

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student Name: Date: DAS Assignment # ___4/4___ (1-4)

Jesus-Jose Carrasco 10/8/2020

Name of the defendant: License number of the defendant:

Mark Maiden 641357

Date action was taken against the license: January 20, 2012

Type of action taken against the license: Revoked

Use the space below to describe the events which led to action taken against the license. If multiple charges were in play, be sure and cite them, e.g. drug diversion, HIPAA violation, abandonment, forfeiture on student loans, etc.

This case is based on Mark Maiden a RN who was employed at Spohn Shoreline Hospital in Corpus Christi, Texas. There were multiple charges placed on this nurse over a timespan from September 25, 2007, through November 23, 2007. Each charge was slightly different though a trend was set which red flagged the situation. The case did not mention how long he had possessed a license, but it would have made it more interesting.

Charge 1: The respondent withdrew medications for patients without valid physician's order or in express of physician's orders. The case also stated, "the conduct was likely to injure the patients in that the administration of narcotics in excess of, or without physician orders, could result in the patients suffering from adverse reactions." This case did not specify if he administered the meds to the patient. There was a total of eight times which a med was withdrawn, which were Lortab 10 and/or Hydrocodone/ Acetaminophen.

Charge 2: In the same time frame, the respondent withdrew medications for patients, but failed to document or accurately document the administration of the medications. This includes signs, symptoms and responses to the narcotics administered. The medications consisted of, Lortab and Hydrocodone/ Acetaminophen. A total of 13 instances were recorded for this charge.

Charge 3: Within the same time frame, the respondent withdrew medications for patients but did not properly waste the unused portions if any, of the medications. The medications were Lortab and/or Hydrocodone/ Acetaminophen. Thirteen instances were recorded.

Charge 4: Within the same timeframe, the respondent misappropriated and/or failed to take precautions to prevent such misappropriations of medications. The medications were Lortab and Hydrocodone/ Acetaminophen.

Charge 5: On December 21, 2007 the respondent was submitted a specimen for a REASONABLE SUSPICION DRUG SCREEN which resulted in positive for Propoxyphene and Marijuana. Each drug is illegal to have in possession.

The respondent was ordered to pay the administrative cost of the proceedings and to pay an amount no less than \$1,200.00. The TBON followed the policies of substance abuse, misuse, dependency, substance use disorder, lying and falsification, fraud, theft and deception.

Use the space below to provide a description of measures you think could have prevented any action being taken against the license and/or would have prevented harm to the patient, if harm occurred.

There is no doubt why the revocation of the respondent's license occurred. Most of the case does not point to the nurse using the narcotics for personal use but the final charge points to a stereotypical conclusion. No patients were reported to be harmed, but my question is, why did it take so long to be caught. As a nursing student, we are taught to count the amount of narcotic medications left in the dispensing system as a medication administration step. I feel there should have been a system tracking the trend of the amount of medication being stocked. This case was recorded within a length of time I feel could have been much shorter. Now, the respondent did not document what was taken nor was a patient reported to be harmed. One can conclude that he may have been taking the medications for a personal use or even distribution. Either way, someone should have been responsible for the records of the amount going in and out of the dispensing system. As for his final charge of the failed drug screen, it was reported as suspicious. An incident occurred which led someone to believe he was needing the screening. The respondent if on duty and impaired under a drugs classified as Psychoactive and Opioid, could have caused a great deal of harm toward patients, staff and bystanders. One being under that influence is a personal decision and may be difficult for another to take charge of the instance. The one who made the suspicion is the one who prevented harm from being done.

Use the space below to describe what action you think a prudent nurse would take as the first to person to discover the event described, in other words, you are the one who discovers the patient has been harmed by the nurse or you have discovered the impairment or criminal activity cited in the disciplinary action.

As a prudent nurse, you are obligated to report issues stated in this case. A person with a mentality of theft, drug use and lack of integrity is not one I would like to befriend or want to be acquainted with even as a coworker. Now, if the respondent requested my assistance in guidance or help for his actions, I would have done my best to make sure he received the help needed. I have never been a fan of people of that sort, nor will I let it affect those I care about or care for. I believe that type of actions requires zero tolerance. Maybe the facility did not have the tools to track the amount of medication being taken from the system, but once aware as a nursing superior, I would have done the proper education and monitoring needed so that the history would not repeat itself.