

Harassment Of Nurses: Hospital Revokes Physician's Privileges.

The hospital has a zero-tolerance policy for any physical contact with staff members and has a duty to protect employees and patients at the hospital.

The physician's behavior has the potential for harm to the health and safety of patients and employees of the hospital.

There was also a history of other disruptive behavior and non-compliance with the hospital's standards for appropriate medical documentation.

State law gives a hospital the right to terminate a physician's staff privileges for behavior that does not comport with the hospital's own bylaws and credentials manual.

The hospital must give the physician adequate prior notice and the opportunity to be heard in a fair hearing.

APPELLATE COURT OF ILLINOIS
March 8, 2016

A surgeon with privileges at the hospital blew up at the surgery scheduling nurse because she left repeated phone messages for him about a pending case at the hospital while he was performing surgery at another hospital.

The surgeon's anger markedly escalated when he learned later that day that the scheduling nurse and another nurse were working on an incident report for his behavior earlier that day.

This second confrontation necessitated that a nursing supervisor step in bodily between the physician and the nurse to get him to stop yelling and poking at the nurse and leave the room.

The three nurses submitted a second incident report about the second incident, and notified the local police.

Four days later the chief executive of the hospital initiated a formal disciplinary committee meeting to review the physician's privileges at the hospital.

The day before that meeting was scheduled to occur the physician angrily blew up at the surgery nursing supervisor after she came into the operating room at the request of a newly-hired circulating nurse who needed help. Yet another incident report followed that episode.

The Appellate Court of Illinois ruled the hospital credentials committee did not act inappropriately by terminating the physician's privileges at the hospital over the incidents with the nurses on top of a prior history of other problems. Murfin v. St. Mary's Hosp., 2016 IL App (5th) 140136-U, 2016 WL 915183 (Ill. App., March 8, 2016).

Supervision Of Advanced Practice Nurses: Medical License Revoked.

The Court of Appeals of Tennessee upheld revocation of a physician's medical license by state authorities for a series of charges that included failure to supervise the advanced practice nurse practitioners in his clinic.

The Court was not persuaded that the physician could short-circuit the disciplinary process simply by retiring and giving up his medical license.

Allegations filed with state authorities included charges that he failed to make arrangements for another physician to be available in his absence if the nurses needed to confer.

He also failed in his responsibility personally to review the nurses' charts for patients receiving controlled substances prescribed by the advanced practice nurses.

Reportedly he handed out prescription pads to the nurses pre-signed under his own name and license and DEA numbers.

The physician's clinic also failed to develop and implement clinical guidelines for prescribing specific medications for specific diagnoses. Wytenbach v. Board of Medical Examiners, 2016 WL 1045668 (Tenn. App., March 15, 2016).

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E. Kenneth Snyder, BSN, RN, JD

Editor/Publisher

PO Box 4592

Seattle, WA 98194-0592

LEGAL EAGLE EYE NEWSLETTER PO BOX 4592 SEATTLE WA 98194-0592

(206) 718-0861

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