whole or in part shall not be considered a denial of a license within the meaning of §227.01(3)(a), Stats. and Respondent shall not have a right to any further hearings or proceedings on any denial in whole or in part of the petition for termination of the limitations and restoration of unlimited licensure.

Dated this 4th day of January, 2001.

STATE OF WISCONSIN

MEDICAL EXAMINING BOARD

Sidney E. Johnson

Board Secretary