

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF AN :
INVESTIGATION OF : **INTERIM DECISION AND ORDER**
:
JOHN GREGORY HOFFMANN, M.D., :
RESPONDENT. : **ORDER 0001203**

Division of Enforcement Case #11 Med 343

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

J. Gregory Hoffmann, MD
P.O. Box 248
Waupaca, WI 54981

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

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

PROCEDURAL HISTORY

Respondent was suspended summarily by the Board on November 16, 2011. A formal complaint was filed on November 16, 2011. A hearing has been scheduled for March 6, 2012.

The parties in this matter agree to the terms and conditions of the attached Stipulation to this interim order in this matter, subject to the approval of the 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

1. Respondent John Gregory Hoffmann, M.D. (dob 7/26/50) is and was at all times relevant to the facts set forth herein a physician and surgeon licensed in the State of Wisconsin pursuant to license #26569, first granted on 2/1/85. Respondent is a family practitioner in solo practice, and is not certified by any board recognized by the American Board of Medical Specialties; he is not licensed in any other jurisdiction. Respondent does not have any hospital privileges.

2. On October 22, 1997, Respondent was disciplined by the Board in its file 97 Med 176 (LS-9710223-MED), for consuming alcohol while on call, and treating a patient after consuming at least four alcoholic beverages. Respondent's unlimited license was restored on May 19, 2004.

3. In investigation 06 Med 228, the Board found that a review of a sample of Respondent's charts suggested that there may be deficiencies in current medical knowledge, practice standards, or charting standards. Respondent agreed to resolve this investigation by submitting himself to the physician assessment process conducted by the University of Wisconsin School of Medicine and Public Health, Office of Continuing Professional Development. The Board memorialized this agreement in its Order dated May 21, 2008, requiring Respondent to undergo the assessment and to comply with any recommendations made.

4. The Board has received the assessment report dated October 21, 2009, which recommended several continuing education activities, further testing, and practice monitoring. Respondent entered into an agreement with the University of Wisconsin Physician Assessment Center to comply with all of the educational recommendations. On August 31, 2011, the Physician Assessment Center issued its final report to the Board, finding that Respondent has significant deficiencies in his medical knowledge and his clinical approach to patients. The assessors recommended a complete neuropsychological evaluation, and again recommended monitoring of Respondent's practice pending the outcome of the evaluation. Further recommendations were made, contingent upon the results of the neuropsychological evaluation.

5. Respondent has completed a neuropsychological evaluation, and been found to have no cognitive deficits.

CONCLUSION OF LAW

The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED: the summary suspension of the license and registration of John Gregory Hoffmann M.D., Respondent, is continued. The suspension of Respondent's license may be STAYED on the following terms and conditions. Respondent's license is restricted, and limited as set forth in Wis. Stat. § 448.02(3)(e), and:

1. Respondent shall, after the date of this order, practice only when he has a Professional Mentor approved by the Board, or in a work setting pre-approved by the Board or its designated agent.

Respondent shall obtain a Professional Mentor acceptable to the Board. The Professional Mentor shall be the individual responsible for reviewing Respondent's practice of medicine and surgery during the time this Order is in effect. A Professional Mentor shall have no prior or current business or personal relationship with Respondent, or other relationship the could reasonably be expected to compromise the ability of the monitor to render fair and unbiased reports to the Department (including but not limited to any bartering relationship, mutual referral of patients, etc.). A Professional Mentor shall be actively practicing in Respondent's field of practice, hold a valid Wisconsin license, shall be board certified by an ABMS-recognized board in a specialty relevant to Respondent's field of practice, and shall have read this Decision & Order and agree to be Respondent's Professional Mentor.

Supervision shall include weekly meetings, review of charts selected by the Professional Mentor, and any other actions deemed appropriate by the Professional Mentor to determine that Respondent is practicing in a professional and competent manner. The Professional Mentor may designate another qualified physician or other health care provider acceptable to the Board to exercise the duties and responsibilities of the Professional Mentor in an absence of more than three weeks. In the event that the Professional Mentor is unable or unwilling to continue to serve as Respondent's professional mentor, the Board may in its sole discretion select a successor Professional Mentor.

The Professional Mentor shall have no duty or liability to any patient or third party, and the Mentor's sole duty is to the Board.

Respondent shall arrange for his Professional Mentor to provide formal written reports to the Department Monitor in the Department of Safety and Professional Services, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935 on a monthly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance.

Respondent's Professional Mentor shall immediately report to the Department Monitor any conduct or condition of the Respondent which may constitute unprofessional conduct, a violation of this Order, or a danger to the public or patient.

It is the responsibility of Respondent to promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order, including any failures of the Professional Mentor to conform to the terms and conditions of this Order.

2. Respondent shall not, during the pendency of this matter, accept any new patients.

3. Respondent shall engage in a robust self-study CME program, similar to the Core Content Review of Family Medicine, and complete an in-person comprehensive review of family medicine of the scope and rigor typically engaged in by physicians preparing to take their examinations for certification by the American Board of Family Medicine. The proposed self-study, and in-person, programs shall be preapproved by the Board or its designee.

4. No later than four months from the date of this order, Respondent shall pass the special purpose examination (SPEX). Respondent may not attempt the examination more than twice, without permission of the Board.

STAY OF SUSPENSION

The suspension shall be stayed upon Respondent petitioning the Board and providing proof, which is determined by the Board or its designee to be sufficient, that Respondent is in compliance with the provisions of this Order, has obtained a satisfactory Professional Mentor, and is engaging in the required continuing medical education.

The Board or its designee may, without hearing, remove the stay upon receipt of information that Respondent is in violation of any provision of this Order.

This suspension becomes reinstated immediately upon notice of the removal of the stay being provided to Respondent either by:

- (a) Mailing to Respondent's last-known address provided to the Department of Safety and Professional Services pursuant to Wis. Stat. § 440.11; or
- (b) Actual notice to Respondent or Respondent's attorney.

The Board or its designee may reinstate the stay, if provided with sufficient information that Respondent is in compliance with the Order and that it is appropriate for the stay to be reinstated. Whether to reinstate the stay shall be wholly in the discretion of the Board or its designee.

DEPARTMENT MONITOR

Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

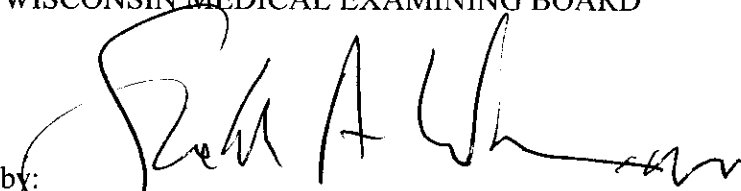
Department Monitor
Wisconsin Department of Safety and Professional Services
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

IT IS FURTHER ORDERED, that Respondent shall provide a copy of this Decision and Order and all other subsequent orders immediately to supervisory personnel where Respondent is engaged in the practice of medicine or surgery as defined at Wis. Stat. § 448.01(9).

IT IS FURTHER ORDERED, that violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may, in the discretion of the Board or its designee, result in a removal of the stay of suspension of Respondent's license.

Dated this January 18, 2012.

WISCONSIN MEDICAL EXAMINING BOARD

by: 

a member of the Board

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