

BOARD OF EXAMINERS FOR NURSING

IN RE:

Rebecca Gerrard
126 Mobil Avenue, N.E.
Atlanta, Georgia 03305
(404) 436-9228

1983-1014-010-029

MEMORANDUM OF DECISION

The Board of Examiners for Nursing was presented by the Department of Health Services with a Notice of Hearing and Statement of Charges dated June 6, 1984.

The Statement of Charges alleged violations of certain provisions of Chapter 378, Connecticut General Statutes. The Notice of Hearing provided that the hearing would take place on June 28, 1984 in the Department of Health Services at 150 Washington Street, Hartford, Connecticut.

Each member of the Board of Examiners for Nursing involved in this decision attests that he/she has reviewed the record, and that this decision is based entirely on the record.

FACT

1. Rebecca Gerrard, respondent, was at all pertinent times licensed to practice nursing as a registered nurse in Connecticut, with registration number R-34993.

2. Pursuant to Connecticut General Statutes, Section 4-182(c), the respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license.

3. The respondent, while employed as a nurse at Danbury Hospital, on or about September 6, 1983 signed out four (4) doses of 12.5 mgm of Demerol and wasted 86.5 mgm of Demerol when 25 mgm doses of Demerol were available; signed out three (3) doses of Demerol on the proof-of-use sheet, but did not note these doses on the medication administration record; did not obtain a co-signature for one (1) dose of wasted Demerol and two (2) doses of wasted Dilaudid; signed out two (2) doses of Demerol at a time which was more frequent than ordered by the physician; noted on the medication administration a dose of Demerol at 11 p.m. while the proof-of-use sheets indicated doses had been signed out at 9:30 p.m. and at 9:45 p.m.; and signed out two (2) mgm of Dilaudid for a patient which was contrary to the physician's ordered dosage.

4. The activities referenced in paragraph three (3) were uncovered by Drug Control Agent Richard G. Moore, Jr., Department of Consumer Protection, during an investigation conducted during September 1983.

DISCUSSION

5. The First, Third, Sixth, and Seventh Counts allege that the respondent violated provisions of Section 20-99(b) on or about September 6, 1983, while employed as a nurse at Danbury Hospital, by signing out four (4) doses of 12.5 mgms of Demerol and wasting 86.5 mgms when 25 mgm doses of Demerol were available.

In pertinent part, Section 20-99(b) forbids ...(2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The Board determined the respondent on or about September 6, 1983, while employed as a nurse at Danbury Hospital, signed out four (4) doses of

12.5 mgms of Demerol and wasted 86.5 mgms when 25 mgm doses of Demerol were available. Standards of medication administration would dictate the smallest available dose from which the ordered dose could be withdrawn be utilized.

Based on the foregoing the Board concludes that the respondent has violated Section 20-99(b) as specified in the First, Third, Sixth, and Seventh Counts.

6. The Second, Eighth, and Ninth Counts allege that the respondent violated provisions of Section 20-99(b) on or about September 6, 1983, while employed as a nurse at Danbury Hospital, by signing out three (3) doses of Demerol on the proof-of-use sheet and not documenting this drug administration on the medication administration record.

In pertinent part, Section 20-99(b) forbids: ... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The Board determined the respondent on or about September 6, 1983, while employed as a nurse at Danbury Hospital, signed out three (3) doses of Demerol on the proof-of-use sheet and not on the medication administration sheet. Standards of practice require that all controlled substances which are administered to a patient be documented on the medication administration record.

Based on the foregoing the Board concludes that the respondent has violated Section 20-99(b) as specified in the Second, Eighth, and Ninth Counts.

7. The Fourth, Thirteenth, and Fourteenth Counts allege that the respondent violated provisions of Section 20-99(b) on or about September 6, 1983, while employed as a nurse at Danbury Hospital, by not obtaining co-signatures for wasted controlled substances Demerol and Dilaudid.

In pertinent part, Section 20-99(b) forbids: ...(2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The Board determined that the respondent on or about September 6, 1983, while employed as a nurse at Danbury Hospital, did not obtain co-signatures for wasted controlled substances Demerol and Dilaudid. Standards of practice require a co-signature on the discard of all controlled substances.

Based on the foregoing the Board concludes that the respondent has violated Section 20-99(b) as specified in the Fourth, Thirteenth, Fourteenth Counts.

8. The Fifth and Tenth Counts allege that the respondent violated provisions of Section 20-99(b) on or about September 6, 1983, while employed as a nurse at Danbury Hospital, by signing out 12.5 mgm doses of Demerol at 5:50 p.m. and 6:30 p.m.; 9:30 p.m. and 9:45 p.m. which were more frequent than ordered by the physician.

In pertinent part, Section 20-99(b) forbids: ...(2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The Board determined the respondent, on or about September 6, 1983 while employed as a nurse at Danbury Hospital, signed out Demerol at 6:30 p.m. and 9:45 p.m. which were more frequent than ordered by the physician.

Standards of practice dictate medications are not administered more frequently than ordered.

Based on the foregoing, the Board concludes that the respondent violated Section 20-99(b) as specified in the Fifth and Tenth Counts.

9. The Eleventh Count alleges that the respondent violated provisions of Section 20-99(b) on or about September 6, 1983, while employed as a nurse at Danbury Hospital, by noting on the medication record a dose of Demerol at 11 p.m. while the proof-of-use sheet indicated doses had been signed out at 9:30 p.m. and at 9:45 p.m.

In pertinent part, Section 20-99(b) forbids: ... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The Board determined the respondent on or about September 6, 1983, while employed as a nurse at Danbury Hospital, noted on the medication record a dose of Demerol for 11 p.m. while the proof-in-use sheet indicated doses had been administered at 9:30 p.m. and 9:45 p.m. Standards of nursing practice indicate medications are charted as administered, according to physician order, on the proof-in-use sheet and the medication administration record.

Bases on the foregoing the Board concludes that the respondent has violated Section 20-99(b) as specified in the Eleventh Count.

10. The Twelfth Count alleges that the respondent violated provisions of Section 20-99(b) on or about September 6, 1983, while employed as a nurse at Danbury Hospital, by signing out a 2 mgm dose of Dilaudid which was contrary to the physician's ordered dosage.

In pertinent part, Section 20-99(b) forbids: ... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The Board determined the respondent on or about September 6, 1983, while employed as a nurse at Danbury Hospital, signed out a 2 mgm dose of Dilaudid which was contrary to the physician's ordered dosage. Standards of practice dictate all controlled medications are signed out for administration according to the physician orders.

Based on the foregoing the Board concludes that the respondent has violated Section 20-99(b) as specified in the Twelfth Count.

11. The Board determined that the respondent had acted as an undercover agent and made undercover buys from a pharmacist for the purpose of assisting Drug Control Agents.

The Board further determined the respondent voluntarily relinquished her license one (1) year prior to the hearing date and has been actively engaged in a rehabilitation program since that time.

ORDER

12. It is the unanimous decision of the Board of Examiners for Nursing that:

- a. The license of the respondent be suspended for a minimum period of two (2) years determined as follows:
 - i. as to the First, Third, Sixth, and Seventh Counts, one year for each count. Counts to be served concurrently for a total suspension of one (1) year.
 - ii. as to the Second, Fourth, Eighth, Ninth, Eleventh, Thirteenth, and Fourteenth Counts, six (6) months for each count. Counts to be served concurrently for a total suspension of six (6) months.
 - iii. as to the Fifth, Tenth, and Twelfth Counts, six (6) months for each count. Counts to be served concurrently for a total suspension of six (6) months.
 - iv. The suspensions of one (1) year, six (6) months, and six (6) months are to be served consecutively for a total effective suspension of two (2) years.

b. The said suspension be immediately stayed and the respondent placed on probation with the following conditions:

1. The respondent shall continue to participate in the program in which she is currently enrolled in Georgia;
2. Meet all "conditions" the Georgia Board of Nursing requires for her probationary status in Georgia;
3. Forward a copy of those requirements to Connecticut;
4. Forward a copy of all reports required by the Georgia Board to the Connecticut Board.

Non compliance with any of the above terms will result in the reinstatement of the above suspension order.

c. At the completion of the two (2) years of probation, the respondent may apply for full reinstatement of her license to practice nursing by submitting (1) request for reinstatement; (2) a summary of the treatment program in which she has participated including documentation of her drug free status, and her physical and psychological health to competently practice nursing.

12. The said suspension and immediate stay will be effective as of December 1, 1984.

13. The Board of Examiners for Nursing herewith advises the Department of Health Services of the State of Connecticut of this decision.

Dated at Harford, Connecticut, this 15th day of November, 1984.

BOARD OF EXAMINERS FOR NURSING

BY: Bette Jane M. Murphy, R.N.
Bette Jane M. Murphy, R.N., Chairman