

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student Name: Jessica H Longoria
Date: 11/1/2024
DAS Assignment: #2
Name of the defendant (Nurse): Alexis Joann McNeilly
Type of License: RN
License number of the defendant: 1037592
Date action was taken against the license: 4/3/2024
Type of action taken against the license: Enforced Suspension

- *Use the space below to describe the events which led to the action(s) 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.*

Nurse Alexis Joann McNeilly definitely had multiple serious violations while caring for patients in a clinical setting. Some of these violations included failing to maintain a safe environment for the patient, failing to protect the patient from unethical, medication diversion, illegal or incompetent conduct and acts of unprofessional conduct. Rule 217.11 of the Texas Administrative Code (TAC) requires nurses to maintain a safe environment for the patient. Additionally, rules in Texas Administrative Code §217.12 identify behaviors in the practice of nursing that are likely to deceive, defraud or injure clients or the public. Actual injury to a client need not be established and behaviors include those such as unprofessional and unsafe conduct(s).

Violations began on or about May 11, 2022 and May 15, 2022 when the nurse diverted 2 Hydromorphone 2 MG/1 ML injection, 1 Morphine Sulfate 1 MG/1 ML injection, 1 Promethazine 25 MG/ML Ampule, 1 Diluted 2 MG/1 ML 1 ML injection, syringes and alcohol wipes from the facility and patients for her own personal use. The nurse also tampered with 7 vials of hydromorphone 1 MG, respectively for her own personal use, in that she was seen replacing the medication with saline with security surveillance footage. When questioned the nurse admitted to the facility administration that she had done so for her own personal use of the controlled substance. The nurse's conduct in these incidents was likely to defraud the facility and patients thereof the cost of the medications.

During this time frame the nurse engaged in the intemperate use of Hydromorphone, Morphine and marijuana. Her use of these drugs was confirmed through a drug screen which tested positive for all 3 drugs. Not only is unlawful possession of these 3 drugs prohibited by Chapter 481 of the Texas Health and Safety Code but more importantly the use of these 3 drugs by a nurse, while subject to call or duty, could impair the

nurse's ability to make rational, accurate, and appropriate assessment, judgments, and decisions regarding patient care, thereby placing a patient in potential danger.

Only a couple of days later, the nurse exhibited impaired behavior, such as manic and aggressive behavior, sending paranoid text messages to family members, admitting to her employer that she was using medications in the staff restroom and engaging in a domestic violence incident. These were all indicative that the nurse lacked fitness to practice nursing. Her conduct was likely to injure the patients in that it adversely affected her ability to recognize subtle signs, symptoms or changes in the patient's conditions and could have affected her ability to make rational, accurate and appropriate assessments, judgments and decisions regarding patient care, thereby again placing the patient in potential danger. Several injection needles and alcohol wipes were found in the nurse's personal bag.

- *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 are several measures that could have prevented the actions taken against the nurse's license. I think the most important preventative action the nurse could have taken to take care of her license would seek treatment, professional and medical help with what seems to be an addiction to drugs as soon as she began to realize she had a problem. She has access to many resources like the TPAPN, that help nurses get through drug abuse by providing them with the knowledge, skills and tools to get back to a healthy state of mind and health. Another action she could've taken was to stop working as a nurse completely. Knowing she had an addiction to these controlled substances, the last thing she should be doing is to continue a job that grants him access to these same drugs. This would have not only been beneficial to her license but also beneficial to her health, this access was helping him grow her addiction. Lastly another action she could've taken was to simply vocalize and share her issue with someone who could've helped him with support. Admitting she had a problem is a beginner's step in the right direction.

There are also several measures that could have prevented the risk of harm of the nurse's patients. Let's re-touch on the preventative action of having the nurse remove himself from her job, but in this instance, she would remove himself for the safety of her potential patients. By removing himself from the job she not only would have provided her patients with proper, skillful and deserving care but she also would allow these same patients to receive the drugs that were rightfully theirs. Her conduct was likely to injure the patients directly and indirectly. Another action that could've prevented the risk of harm of the nurse's patients was co-worker accountability. As a nurse, the patient's safety is a "shared" responsibility, even though we are each assigned a specific patient, every patient is our responsibility. So, paying close attention to a suspicious co-worker is good practice, all patient safety is priority. Another preventive action could be to revise or verify the facility's police and procedures on controlled substances to prevent diversion. Keeping controlled substances under close and if applicable complete control is a must for not only the care of our patients but to also deter employee abuse.

- *Identify ALL universal competencies were violated and explain how.*

Safety and Security: "Promote trust & Respect" violated because the nurse provided care under the influence that adversely affected her ability to recognize subtle signs, symptoms or changes in the patient's conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

Standard Precaution: “Medication Preparation” violated because nurse used saline in the place of prescribed medication, saline was given to patients and prescribed medication was kept for personal use.

Critical Thinking: “Evaluation and Revision of Interventions” / ”Assessment Related to Patient Symptoms” violated because the nurse provided care under the influence that adversely affected her ability to recognize subtle signs, symptoms or changes in the patient’s conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

Documentation: “eMAR medication Scan” / ”Saving All Documentation” violated because nurse documented giving prescribed medication but administering saline. Also documenting that prescribed medication was given when it was not.

Human Caring: “Treat Patient With Respect and Dignity” violated because nurse lied to patient(s) about administering false medication and providing care while under the influence. Again, it affected her ability to recognize subtle signs, symptoms or changes in the patient’s conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

Professional Role: “Interaction With Peers, Staff, Family” violated because again (sorry I sound like a broken record) the nurse provided care while under the influence and denied patients their prescribed medications.

- *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.*

Reading this report was really difficult for me to read without getting mad. Setting this feeling aside, my priority will be her patient’s safety. Notify the charge nurse and head nurse of the situation and definitely I would have this nurse removed immediately from the floor and off the premises to prevent further harm to anyone. Immediately following I would assess each of her patients and make sure first they all have clear airway, proper breathing and strong blood circulation. Next priority would be any missed medications. I would notify any physicians (SBAR) if any medications were past the time of administration. The patient’s safety again would be my priority and also in this case I would make sure and follow up on how I can prevent this nurse from working again. I would report her to the Board of Nurses and make certain that what she has done is put patients at risk of harm. I would want to make sure this nurse does not fall through the cracks, and she takes responsibility of her wrongdoing.