

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
JOHN G. HOFFMANN, M.D., :  
RESPONDENT. :

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**0004430**

Division of Legal Services and Compliance Case No. 14 MED 015

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

John G. Hoffmann, M.D.  
Post Office Box 248  
Waupaca, WI 54981

Wisconsin Medical Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

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 Medical 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 John G. Hoffmann, M.D. (DOB July 26, 1950), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 26569-20, first issued on February 1, 1985, with registration current through October 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Post Office Box 248, Waupaca, Wisconsin 54981.

2. Respondent is a general practice physician and is not board certified.

### **Disciplinary History**

3. The Board has previously taken the following actions in regards to Respondent's license to practice medicine and surgery in Wisconsin:
  - a. On October 22, 1997, the Board suspended Respondent's license for not less than five years, with a provision for consecutive three month stays of suspension contingent upon compliance with, among other conditions, enrollment and successful participation in a drug and alcohol treatment program, submission to drug and alcohol screens, and submission of quarterly practice and therapy reports. The order was imposed because Respondent consumed alcohol while on call and treated a patient after consuming at least four alcoholic beverages.
  - b. On March 3, 1998, the Board ordered the suspension be stayed for one month and that Respondent appear before the board on April 22, 1998.
  - c. On April 30, 1998, the Board stayed the suspension for three months.
  - d. On September 24, 1998, the Board extended the stay of suspension for an additional three months.
  - e. On December 18, 1998, the Board denied Respondent's request for another three month stay and suspended his license for violating the terms of his limited license.
  - f. The Board reinstated the stay on January 20, April 1 and October 2, 1999.
  - g. On June 22, 2000, Respondent notified the Board of his intent to retire from the practice of medicine and his wish to surrender his registration, and the Board accepted Respondent's surrender of his registration to practice and the right to renew it.
  - h. On June 8, 2004, the Board reinstated the limited license of Respondent.
  - i. On June 26, 2006, the Board ordered a full reinstatement of Respondent's license.
  - j. On May 21, 2008, the Board ordered Respondent to undergo an assessment to evaluate his ability to practice medicine at his current practice. It was also ordered that Respondent not order, prescribe, or administer any opioid or opiate for more than 30 days in any 12 month period for any patient.
  - k. On November 16, 2011, the Board suspended Respondent's license pending the outcome of a disciplinary proceeding.
  - l. On January 18, 2012, the Board ordered the summary suspension of the Respondent's license and registration to be continued and stayed if Respondent did not accept any new patient and complied with terms and conditions including a professional mentor, a self-study CME program, and successfully passing the SPEX exam.

- m. On October 17, 2012, the Board dismissed a pending complaint against the Respondent after he completed a neuropsychological evaluation and was found to have no cognitive deficits.

### **Current Case**

4. On March 27, 2013, Respondent first saw Patient A for continued treatment of what was charted as "Lyme Disease – documented." Respondent documented "chronic" Lyme disease with treatment since 2011 and abdominal candidiasis (intestinal).

5. Respondent prescribed Ceftin 500mg BID, Clindamycin 300mg BID every other day, and Diflucan 20 mg on days when not taking Clindamycin, with the plan to continue Patient A on these drugs and dosages. Respondent did not order Patient A undergo regular labs while on this medication regiment.

6. On January 6, 2014, Patient A saw another physician who became concerned with Respondent's care and treatment of Patient A, specifically Respondent's plan to maintain Patient A on the above-described antibiotics and antifungals, and without regular lab testing. The provider subsequently filed a complaint with the Department which initiated this matter.

7. Respondent's treatment of Patient A's Lyme disease fell below the minimal standard of competence by his plan to maintain Patient A on high dosages of antibiotics and antifungals, and his failure to order regular labs.

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

### CONCLUSIONS OF LAW

1. 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).

2. By the conduct described in the Findings of Fact, Respondent John G. Hoffman, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code § Med 10.02(2)(h) (Nov. 2002) by any practice or conduct which tends to constitute a danger to the health, welfare, or safety of patient or public.

3. As a result of the above conduct, John G. Hoffmann, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

### ORDER

1. The attached Stipulation is accepted.
2. Respondent John G. Hoffmann, M.D., is REPRIMANDED.

3. The medicine and surgery license issued to John G. Hoffmann, M.D., (license number 26569-20) is LIMITED as follows:

a. Respondent shall only treat Lyme disease in accordance with FDA-approved guidelines. This limitation is permanent.

b. Within nine (9) months of the date of this Order, Respondent shall successfully complete ten (10) hours of continuing medical education on the topic of Lyme disease and its treatment.

c. Respondent shall be responsible for obtaining the course(s) required under this Order, for providing adequate course(s) descriptions to the Department Monitor, and for obtaining pre-approval of the course(s) from the Wisconsin Medical Examining Board, or its designee, prior to commencement of the course(s).

d. The Board or its designee may reject any course(s) and may accept a course(s) for less than the number of hours for which Respondent seeks approval.

e. Within thirty (30) days of completion of each educational component, Respondent shall file an affidavit with the Department Monitor stating under oath that he has attended, in its entirety, the course(s) approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations.

f. Respondent is responsible for all costs associated with compliance with this educational requirement.

g. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.

4. Within 90 days from the date of this Order, John G. Hoffmann, M.D., shall pay COSTS of this matter in the amount of \$740.00.

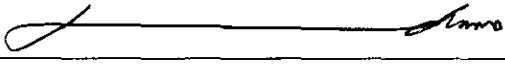
5. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 26569-20) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and completion of the education.

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

WISCONSIN MEDICAL EXAMINING BOARD

by:   
A Member of the Board

12/16/15  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JOHN G. HOFFMANN, M.D.,  
RESPONDENT.

:  
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:  
:  
:

STIPULATION

0004430

Division of Legal Services and Compliance Case No. 14 MED 015

Respondent John G. Hoffmann, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

X 2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

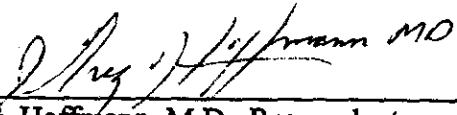
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

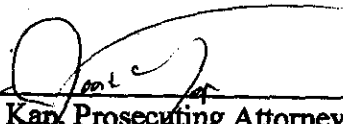
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
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John G. Hoffmann, M.D., Respondent  
Post Office Box 248  
Waupaca, WI 54981  
License no. 26569-20

11/13/15  
Date

  
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Joost Kap, Prosecuting Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

11/24/15  
Date