

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE NURSING HOME ADMINISTRATORS EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
TODD A. GREENEWAY, N.H.A., : FINAL DECISION AND ORDER
LICENSEE. : FOR REMEDIAL EDUCATION
: **0002737**

Division of Legal Services and Compliance¹ Case No. 13 NHA 018

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

Todd A. Greeneway, N.H.A.
4724 Chicory Lane
Appleton, WI 54914

Wisconsin Nursing Home Administrators Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

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 Wisconsin Nursing Home Administrators Examining Board (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. Licensee Todd A. Greeneway, N.H.A., (dob October 3, 1966) is licensed in the State of Wisconsin as a nursing home administrator, having license number 3037-65, first issued on March 3, 1999 and current through June 30, 2014. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4724 Chicory Lane, Appleton, Wisconsin 54914.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this proceeding, Respondent was employed as a nursing home administrator at a health care center (Center), located in Appleton, Wisconsin.

3. In February 2012, Resident A was admitted to Center with diagnoses including Alzheimer's dementia.

4. In July 2012, Resident B, Resident A's husband, was admitted to Center. Resident B is cognitively impaired and has paranoid delusions.

5. Resident A and B lived on different units but visited each other for about two hours a day, over their lunch.

6. On or about October 27, 2012, Resident A's physician noted vaginal bleeding and spotting. The physician noted the bleeding could be due to Resident B's sexual advances. Staff was to monitor Resident A and Resident B's lunch visits.

7. On or about January 24, 2013 and February 8, 2013, physician again noted his concern with Resident A's vaginal bleeding.

8. On February 10, 11, 13 and 14, 2013, staff noted Resident A had vaginal bleeding.

9. Resident A frequently left her room crying during Resident B's visits.

10. During the lunch visits Resident B yelled at Resident A.

11. Licensee knew about the concerns noted above but failed to promptly call police or take other action to ensure that Resident A was safe.

12. During A February 25, 2013 Center evaluation, Licensee admitted he was unaware of the Center's reasonable suspicion of crime policy and that he should have called police.

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

CONCLUSIONS OF LAW

1. The Wisconsin Nursing Home Administrators Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within 6 months of the date of this Order, Todd A. Greeneway, N.H.A., shall at Licensee's own expense take and successfully complete four (4) hours of education in on the topic of sexual assault focusing on informed consent, the sexual assault act and nursing homes handling sexual intercourse as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any education requirements that have been or may be instituted by the Board or Department.

3. Within 120 days from the date of this Order, Licensee shall pay COSTS of this matter in the amount of \$200.00.

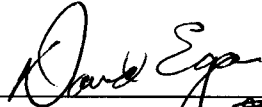
4. Request of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Licensee to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. 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 Licensee's license. The Board in its discretion may in the alternative impose additional conditions and limitations for a violation of any of the terms of this Order. In the event Licensee fails to timely submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Licensee's license (no. 3037-65) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Licensee has complied with payment of the costs and completion of the education.

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

WISCONSIN NURSING HOME ADMINISTRATORS EXAMINING BOARD

by: 
A Member of the Board

11-7-13
Date

STATE OF WISCONSIN
BEFORE THE NURSING HOME ADMINISTRATORS EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TODD A. GREENEWAY, N.H.A.,
RESPONDENT.

:
:
:
:
:

STIPULATION

0002737

Division of Legal Services and Compliance¹ Case No. 13 NHA 018

Respondent Todd A. Greeneway, N.H.A., 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 Nursing Home Administrators Examining Board (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.

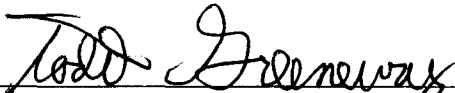
¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

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.

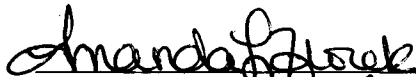
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Todd A. Greeneway, N.H.A., Respondent
4724 Chicory Lane
Appleton, WI 54914
License no. 3037-65

8-29-2013

Date



~~Kim M. Kluck~~, Attorney Amanda L. Florek
Division of Legal Services and Compliance
P.O. Box 8935
Madison, WI 53708-8935

9/10/13

Date