

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 :
MICHAEL F. MCCORMACK, R.N., : FINAL DECISION AND ORDER
RESPONDENT. :
ORDER 0001065

Division of Enforcement Case No. 11NUR062

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

Michael F. McCormack, R.N.
221 W. Brentwood Lane
Glendale, WI 53217-4211

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Board of Nursing
Department of Safety and Professional Services
1400 East Washington Avenue
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 of Nursing. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Michael F. McCormack, R.N., (DOB 04/30/1948) is licensed as a professional nurse in the State of Wisconsin (license no. 81621-30). This license was first granted on March 26, 1982.

2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 221 W. Brentwood Lane, Glendale, WI 53217-4211.

3. Between September 17, 2008 and November 30, 2010, Respondent was employed as a professional nurse at The Varicose Vein Institute in Milwaukee, Wisconsin. Respondent's job duties included ordering medication supplies and medications; maintaining records for medical supplies, narcotic medication and non-narcotic medication; assisting the physician during procedures; and administering prescribed narcotic and non-narcotic medications to patients. Respondent was the only employee who knew the code to the key box where the narcotics were stored.

4. On June 9, 2010 and September 13, 2010, Respondent purchased one 100 pill count bottle of Hydrocodone/APAP 5 mg/500 mg, and one 500 pill count bottle of Hydrocodone/APAP 5 mg/500 mg. Neither bottle was entered in the Controlled Substances Disposition Record nor was either bottle located in the office.

5. On November 24, 2010 after a verbal argument with the medical director, Respondent's employment was terminated. On November 29, 2010 Respondent was offered his position back with limitations, however Respondent chose not to return to work due to medical reasons and personal differences with staff.

6. On December 8, 2010, following Respondent's departure, office manager JB conducted a narcotic count and discovered a discrepancy on the Controlled Substances Disposition Record. The pill count for Hydrocodone/APAP 5 mg/500 mg was off by 18 pills. JB further discovered that between March 29, 2010 – October 13, 2010, Respondent logged out two pills of hydrocodone/APAP from the narcotics drawer and on the Controlled Substances Disposition Record, however individual patient records and the physician's records indicate only one pill was ordered to the patient. Several patients recall only receiving one pill, despite Respondent's records that two pills were dispensed.

7. On February 28, 2008, Respondent was disciplined by the Wisconsin Board of Nursing for administering controlled substances without a physician's order; and for failing to have wasting of controlled substances witnessed, failing to chart wasting, and failing to chart medications given. Respondent was suspended for three months, required to complete 15 hours of continuing education addressing administration and charting of medication and nursing ethics, and his license was limited for two years.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter, pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 4 and 6 above constitutes a violation of Wisconsin Administrative Code § N 7.04(2) and subjects Respondent to discipline pursuant to Wis. Stat. § 441.07(1)(d).

ORDER

IT IS ORDERED:

1. The SURRENDER of the license of Michael F. McCormack, R.N. to practice nursing in the State of Wisconsin is hereby accepted.

2. The SURRENDER of the privilege of Michael F. McCormack to practice nursing in the State of Wisconsin under another state license pursuant to the Nurse Licensure Compact is hereby accepted.

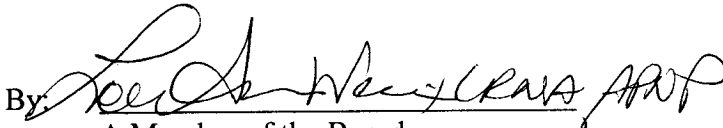
3. In the event that Respondent re-applies for licensure as a nurse in the future, the Board may enter an order denying such application without further notice or hearing.

4. Respondent shall, within one hundred twenty (120) days from the date of this Order, pay costs of this proceeding in the amount of Six Hundred Dollars (\$600.00). 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
Telephone (608) 267-3817
Fax (608) 266-2264

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

Wisconsin Board of Nursing

By: 
A Member of the Board

9/1/14
Date