



## Maine State Board of Nursing

295 WATER STREET  
AUGUSTA, MAINE 04330  
TEL: 289-2921

In Re: Kathe E. Grindel, L.P.N.

### ADMINISTRATIVE CONSENT AGREEMENT

On Wednesday, September 14, 1983, the Maine State Board of Nursing (the "Board") held an adjudicatory hearing pursuant to 32 M.R.S.A. §2105 and the Maine Administrative Procedures Act, Title 5, Chapter 375, sub-chapter IV, at its offices at 295 Water Street, Augusta, Maine. The purpose of the hearing was to determine whether Kathe E. Grindel, L.P.N., had violated or failed to fulfill the terms of her probation contained in the Consent Agreement dated January 19, 1982 ("Agreement"). The Agreement required, inter alia, that Ms. Grindel submit quarterly reports from the Director of Nursing in the facility in which she is employed "attesting to (Ms. Grindel's) ability to practice nursing safely."

At the hearing, Lea Maling, Director of Nursing at Westgate Manor, and Gwen Donovan, nurse at Westgate Manor, testified that Kathe Grindel reported to work on May 19, 1983 and May 31, 1983 under the influence of alcohol or medication. Lea Maling testified that on the basis of these two incidents, she could not submit a report to the Board which would attest to Ms. Grindel's ability to practice nursing safely. Ms. Grindel testified that on May 19 and 31, 1983, she had taken Elixir of Terpin Hydrate & Codeine for a cold, but she denied that the medication impaired her ability to practice nursing safely.

She stated that she was not addicted to codeine. Ms. Grindel consented to the Board's continuance of the hearing in order to obtain additional information.

The hearing was reconvened on November 15, 1983 at the Board's offices. John Gass, Investigator for the Maine State Pharmacy Commission, testified that he surveyed the pharmacies in the Bangor area to determine the frequency in which Ms. Grindel signed for Elixir of Terpin Hydrate & Codeine. He testified that he searched the pharmacy records under the name Kathe Grindel and under Ms. Grindel's maiden name, Kathe Walls. He further testified that from January 1, 1983 to September 18, 1983, Ms. Grindel signed out Elixir of Terpin Hydrate & Codeine in 4oz. bottles on at least 26 occasions. He stated that a 4 oz. bottle of Elixir of Terpin Hydrate & Codeine contained 10 grains of codeine and 49% alcohol.

Ms. Grindel admitted that she had a problem with codeine. She stated that she had not used codeine since September 25, 1983, at which time she was admitted for surgery in the hospital.

The Board concluded that Ms. Grindel engaged in the habitual use of codeine, which endangered or could have endangered the health and safety of patients in her care, and that she had therefore violated the terms of the Agreement dated January 19, 1982. Because of Ms. Grindel's willingness to surrender her license, the Board wishes to resolve this matter without filing an action in Administrative Court. Therefore, the Board and Ms. Grindel hereby agree to the terms of the following Consent Agreement:

1. The Board shall not file an action to revoke or suspend

Ms. Grindel's license in Administrative Court based on the facts related in this Agreement; provided, however, that if Ms. Grindel fails to fulfill or comply with the terms of this Agreement or if she engages in the abuse of drugs in the future, the Board shall be released from its obligations under this Agreement.

2. Ms. Grindel agrees to voluntarily surrender her license to practice practical nursing for at least one year from November 15, 1983, the date on which the Board received her license.

3. Ms. Grindel shall not work as a nurse's aide or assistant prior to reinstatement of her license.

4. Ms. Grindel shall attend regular counseling sessions for substance abuse.

5. Ms. Grindel shall submit a report from her substance abuse counselor to the Board once every three months.

6. Upon application for reinstatement of her license, Ms. Grindel shall submit documentation demonstration to the satisfaction of the Board that she is successfully undergoing a continuing form of therapy for control of her drug problem and that her practice of nursing will not endanger the health and safety of the public.

Dated: 12/21/83

Barbara E. Roach  
MAINE STATE BOARD OF NURSING  
Barbara E. Roach, President

Dated: 12/29/83

Leanne Robbin  
Leanne Robbin  
Assistant Attorney General

Dated: 12/23/83

Kathe E. Grindel  
Kathe E. Grindel