

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 618166 §
And Vocational Nurse License Number 149287 §
Issued to FREDERICK K. GROENING §



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia A. Thomas
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 618166 and Vocational Nurse License Number 149287, issued to FREDERICK K. GROENING, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional and vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Odessa College, Odessa, Texas, on August 19, 1994 and received an Associate Degree in Nursing from Odessa College, Odessa, Texas, on May 1, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on October 10, 1994. Respondent was licensed to practice professional nursing in the State of Texas on June 27, 1995.

4. Respondent's professional nursing employment history includes:

10/94 - 05/96	Unknown	
06/96 - 07/08	Registered Nurse	Odessa Regional Medical Center Odessa, Texas
08/08 - Present	Unknown	

5. The Board of Nurse Examiners initiated an investigation against Respondent's practice as a professional and vocational nurse based on the following allegations:
 - a. On or about December 5, 2007, while employed as a Registered Nurse with Odessa Regional Medical Center, Odessa, Texas, Respondent misappropriated Demerol from the facility or the patients there of.
 - b. On or about December 6, 2007, while employed as a Registered Nurse with Odessa Regional Medical Center, Odessa, Texas, Respondent engaged in the intemperate use of Demerol, in that he admitted to misappropriating Demerol for his own use.
 - c. On or about December 6, 2007, while employed as a Registered Nurse with Odessa Regional Medical Center, Odessa, Texas, Respondent lacked fitness to practice professional nursing in that Respondent informed his supervisor that he was depressed and didn't know if he could go on.
6. On September 19, 2008, Respondent returned License Number 618166 and submitted a notarized statement to the Board voluntarily surrendering the right to practice professional and vocational nursing in Texas.
7. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
8. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5),(6)(G),(8) ,(10)(A) & (11)(B).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 618166 and Vocational Nurse License Number 149287, heretofore issued to FREDERICK K. GROENING, to practice professional and vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title of registered nurse or vocational nurse or the abbreviation RN or LVN or wear any insignia identifying himself as a registered or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered or vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional or vocational nursing in compact states.

Effective this 7th day of November, 2008.



TEXAS BOARD OF NURSING

By:


Katherine A. Thomas, MN, RN
Executive Director on behalf of said Board

Frederick K. Groening
4216 Redbud
Odessa, TX 79762
Texas RN License #618166
Texas LVN License # 149287
Voluntary Surrender Statement

September 2, 2008

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Frederick K. Groening

Date 09/15/08

Texas Nursing License Number/s 618166

The State of Texas

Before me, the undersigned authority, on this date personally appeared Frederick K. Groening who, being duly sworn by me, stated that he executed the above for the purpose therein contained and that he understood same.

Sworn to before me the 15 day of September, 2008.

SEAL

Ann Marie Cox
Notary Public in and for the State of TEXAS

