

1 Respondent is unable to practice osteopathic medicine safely and skillfully due to a mental
2 impairment; Count Three charges Respondent with willfully making a false or fraudulent
3 statement or submitting a false document in applying for a license to practice osteopathic
4 medicine, which is unethical and unprofessional conduct, a violation of NRS 633.511(1) as
5 Respondent failed to acknowledge the settlement of a malpractice claim in his renewal
6 application for licensure; Count Four charges Respondent with failure to report the complaint
7 and summons regarding malpractice within 45 days of service of the complaint, a violation of
8 NRS 633.527 and grounds for disciplinary action pursuant to NRS 633.511(6).

9 3. Respondent is aware of his rights under Chapters 633 and 233B of Nevada
10 Revised Statutes, including his right to a formal hearing and opportunity to defend against the
11 charges contained therein, the right to confront and cross-examine witnesses against him, and
12 the right to file a petition for judicial review with the District Court in the State of Nevada for a
13 review of any adverse decision that might be rendered following a hearing and subsequent
14 appeals therefrom.

15 4. Respondent knowingly and intelligently, and with the advice of his attorney,
16 waives his rights to a hearing, an appeal, and any other rights that may be accorded him
17 under Chapters 633 and 233B of Nevada Revised Statutes. Respondent enters into this
18 settlement freely and voluntarily. Respondent confirms that this stipulation is not the result of
19 force, threats, or any other type of coercion or duress and that the stipulation is the result of
20 discussions between the respective attorneys for the Board and Respondent.

21 5. Respondent understands that the Board is prepared to proceed to hearing on
22 the merits of the Complaint, and that the hearing will be set at the Board's May 15, 2004
23 meeting.

24 6. Respondent understands that if the Board hears the complaint and finds that a
25 violation has occurred, the Board may order any or all of the sanctions as set out in NRS
26 633.651, including revocation of license, and impose discipline against him in accordance
27 therewith.

28 . . .

1 7. Respondent for himself, his heirs, executors, administrators, successors, and
2 assigns, hereby releases, remises and forever discharges the State of Nevada, the Board, the
3 Nevada Attorney General's office and each of their members, agents, and employees in their
4 individual and representative capacities from any and all manner of actions, causes of actions,
5 suits, debts, judgments, executions, claims and demands whatsoever known or unknown, in law
6 and equity, that Respondent ever had, now have, may have or claim to have against any and all
7 persons or entities named in this paragraph arising out of, or by reason of, these matters or any
8 other matter relating thereto.

9 8. In order to resolve this matter, Respondent is entering into this Settlement
10 Agreement and is waiving formal findings of fact and conclusions of law pursuant to the
11 provisions of NRS 233B.121(5). Respondent acknowledges that the allegations constitute
12 grounds for disciplinary actions under Chapter 633 of Nevada Revised Statutes.

13 9. Respondent admits to the allegations in Count One. In consideration of Counts
14 Two, Three and Four being dismissed, Respondent is willing to enter this Settlement
15 Agreement.

16 10. Respondent was ordered on November 6, 2004, by the Investigating Board
17 Member to submit to a mental examination by a psychiatric facility designated by the
18 Investigating Board Member. On or about January 21, 2004, Respondent was examined and
19 evaluated by Professional Renewal Center in Kansas. Based upon an extensive evaluation of
20 Respondent, the team evaluation concluded that Respondent was unfit to practice osteopathic
21 medicine safely and skillfully. The Report concluded that with an intensive in-patient
22 treatment, that Respondent was a good candidate for rehabilitation. Based upon the
23 agreement to the terms set forth herein, the formal hearing on the Complaint will be vacated.

24 11. That Respondent enters this agreement as he understands the gravity of the
25 violation and apologizes to the Board for its occurrence and promises that it will never happen
26 again. Respondent understands that if it does happen again, that a subsequent complaint
27 brought against him with a hearing could possibly result in his license being suspended or
28 revoked.

1 12. This Agreement will be considered by the Board at its regularly scheduled
2 meeting on May 15, 2004. If the Board does not accept this Settlement Agreement, the
3 Complaint pending against Respondent, Case No.SE-02-04-229, will proceed to hearing at a
4 later date. In the event the Board does not accept this Settlement Agreement, this Agreement
5 and all statements contained therein shall be null and void and inadmissible in any proceeding
6 and the parties agree not to contend that the Board has been prejudiced or biased in any
7 manner by consideration of this attempted resolution.

8 13. The parties agree that the attorney for the Investigative Board Member may
9 appear before the Board, in open or closed session, without the presence of Respondent or
10 Respondent's attorney, for the purposes of speaking in support of this agreement and
11 answering questions that the members of the Board and its staff may have in connection with
12 their deliberations on the matter.

13 WHEREFORE, it is agreed that the Nevada State Board of Osteopathic Medicine,
14 without necessity of formal findings of fact and conclusions of law, which were specifically
15 waived by Respondent and the Board, may issue the following Order:

16 1. This case shall be settled and Counts Two, Three and Four of the Second
17 Amended Complaint shall be dismissed upon the following conditions:

18 A. EDWARD HOFFMAN shall engage in an intensive in-patient multi-modal
19 treatment program for professionals that incorporates 1) an educational component covering
20 professional boundaries and ethics; 2) victim empathy exercises; 3) cognitive behavioral
21 interventions aimed at disentangling faulty lines of logic that predispose him to compromised
22 judgment; 4) expressive-supportive psychodynamic psychotherapy aimed at helping him
23 address underlying developmental issues that hinder developing meaningful, supportive, and
24 healthy intimate relationships; and 5) writing of a comprehensive professional misconduct
25 paper aimed at exploring the underlying issues that fueled his poor judgment in the past. The
26 treatment program shall last no longer than six weeks, if possible, at the program's discretion
27 to appropriately address the issues presented in the evaluation of Professional Renewal
28 Center and shall be attended at one of the following designated treatment facilities to be

1 chosen by Respondent: 1) Sante Center for Healing in Texas; 2) Elmhurst Memorial
2 Professionals at Risk Program in Illinois; or 3) Professional Renewal Center in Kansas.
3 Respondent will begin his program of treatment within thirty (30) days of the acceptance and
4 approval of this Settlement Agreement by the Board, unless otherwise prevented from
5 complying by the inability of one of the above-referenced facilities to accept Respondent into a
6 program within the designated time frame and in such case, then as soon as a program will
7 accept Respondent as a patient. Respondent shall notify the Board of the program he
8 chooses and when he will begin his treatment with confirmation from the treating facility.
9 Respondent shall bear the cost of the treatment program.

10 B. Nothing in this agreement shall be considered an official suspension. However,
11 Respondent voluntarily agrees not to engage in the practice of osteopathic medicine while
12 Respondent is engaged in the treatment program and until the Board meets to review the
13 recommendations of the treatment facility upon completion of Respondent's treatment and a
14 determination is made by the Board regarding any license conditions to be imposed, if any.

15 C. EDWARD HOFFMAN hereby agrees to the disclosure of evaluative reports,
16 summaries, and records of whatever nature by his treating and monitoring physicians and
17 others involved in the treatment process of the psychiatric or psychological condition of
18 EDWARD HOFFMAN to the Board.

19 D. Upon successful completion of the treatment program, Respondent shall notify
20 the Board and upon receipt of the treatment facility's report to the Board, the Board will hold a
21 hearing to consider any recommendations made by the treatment facility within 30 days of
22 receipt of the report regarding possible conditions to the practice of osteopathic medicine by
23 Edward Hoffman. The Board may condition Respondent's license in accordance with the
24 recommendations made by the treating physicians.

25 E. Respondent shall pay the costs incurred by the Board in this matter in the
26 amount of \$ 27,827.42 to be paid in full within twelve (12) months of the effective date of the
27 Order approving this Settlement Agreement.

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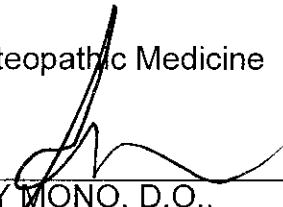
Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

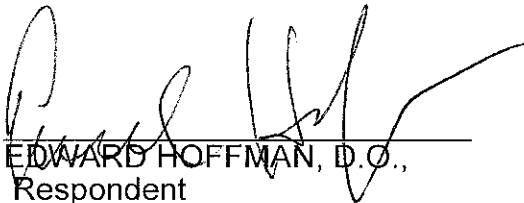
1 F. Counts Two, Three, and Four of the Second Amended Complaint shall be
2 dismissed with prejudice upon the completion of all conditions set forth above.

3 DATED this 15th day of May 2004.

4
5 Board of Osteopathic Medicine

6
7 By:

8 
9 GARY MONO, D.O.,
10 Investigating Member of the
11 Nevada Board of Osteopathic
12 Medicine

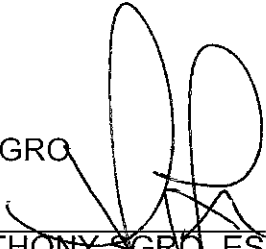

EDWARD HOFFMAN, D.O.,
Respondent

13 Approved and Submitted by:


14 BRIAN SANDOVAL
15 Attorney General

PATTI & SGRO

16 By:


17 ANTHONY SGRO, ESQ.
18 300 E. Charleston Blvd.#105
19 Las, Nevada 89104

20 By:


21 CHARLOTTE M. BIBLE
22 Chief Deputy Attorney General
23 555 E. Washington Ave. Suite 3900
24 Las Vegas, NV 89101
25 (702) 486-3102

26 **IT IS SO ORDERED.**

27 DATED this 15th day of May, 2004.

28 NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

BY:


RUDY MANTHET, CHAIRMAN