

## Pre-Completion Of Patient Charting: Nurse Can Be Fired For Misconduct.

At the beginning of his ten-hour shift an LPN pre-completed a patient's chart stating he had given morphine at 4:00 a.m. and 6:00 a.m.

However, the patient died at 3:15 a.m. before either dose of morphine could have been given.

The nurse was fired for violation of the facility's policies and applicable state regulations.

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***Misconduct justifying termination is willful, intentional disregard of the employer's interests, deliberate violation of the employer's reasonable rules or disregard of a standard of behavior which the employer has the right to expect of employees.***

SUPREME COURT OF IDAHO  
December 28, 2005

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The Supreme Court of Idaho upheld his firing.

The court pointed to the nursing home's policies and procedures manual which required nurses to initial each medication in the correct box on the Medication Administration Record as each medication was poured.

That is, the facility's manual said explicitly that entries were to be made on the MAR as medications were actually being placed in the patients' medication cups. There was no room for deviation from the policy manual, the court said, based on a nurse's own judgment how to save time on a busy work shift. Kivalu v. Life Care Centers of America, \_\_ P. 3d \_\_, 2005 WL 3535063 (Idaho, December 28, 2005).