



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

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Commissioner

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February 19, 2025

Via First Class and Certified Mail No.: **9589 0710 5270 0684 6985 21**

Return Receipt Requested
And via Email

Jennifer Boyd Herlihy, Esq.
Adler Cohen Harvey Wakeman Guekguezian LLP 2 Oliver Street, Suite 1005
Boston, MA 02109
jherlihy@adlercohen.com

Re: In the Matter of Adam Gronau
Docket No. NUR-2020-0206
License No. RN2344172 (Exp.)

Dear Attorney Herlihy:

Enclosed please find the Final Decision and Order after Adjudicatory Hearing issued by the Board of Registration in Nursing on February 19, 2025 and **effective March 1, 2025**. Effective March 1, 2025, Mr. Gronau's license will be **reprimanded**. This constitutes full and final disposition of the above-referenced Complaint, as well as the final agency action of the Board. Mr. Gronau's appeal rights are noted on page 5.

You may contact Meghan Bresnahan, Board Counsel at Meghan.bresnahan@mass.gov with any questions regarding this matter.

Sincerely,

 BSN, RN, JD
Heather Cambra, BSN, RN, JD
Executive Director
Board of Registration in Nursing

Encl.

cc: Beverly Kogut, Esq. Administrative Magistrate
Patricia Blackburn, Esq., Prosecuting Counsel

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

_____)
Board of Registration in Nursing,)
Petitioner)
)
v.)
)
ADAM GRONAU)
License No. RN2344172 (Exp.))
License Expired 10/21/2020)
Respondent)
_____)

Docket No. NUR-2020-0206

FINAL DECISION AND ORDER AFTER ADJUDICATORY HEARING

PROCEDURAL HISTORY

On July 6, 2021, the Board of Registration in Nursing (“the Board”) issued and duly served on Adam Gronau (“Respondent”) an *Order to Show Cause* (“OTSC”) related to a complaint filed against Respondent’s license, as referenced above. Respondent’s Counsel filed an Answer to the OTSC. Administrative Magistrate Beverly Kogut presided over a full adjudicatory hearing on July 12, 2022 (“Hearing”), where Prosecuting Counsel, Respondent’s Counsel, and Respondent were all present. On August 26, 2022, both Prosecuting Counsel and Respondent’s Counsel filed a Post-Hearing Brief.

On September 9, 2024, Administrative Magistrate Kogut issued a *Tentative Decision After Full Adjudicatory Hearing* (“*Tentative Decision*”). The Board has carefully considered the *Tentative Decision* and hereby adopts the *Tentative Decision*, including all findings of fact, conclusions of law and credibility determinations. The *Tentative Decision* is attached hereto and incorporated herein by reference.

DISCUSSION

The Board is charged with protecting the public health, safety, and welfare and, to this end, the Board has broad authority to regulate the conduct of nursing professionals including the ability to sanction professionals for conduct that undermines public confidence in the integrity of the profession. *See Kvitka v. Board of Registration in Medicine*, 407 Mass. 140 cert. denied, 498 U.S. 823 (1990); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708, 713 (1982).

Based on the Findings of Fact contained in the *Tentative Decision*, Respondent failed to maintain the security of controlled substances that were under his responsibility and control. On five occasions, Respondent failed to document the administration or wasting of controlled substances.

Based on the Legal Determinations contained in the *Tentative Decision*, the conduct described above was found to be violation of 244 CMR 9.03(5), (35), (39), (44), and (47) and warrants discipline under G.L. c. 112 § 61 and Board Regulations 244 CMR 7.03.

The Board's primary responsibility is to protect public health, safety, and welfare, ensuring that licensed nurses adhere to the highest standards of professional conduct. In this case, the Respondent's failure to maintain the security of controlled substances and accurately document their administration or waste is a significant deviation from these standards. Documentation lapses, particularly involving controlled substances, raise legitimate concerns regarding patient safety and the integrity of nursing practice. However, the mitigating factors presented in this case support Petitioner's and Respondent's position that a reprimand is an appropriate sanction. The mitigating factors include the following:

1. No Evidence of Substance Use Disorder or Impairment

Respondent underwent a thorough evaluation by an addiction psychiatrist, Dr. Nancy C. Nitenson, whose findings conclude that the Respondent does not have a substance use disorder. The negative results from multiple hair follicle and urine drug tests further corroborate the absence of any impairment or misuse of controlled substances. These facts reduce concerns about the Respondent's potential risk to patient safety related to substance use.

2. Proactive Remediation and Insight

Respondent has taken meaningful steps to address the deficiencies in his documentation practices. This includes completing 18.5 hours of continuing education focused on medication administration, documentation, and critical thinking. Respondent demonstrated insight by acknowledging errors and committing to improved practices in the future, showing dedication to upholding professional standards.

3. Strong Work History and Lack of Prior Disciplinary Action

Respondent has a history of excellent performance evaluations and has successfully worked in multiple healthcare settings without incident since the opening of this complaint. The absence of prior or subsequent disciplinary actions in Massachusetts or other states reflects the isolated nature of these incidents.

4. Low Risk to Public Safety

The evidence establishes that Respondent does not pose an ongoing risk to public safety. Respondent has moved out of Massachusetts, does not plan to return, and is currently practicing without incident in other states. Imposing a reprimand ensures transparency about the documentation issues while recognizing the absence of ongoing risk to patients or the public.

5. Maintaining Public Confidence

While documentation errors undermine public confidence in nursing practice, a reprimand serves as a public acknowledgment of the seriousness of these lapses. It also puts future employers on notice of the Respondent's past conduct, balancing the need for accountability with fairness given the mitigating circumstances.

A reprimand is the appropriate sanction in this case. It serves the dual purposes of ensuring public safety and upholding professional accountability while acknowledging Respondent's efforts to remediate their practice and the lack of evidence of impairment or misconduct beyond documentation lapses. This outcome aligns with the Board's mission to protect public welfare without imposing unnecessarily punitive measures.

The Board voted to adopt the within **Final Decision** at its meeting held on February 12, 2025, by the following vote:

In favor: A. Alley, MSN, RN, NE-BC, K.A. Barnes, JD, RPh, A. Joseph, MD, L. Kelly, DNP, CNP, RN, L. Keough, PhD, CNP, RN, J. Monagle, PhD, RN, D. Nikitas, BSN, RN, R. Sesay, ASN, RN, R. Reynolds, PhD, MSN, RN, H. Underwood, LPN

Opposed: None

Abstained: None

Recused: None

Absent: K. Crowley, DNP, RN

ORDER

The Board has reviewed and carefully considered the *Tentative Decision*. Based on the rationale of the Final Decision outlined above, the Board hereby imposes a **REPRIMAND** on Respondent's nursing license, RN2344172.

The Board voted to adopt the within **Final Order** at its meeting held on February 12, 2025, by the following vote:

In favor: A. Alley, MSN, RN, NE-BC, K.A. Barnes, JD, RPh, A. Joseph, MD, L. Kelly, DNP, CNP, RN, L. Keough, PhD, CNP, RN, J. Monagle, PhD, RN, D. Nikitas, BSN, RN, R. Sesay, ASN, RN, R. Reynolds, PhD, MSN, RN, H. Underwood, LPN

Opposed: None

Abstained: None

Recused: None

Absent: K. Crowley, DNP, RN

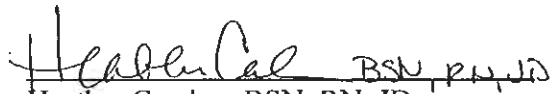
EFFECTIVE DATE OF ORDER

This Final Decision and Order becomes effective upon the tenth (10th) day from the date issued (see "Date Issued" below).

RIGHT TO APPEAL

Respondent is hereby notified of the right to appeal this Final Decision and Order to the Superior Court for Suffolk County or the county where Respondent resides pursuant to M.G.L. c. 30A, § 14, within thirty (30) days of receipt of notice of this Final Decision and Order.

Board of Registration in Nursing,


Heather Cambra, BSN, RN, JD
Executive Director
Board of Registration in Nursing

Date Issued: February 19, 2025

Notified:

By first-class and certified mail no.: :9589 0710 5270 0684 6985 21

Return receipt requested and via email;

Jennifer Herlihy, Esq.
Adler Cohen Harvey Wakeman Guekguezian

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By inter-office mail
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Beverly Kogut, Esq.
Administrative Magistrate
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