

Jail Nursing: Inmate Died During Alcohol Withdrawal.

Less than one day after being booked into the county jail the inmate died from *Klebsiella pneumoniae* which the medical examiner related to the inmate's chronic alcoholism.

He was booked into the jail during the early evening hours. At that time his temperature was elevated. He told the nurse he had been experiencing nausea and vomiting and that he drank alcohol daily. It appeared to the nurse that he needed to detox from alcohol.

The US District Court for the Northern District of Texas was critical of the jail nurse's care the next afternoon just hours before he died. According to witnesses he was "out of it," soaking wet, shaking, unable to stand or walk and was wheezing, dehydrated and vomiting. He had coughed up yellowish sputum. His BP was 69/53 with a pulse of 163 earlier that day.

The nurse should have recognized the inmate was not just detoxing but also had pneumonia and needed to be sent to the hospital. That would amount to deliberate indifference to his serious medical needs. Morris v. Dallas County, 2013 WL 3014673 (N.D. Tex., June 18, 2013).

Jail Nursing: Nurse Did Not Change Her Gloves.

A state prison inmate sued the lieutenant responsible for supervising the unit where he was housed for allegedly failing to insure that the nurse followed correct hygienic procedures.

Specifically, the inmate stood in line with approximately sixty others waiting for TB tests and saw that the nurse was not changing her gloves after each one, even after wiping blood from an inmate's arm. When it was his turn he asked her to change her gloves but she refused.

While not endorsing the nurse's conduct, the US District Court for the Eastern District of Virginia ruled that he inmate did not have grounds for his \$1.6 million lawsuit.

Deliberate indifference to serious medical needs is considered a form of cruel and unusual punishment that the courts recognize as a violation of an incarcerated person's Constitutional rights under the Eighth Amendment.

However, this inmate could not show that he suffered any significant physical or emotional injury. Thus he had no grounds for a lawsuit. Jones v. Newby, 2013 WL 960777 (E.D. Va., March 12, 2013).

Sleeping On Duty: Court Upholds Charges Of Gross Negligence, Unprofessional Conduct.

The nurse was assigned to care for three inmates on suicide watch during the 10:00 p.m. to 6:00 a.m. shift at a state prison facility. It was an overtime shift in the unit of the facility described as mental health overflow.

The nurse's responsibilities included making thirty minute checks on the inmates and documenting that the checks were made and what the nurse observed during each check.

The sergeant who supervised the prison guards found the nurse asleep in the office at 5:55 a.m. He woke the nurse and asked him if he was all right.

When the sergeant investigated further he learned that a medical assistant assigned to one-on-one constant watch of one of the nurse's patients had not seen the nurse at all after patient checks at 10:00 p.m. and midnight.

Regardless of whether he was working overtime or not, there was substantial evidence that the nurse was asleep during his work shift, that he failed to check on his suicidal patients every half hour as he was required to do and that he nonetheless falsely completed his patient observation charting to reflect that he had made all of his required checks on his patients.

CALIFORNIA COURT OF APPEAL
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The nurse's charting, however, ostensibly indicated that he had checked each of his patients every thirty minutes throughout the entire shift.

The California Board of Registered Nursing revoked his license as a registered nurse based on grossly negligent and unprofessional conduct. He accepted an overtime shift when he was too tired to provide competent care, failed to make his required rounds and falsified patient documentation stating that he had made his rounds.

The California Court of Appeal ruled there was substantial evidence to support the Board's finding that the nurse was guilty of the misconduct of which he was accused and its decision that that misconduct was grounds for revocation of his license. Nehara v. California Bd. of Nursing, 2013 WL 3054589 (Cal. App., June 19, 2013).