

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WILLIAM F. HUGHES, JR.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0005489

Division of Legal Services and Compliance Case No. 17 RLA 002

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

William F. Hughes, Jr.
W215N5555 Kenmore Drive
Menomonee Falls, WI 53051

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin 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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent William F. Hughes, Jr., (DOB February 1, 1945) is certified in the state of Wisconsin to practice acupuncture, having certification number 549,55, first granted on September 4, 2007, and current through June 30, 2019. Respondent's most recent address on file with the Department is W215N5555 Kenmore Drive, Menomonee Falls, Wisconsin 53051.
2. At all times relevant to this proceeding, Respondent was employed as an acupuncturist at a clinic, which is a solo practice, located in Wauwatosa, Wisconsin.

3. On May 15, 2017, the Department opened an investigation into allegations of unprofessional conduct against Respondent.

4. According to the allegations, in July 2016, during an acupuncture appointment, Respondent sexually assaulted a patient.

5. The patient reported this conduct to police on May 5, 2017. According to the police officer involved, the District Attorney's office has declined to press criminal charges.

6. On September 13, 2017, Respondent sent a letter to the Department indicating that he retired on February 17, 2017, and wished to cancel his license.

7. Respondent neither admits nor denies these allegations.

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

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 451.14, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. The voluntary SURRENDER of the certificate to practice as an acupuncturist in the state of Wisconsin issued to William F. Hughes, Jr., (certificate no. 549-55) is accepted.

3. In the event Respondent petitions the Department for reinstatement of his certificate to practice acupuncture in the state of Wisconsin, the Department may enter an order denying such petition without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license shall be in the discretion of the Department.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Aloysius Rohmeyer
Aloysius Rohmeyer, Interim Chief Counsel
On Behalf of the Department

11/1/2017
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
WILLIAM F. HUGHES, JR., :
RESPONDENT. :

0005489

Division of Legal Services and Compliance Case No. 17 RLA 002

Respondent William F. Hughes, Jr., 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.

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. Respondent is represented by Attorney Thomas G. Halloran.

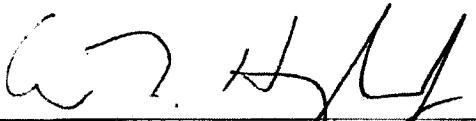
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent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

5. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the Department 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 may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

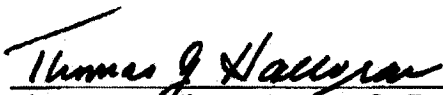
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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



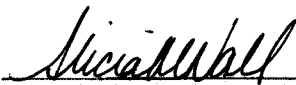
William F. Hughes, Jr., Respondent
W215N5555 Kenmore Drive
Menomonee Falls, WI 53051
Certificate no. 549-55

10/30/17
Date



Thomas G. Halloran, Attorney for Respondent
Halloran Law Offices
1463 St. Andrews Drive
Oconomowoc, WI 53066

10/30/2017
Date



Alicia M. Nall, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

10/30/2017
Date