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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST

TODD C. GROHALL, R.N.
RESPONDENT.

ORDER OF SUMMARY SUSPENSION

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99 NUR 357

The Petition for Summary Suspension in the above entitled matter came on for hearing before the Board of Nursing on the 18th day of January, 2000, at 7:30 A.M., as stated in the Notice of Presentation of Petition for Summary Suspension, dated January 7, 2000. Attorney James W. Harris appeared for the Complainant, Department of Regulation and Licensing, Division of Enforcement, and the Respondent appeared in person.

The Wisconsin Board of Nursing having considered the sworn Petition for Summary Suspension and the affidavit of service hereby makes the following:

FINDINGS OF FACT

1. The Respondent, Todd C. Grohall (D.O.B. 12/03/69) is duly licensed as a registered nurse in the State of Wisconsin (license # 30-128479) which license was first granted February 5, 1998.
2. Respondent's latest address on file with the Department of Regulation and Licensing is 3018 South 90th Street, West Allis, WI 53227.
3. Respondent was convicted in the Milwaukee County Circuit Court in case 239360 on 6/20/88 of the offense of possession of a controlled substance.
4. Respondent was convicted in the Milwaukee County Circuit Court in case 93-CF-931215 on 7/16/93 of the felony offense of manufacture of a controlled substance.
5. Respondent signed and submitted an application for licensure to the Department of Regulation and Licensing on 12/17/97 in which he answered NO to the following question: " have you ever been convicted of any offense or are you subject to a pending charge?"
6. On 12/07/99, while employed as a registered nurse at Cameo Care Center, Milwaukee, Wisconsin, Respondent entered the room of resident BB after the resident had requested examination of an ingrown toe nail. Without authorization Respondent removed a Duragesic patch from the back of the resident and left the room with the patch in his possession. Resident BB had a physician order for Duragesic for relief of pain.
7. Upon confrontation, Respondent admitted to facility staff that he had removed the Duragesic patch from the body of resident BB for his personal use.
8. In November, 1999, while employed as a registered nurse at Hales Corners Care Center, Respondent made the following medication errors:
 - a. 11/16, placed a Duragesic patch on a resident when the resident had no complaint of pain and there was no documentation justifying the use of the medication.

- b. 11/17, signed out hydrocodone for a comatose resident,
 - c. 11/22, claimed that a Duragesic patch "fell off" a resident, and placed a new patch without appropriate documentation.
 - a. 11/24, signed out hydrocodone at 18:00 and 21:00 for resident, but failed to document administration of the second dose. The physician order was for prn every 6 hours.
 - b. 11/24, signed out propoxyphene for resident after medication order had been cancelled and the cancellation posted on the MAR.
 - c. 11/24, administered a scheduled dose of Xanax to a resident and then administered a second dose within 30 minutes, contrary to approved practice.
9. The evidence presented and considered by the Board of Nursing as a basis for this Summary Suspension Order is the sworn Petition for Summary Suspension and the affidavit of service.

CONCLUSIONS OF LAW

10. The Wisconsin Board of Nursing has jurisdiction in this matter pursuant to sec. 441.07(1) Wis. Stats.
11. The Wisconsin Board of Nursing has authority to summarily suspend a license to practice nursing pursuant to sec. 227.51(3) Wis. Stats. and ch. RL 6 Wis. Adm. Code.
12. Respondent has been provided notice of this proceeding as required by sec. RL 6.05 Wis. Adm. Code.
13. Respondent's conduct as set forth in the Petition for Summary Suspension constitutes violations of sec. 441.07(1)(a),(b), (c) and (d) Wis. Stats. and sec. N 7.03(1)(a), (b),(e) and N 7.04(1),(2),(4),(7) and(15) Wis. Adm. Code.
14. Respondent's repeated mishandling of controlled substances, and his engaging in the practice of nursing when unable to do so with reasonable care and safety, necessitates the immediate suspension of Respondent's license to practice as a registered nurse in the state of Wisconsin to protect the public health, safety and welfare.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED:

1. The license of Todd C. Grohall to practice as a registered nurse in the state of Wisconsin is summarily suspended, effective immediately.
2. This Order shall continue in effect until the effective date of a final decision and order in the disciplinary proceeding against the Respondent, unless otherwise ordered by the licensing authority.
3. Respondent is notified of his right pursuant to sec. RL 6.09 Wis. Adm. Code to request a hearing to show cause why this summary suspension Order should not be continued. Any request for a hearing to show cause should be filed with the Wisconsin Board of Nursing, P.O. Box 8935, 1400 East Washington Avenue, Madison, Wisconsin, 53708-8935. In the event that a hearing to show cause is requested , it shall be scheduled on a date within 20 days of receipt by the licensing authority of the request for hearing, unless a later time is agreed to or requested by the Respondent.

Dated at Madison, Wisconsin this 18th day of January, 2000.

Ann Brewer

Board Chair.