

# Covenant School of Nursing

## Disciplinary Action Summary Assignment

### Instructional Module 2

Student Name: Jacey Ammons

Date: 4/3/2025

DAS Assignment # 1 \_\_\_\_\_

Name of the defendant: Lydia Fernandez (Werchan), RN

License number of the defendant: 859197

Date(s) and BON decision(s) taken against the license:

May 17, 2021 and received limited license with stipulations

Type of action(s) imposed to retain or regain licensure, if applicable (ex.: warning with stipulations, etc.)

Lydia also received a limited license of no patient care/ shall not provide direct patient care.

- *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 each of them, e.g. drug diversion, HIPAA violation, abandonment, etc.*

During Lydia's time as a registered nurse, she had several disciplinary actions occur. Lydia's first disciplinary action was the misappropriated medication of Phenergan, Zofran, and Dilaudid that belonged to the facility. Lydia also failed to take the preventable caution to stop the misappropriation. Lydia's Reason was suspected of being to defraud the facility and patients on the cost of medication. Later it was also found that she was not properly charting the medication and was also canceling the transactions when pulling meds but would still deliver the medication to the patients. Her action could have put patients in harm's way. Lydia claims that none of the medication was ever used at work. She also stated that this only lasted for a few weeks and later turned herself in and got referred to TPAPN.

When Lydia used the medication Dilaudid, she would administer the proper amount to the patient and claimed that she wasted the proper amount of medication, but the medication never ended up being wasted. Since the medication was not properly wasted there is no way to tell what actually happened to the remaining Dilaudid. It could not be known if the correct amount of medication was administered, if the medication went into the proper waste bins, or if nurse Lydia did something with it.

Lydia's use of Phenergan and Zofran would lead to inaccurate medical and charting records since it was not properly charted. When in the med room, nurse Lydia would go to dispense these two meds but after they would be dispensed, she would hit the "cancel transaction" button but would not actually stop the transaction. She would follow by still taking the medication. Which leads to the patient's records being false and still not knowing where the medication went.

In terms of Lydia's order, her license is now a limited license with stipulations. These stipulations being Lydia should not provide direct patient care, notify each present employer in nursing with a copy of this order, and notify all future employers with a complete copy of this order. This order will also apply to any other nursing license Lydia can obtain. Lydia may not work out of the state of Texas as her license

is now deemed "single state". Lydia will also be assigned a remedial education course which she will have one year to complete and must have the instructor submit a course completion form in order to receive credit. If Lydia was to enter back into the field of direct patient care, she will have to petition the board for approval and has to satisfy all requirements for restoration. Those requirements include a remedial education course, work restrictions, and a supervised practice.

- *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 think there are several measures that could have been taken to prevent any legal action against Lydia's nursing license. Wasting the medicine properly would have been a big help. If Lydia also had another nurse watch her waste the medication properly, this could have helped her protect her license. Charting with accuracy and not putting that the transaction was cancelled when it was not would also help Lydia not to put her license in danger. Only taking medication out when it was ordered for a patient along with proper documentation could have helped her rather than Lydia taking meds when not needed and for personal reasons. Even though it does not say a patient was harmed by not wasting the Dilaudid properly, the patient could have accidentally got the wrong amount and could have led to harm being done. Along with improper documentation and taking the medication after reporting that she did not, it could lead to someone not getting the medication needed or her patients not getting it since Lydia took it for herself.

- *Identify ALL universal competencies (4-5) that were violated and explain how in detail to reflect your understanding and importance of the universal competencies.*

The four universal competencies that were violated were safety and security, standard precaution, critical thinking, and documentation.

**Safety and security** were violated by the patients' seven rights of medication administration. Failure to document is a big part of med admin and nurse Lydia broke this competency when she did not document the proper waste of Dilaudid.

**Standard Precautions** were also violated by improper medication preparation. There was no proper waste of medication. There was also no other nurse there to witness Lydia wasting the meds or sign off that she did in fact do it correctly.

**Documentation** was violated when Lydia said the transaction was cancelled but continued to take the medication. Which leads to not having the proper amount of medication in the med room while also leading to false records.

**Critical thinking** was the last universal competencies violated since Lydia chose to take the meds for herself and not give them to a patient. This is what led to her poor judgment on what she prioritized when the patients should have come first in this situation.

- *Use the space below to describe what actions 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 first nurse to discover this issue, as soon as I find out about it, I would report it. I would report to the charge nurse and ask the charge nurse if I need to make a report to anyone else. I would then explain in detail how I found this information out in order to ensure that the charge nurse will have as many details as possible and to make sure it does not look like something I am making up or just trying to get Lydia into trouble. I would also check on her patients, especially the one she administered with the dilaudid too. I would then check if any of her other patients were to have Zofran or Phenergan and make sure they did get their medication if it were supposed to be already administered. I would also make a report to the state board since her violations contained missing and improper wasting of medication. Lastly, I would run any tests needed to ensure the patients are healthy and got the correct medicine and were administered it.