

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LISA C. HOFSCHULZ, R.N., A.P.N.P.
RESPONDENT.

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:
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FINAL DECISION AND ORDER

ORDER 0007738

Division of Legal Services and Compliance Case No. 21 NUR 498

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

Lisa C. Hofschulz, R.N., A.P.N.P.
Naples, FL 34103

Wisconsin Board of Nursing
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 Board of Nursing (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. Lisa C. Hofschulz, R.N., A.P.N.P. (Respondent), (Year of Birth 1960) was licensed in the state of Wisconsin as a registered nurse, having license number 139392-30, first issued on October 5, 2001, and expired on February 29, 2020. Respondent was also credentialed as an advanced practice nurse prescriber, having certificate number 2399-33, first issued on March 2, 2004 and expired on September 30, 2018.¹

¹ Respondent retains a five-year right to renew such credentials, through February 28, 2025, and September 29, 2023, respectively, pursuant to Wis. Stat. § 440.08(3).

2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Naples, Florida 34103.

Prior Discipline

3. On April 12, 2018, the Board issued Order No. 5698 that suspended Respondent's credentials to practice nursing for 21 days and limited Respondent's credentials to practice nursing by prohibiting her from practicing pain management, and prohibiting her from returning to practice in Wisconsin without first providing written notification to the Board. Respondent was disciplined due to allegations of improper prescribing and/or dispensing of narcotic controlled substances to patients at two pain management clinics that Respondent co-owned and managed.

Current Case

4. On June 26, 2018, in United States District Court, Eastern District of Wisconsin Case No. 18-CR-145, Respondent was indicted and charged with one count of knowingly and intentionally conspiring to distribute controlled substances, including oxycodone and methadone, both schedule II controlled substances, outside of a professional medical practice and not for a legitimate medical purpose, in violation of 21 U.S.C. §§ 841(a)(1) 841(b)(a)(C), and 486.; and fourteen counts of knowingly and intentionally distributing and dispensing unlawfully controlled substances to patients outside of a professional medical practice and not for a legitimate medical purpose, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) and 18 U.S.C. § 2, all felony offenses.

5. On August 13, 2021, in United States District Court, Eastern District of Wisconsin Case No. 18-CR-145, a jury reached a guilty verdict finding Respondent guilty of one count of knowingly and intentionally conspiring to distribute controlled substances, including oxycodone and methadone, both schedule II controlled substances, outside of a professional medical practice and not for a legitimate medical purpose, in violation of 21 U.S.C. §§ 841(a)(1) 841(b)(a)(C), and 486.; and fourteen counts of knowingly and intentionally distributing and dispensing unlawfully controlled substances to patients outside of a professional medical practice and not for a legitimate medical purpose, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) and 18 U.S.C. § 2, all felony offenses.

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

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07, 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 was convicted of crimes substantially related to the practice of nursing within the meaning of Wis. Admin. Code § N 7.03(2).

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b), (d), and (e), and Wis. Admin. Code § N 7.03.

ORDER

1. The attached Stipulation is accepted.
2. The SURRENDER by Respondent of her credentials (license no. 139392-30 and certificate no. 2399-33), and privilege to practice nursing in the state of Wisconsin pursuant to the Enhanced Nurse License Compact, as well as her right to renew such credentials, is accepted.
3. In the event Respondent petitions the Board for reinstatement of her credentials to practice nursing in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$519.00, before any petition or application for a credential will be considered by the applicable board or Department.
4. Respondent shall not petition the Board for reinstatement for at least one (1) year from the date of this Order. If the Respondent petitions for reinstatement after one year, whether to grant a credential and whether to impose any limitations or restrictions on any credential granted shall be in the sole discretion of the Board and such decision is not reviewable.
5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>

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

WISCONSIN BOARD OF NURSING

By: 
A Member of the Board

12/9/2021
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LISA C. HOFSCHULZ, R.N., A.P.N.P.,
RESPONDENT.

STIPULATION

ORDER 0007738

Division of Legal Services and Compliance Case No. 21 NUR 498

Lisa C. Hofschulz, R.N., A.P.N.P. (Respondent), 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.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (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.


Lisa C. Hofschulz, R.N., A.P.N.P., Respondent
Naples, FL 34103
License No. 139392-30 and
Certificate No. 2399-33

11/18/21
Date


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

11/23/2021
Date