

Covenant School of Nursing  
Disciplinary Action Summary Assignment  
Instructional Module 2

Student Name: Marquyne Leoner C. Ola

Date: October 10, 2021

DAS Assignment # 2

Name of the defendant: Emmer Jean Anthony

License number of the defendant: 251392

Date action was taken against the license: May 14, 2013

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.*

**Charge I:** On or about February 2, 2011, while employed with Kelsey-Seybold Clinic, Houston, Texas, Emmer Jean Anthony placed a lymph node biopsy and a left breast core biopsy from Patient Medical Record Number 89549943 in the same lab specimen container. Subsequently, the patient had to undergo a repeat biopsy and the nurse's conduct exposed the patient unnecessarily to a risk of harm from medical complications in that it delayed the diagnosis of her condition and treatment of her disease process.

**Charge II:** On or about March 30, 2011, while still employed with above-mentioned clinic, Anthony failed to accurately label and mark a "breast biopsy x 2" specimen for Patient Medical Record Number 04274817, prior to sending it to the laboratory. Additionally, Mammomark clips one (1) and two (2) were switched during the procedure which resulted in the physician being unable to verify which clip was used for which area. The nurse's conduct exposed the patient unnecessarily to a risk of harm in that clinical care decisions may have been formulated upon results of inaccurately labeled specimens.

**Charge III:** On or about March 31, 2011, while still employed at the above-mentioned clinic, Anthony failed to accurately label an Auxiliary Tissue biopsy specimen for Patient Medical Record Number 23091408. Instead, he labeled the said tissue as lymph node which resulted in the pathologist believing that the physician had performed a biopsy of the wrong area because no lymph node tissue was identified. The nurse's action exposed the patient unnecessarily to a risk of harm from medical complications in that it delayed the diagnosis of her condition and treatment of her disease.

**Charge IV:** On or about April 28, 2011, while still employed at the above-mentioned clinic, Anthony failed to accurately label a Submandibular Aspirations specimen for Patient Medical Record Number 07740244. Instead, the nurse labeled the specimen as lymph node which resulted in the pathologist believing that the physician had performed a biopsy of the wrong are since no lymph node tissue was identified. The nurse's conduct exposed the patient unnecessarily to a risk of harm from medical complications in that it delayed the diagnosis of her condition and treatment of her disease process.

**Charge V:** On or about May 13, 2011, while still employed with the above-mentioned clinic, Anthony failed to submit a time sensitive laboratory specimen for Patient Medical Record Number 04771218 for a "Stat" analysis, as ordered by the physician. Instead, the nurse sent the specimen to the regular pathology. The nurse's action exposed the patient unnecessarily to a risk of harm from medical complications in that it delayed the diagnosis of her condition and treatment of her disease process.

All the above-mentioned charges to nurse Emmer Jean Anthony's action constitute grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and are violations of 22 Texas Admin. Code 217.11(1)(B),(1)(D),(1)(H)&(1)(I) and 22 Texas Admin. Code 217.12(1)(A), (1)(B),(1)(E)&(4).

Therefore, the Texas Board of Nursing Eligibility and Disciplinary Committee, after review and considerations and that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Emmer Jean Anthony, ordered that Permanent Registered Nurse License Number 251392, previously issued to Emmer Jean Anthony, to practice nursing in the State of Texas be, and the same is/are hereby, **REVOKED**.

*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. Consider which universal competencies were violated.*

Clearly, Emmer Jean Anthony, being the nurse in charge of the actions for the care of the patients, had negligently acted to perform the duties and responsibilities expected of her to deliver fast and effective treatment of her patients. Anthony had negligently violated the safety of the patients by unnecessarily exposing them to harm due to inaccurately labeling and mixing the specimens needed to diagnose their diseases, hence, resulting to inaccurate readings of such specimens to determine the findings. Moreover, Anthony had not only acted in negligence, but she also acted inappropriately as a Professional Registered Nurse through violating the Standard Precautions as evident on the findings of her mistakes. She had also undermined the importance of proper documentation as evident in her actions which also resulted to many mistakes.

I think what could have prevented such actions is paying attention more to what you are doing and focusing only on the job that is being asked of you because apparently, Emmer Jean Anthony's actions were purely mistakes of labeling and mixing specimens with no intentions to harm the patients. Although there were no intentions to harm the patients, there was a deliberate action of negligence because there were more than one charges against her. Being a nurse, Anthony knew better amongst others that specimens for tests are crucial in determining the patient's diagnosis and are therefore essential in giving the proper treatment of the patient. If only she acted carefully and professionally, there could have been no charges against her, and she could still be practicing nursing today.

I think the Universal Competencies that were violated in this case are the Safety of the Patient, the Standard Precautions necessary for the treatment of the patient, proper Documentation of the proceedings like labeling the specimens, Human Caring and Professional Role as a nurse providing care for the patient.

*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.*

A prudent nurse would always report this matter of incidence to his/her supervisor or manager because this type of case warrants a potential harm and can also be fatal to the patient. Negligence and acting unprofessionally in a hospital setting are a BIG NO in the nursing profession because one mistake, let alone the five charges against Emmer Jean Anthony, can lead to the death of the patient, which is ironic because nurses are supposed to provide care and save lives. Although there are no intentions of causing harm to the patient, acting negligently and unprofessionally are the leading cause of unintentional injury and even death to the patient.