

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST :

FINAL DECISION AND ORDER

GREGORY C. HOECHERL, R.N.,
RESPONDENT.

Order 0000074

Division of Enforcement Case #06 NUR 46

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

Gregory C. Hoecherl, R.N.
6312 W. Forest Home Avenue
Milwaukee, WI 53220

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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

1. Gregory C. Hoecherl, R.N. (DOB 10/20/1950) is duly licensed as a registered nurse in the State of Wisconsin pursuant to license #82647-30. This license was first granted on September 23, 1982.
2. Respondent's most recent address on file with the Department of Regulation and Licensing is 6312 W. Forest Home Avenue, Milwaukee, Wisconsin 53220.
3. At all time relevant to this matter, Respondent was working for CountrySide Manor, 4232 W. Minnesota Court, Milwaukee, Wisconsin 53132, a skilled nursing facility.

4. Resident DH was a 68 year-old male who had a diagnosis of coronary artery disease, chronic renal failure, bi-polar disorder, hypertension, hyperlipidemia, gait instability, arthritis and de-conditioning, and also had a history of falls and used a walker.
5. On or about September 20, 2005, Resident DH had experienced a significant change in condition. He was weak, unable to walk and had urinated in his bed. The facility's caregivers were advised to contact Respondent with all nursing calls that day since the other nurse on call was not available.
6. Phone contact was made with Respondent on three separate occasions that day for him to come into the facility to assess Resident DH. Respondent refused to come in citing that the condition was behavioral not medical. This led facility staff to limit Resident DH's fluid intake due to his inability to control his urination. Respondent at no time called to follow up on Resident DH's condition.
7. Later that day, Resident DH was taken to the hospital where he was diagnosed with a urinary tract infection, sepsis, dehydration and onset of renal failure.

CONCLUSIONS OF LAW

- A. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. §§ 441.07(1)(b), (c) and (d) and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
- B. The conduct described in paragraphs 4 through 7, above, violated Wis. Adm. Code §§ N 7.03(1)(b) and N 7.04(h). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

IT IS THEREFORE ORDERED that Gregory C. Hoecherl, R.N. is REPRIMANDED.

IT IS FURTHER ORDERED that Respondent's license to practice nursing is LIMITED as follows:

- (a) Within six (6) months of the date of this order, Respondent shall provide satisfactory proof of completion of three (3) hours of continuing education in delegation of duties and (3) hours of continuing education in anger management. Courses taken in satisfaction of this requirement must be pre-approved by the Board or its designee.
- (b) For a period of at least one (1) year from the date of this Order, Respondent shall practice only under the direct supervision of a licensed nurse or other licensed health care professional, who is not related to Respondent, approved by the Board or its designee and only in a work

setting pre-approved by the Board or its designee. Respondent may not practice in a home health care, hospice, pool nursing, or agency setting.

- (c) Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent works as a nurse or caregiver or provides health care, currently or in the future.
- (d) For an indefinite period of not less than 2 years, Respondent shall arrange for written reports from supervisors to be provided to the Department Monitor. The work reports shall be submitted on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance, and shall include the number of hours of active nursing practice worked during that quarter.
- (e) Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

3. Pursuant to Uniform Nursing Licensure Compact Regulation No. 3, Respondent's nursing practice is limited to Wisconsin during the pendency of this Order and any subsequent related orders. This requirement may be waived only upon the prior written authorization of both the Wisconsin Board of Nursing and of the regulatory board in the state in which Respondent proposes to practice.

4. After two years, Respondent may petition the Board for modifications to these limitations. The Board may require a personal appearance by Respondent, in its discretion. The Board may grant or deny Respondent's petition in its discretion. If Respondent is dissatisfied with the Board's decision he may seek a class 1 hearing pursuant to Wis. Stat. § 227.01(3)(a), in which the burden shall be on Respondent to show that the Board's decision is arbitrary or capricious. Requesting a hearing does not stay the Board's decision on the petition during the pendency of the hearing process.

5. Respondent shall, within three months from the date of this Order, pay the Costs of this proceeding in the amount of \$1650. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Tel. (608) 267-3817
Fax (608) 266-226

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 pay costs as ordered, or fails to comply with the ordered continuing education, the Respondent's license (#82647-30) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order in full, including paying all Costs, together with any accrued interest.

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

BOARD OF NURSING

By: Marilyn Kaufmann
A Member of the Board

February 25, 2010
Date

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