

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student Name: Kimberly Ortiz

Date: 11/1/24

DAS Assignment # 2

Name of the defendant: Michael James Vear

License number of the defendant:806648

Date action was taken against the license: 4/14/22

Type of action taken against the license: Probated 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.*

Michael was the charge nurse on April 4, 2022, he had just walked into his shift as he just got report. Michael reports that upon arriving to the patient's room he could hear the patient yelling out racial slurs. Thrashing out making him a risk to staff and objects around him, although he was on restraints the patients was causing damage but that was due to restraints being poorly secured. The patient was being uncooperative not only with charge nurse but upon arrival with EMS, and who ever put on the restraints put everyone at risk for safety. As the charge nurse tries to help the situations the patients spit on Michael face and Michael reacted by slapping the patient in the face and putting his hand over his mouth to keep him from spiting. Even though this was a reaction based on the patient's behavior it is still unprofessional and not the proper way to handle the situation.

- *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.*

I believe if he just had walked away sooner the situation would had not resolved to him hitting the patient. He also could have fixed his restraints and apply something over his mouth to prevent the patient from spiting on him. As well as reorient the patient and help him to calm down, ask him if there is anything, he could do to calm him down. That they are there to help him get better not hurt him or see if he had family with him and maybe they can help to make him feel better.

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

Human caring was violated due to him slapping the patient and holding his face down which could have cause serious injury. He did not think about the safety of the patient and that should have been his first priority. He could have been empathetic for the patient and ask the patient what is making him feel upset and how the charge nurse could make him feel better.

Critical thinking was violated because he failed to deescalate the situation and put the patient at risk of future harm. He could have stepped away as soon as the situations occurred, stayed calm, and let the patient know that the spitting is unacceptable. After the situation occurred, he could think about what he could have done better and what not to do for next time. Also make sure to document everything that happened so that's it is in the patients charts and if this were to occur again everyone is aware for there safety.

Professional role was violated because he did not maintain professionalism and let his anger/emotions get the best of him. He most likely lost the trust of the patient and/or his family member. He risks his career and might have to deal with the consequences of losing his license. He also makes the hospital he works for look unfavorable and if the parents want to take legal actions, they could sue the hospital and cause them to lose an adequate amount of money.

Safety and security were violated for physical harming the patient and putting them at risk for injuries. The patient could have acted out of anger and cause harm to the nurse and others around him. If a situation were ever to get out of hand always call for help to refrain from harming yourself or the patient. He failed to provide a safe environment by escalating the situation instead of putting the patient's rights first which is to keep the patient safe.

- *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.*

If I was the prudent nurse to first discover the situations, I would ask the charge nurse if he was okay and tell him to go collect his thought and get his emotions under control. I would then explain to him that me and the other nurses will care for the patients to make sure the patient had not received any injuries due to the slap or him holding his face down. I would tell him he should go see the councilor that our hospital provides to talk about what just happened. I would then help the patient to see if there is anything to help calm the patient then I would do so. I'm glad he understood what he did was wrong, however he must know he can never do this again!