

Real Time Disciplinary Actions Against Nurse Aides and Nurse Assistants (CNAs)

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Avoiding Liability Bulletin - August 16, 2017

As you know, your certification, registration or license as a nurse aide or nurse assistant (CNA) is administered and enforced by the regulatory agency in your state. That agency may be a department of health or the state board of nursing. In either case, the importance of CNAs following their practice acts without fail is essential.

You may be thinking to yourself: "Here she goes again with warnings about obeying my practice act!". So, instead of dire admonitions by me, I thought it might be helpful for you to see for yourself some of the violations for which CNAs have been disciplined.

Because disciplinary actions against any health care provider are public records, I simply went through various states' disciplinary files on the regulatory agencies websites. What follows are just a few of the violations I came across.

1. Female CNA took provocative pictures of women from a magazine and posted them on the headboard of a patient where she worked as a joke and while on duty. The patient, who had cognitive limitations, "prompted a response by the patient". CNA admitted her conduct and was remorseful. DISCIPLINARY ACTION - Letter of Reprimand and take courses in ethics and professional boundaries.
2. Female CNA failed to appear for a properly noticed hearing for allegations of abandonment and unprofessional conduct against her in a complaint filed with the agency. DISCIPLINARY ACTION - Default Judgment and revocation of certificate.
3. Male CNA 's employer filed a complaint with the state agency alleging sexual abuse and client abuse when two male patients informed employer of this conduct by CNA. CNA convicted of two counts of Sexual Assault in the Third Degree. DISCIPLINARY ACTION - CNA agreed to voluntary surrender his CNA certificate.
4. Male CNA who worked at a home health agency signed his time slip as the client, was present in the patient's home when not scheduled to work, and failed to report a serious change in the patient's status (inability to wake patient). DISCIPLINARY ACTION - CNA license revoked and CNA unable to re-apply for licensing for five (5) years.
5. Female CNA abandoned her shift and duties as a CNA, leaving a patient in her care laying in urine for hours. DISCIPLINARY ACTION - CNA license suspended for six (6) months, CNA must complete mandatory re-training on patients' rights, patient abuse, and duties of a CNA, and an appearance before the Board before license is reinstated.

6. Female CNA was convicted of second degree assault of a patient, a Class B Felony in her state. DISCIPLINARY ACTION – Certificate of CNA suspended for at least five (5) years.
7. Female CNA took money from a resident while employed at a nursing home. When the complaint was filed against her, she did not respond to several notices requesting that she answer the complaint. DISCIPLINARY ACTION – indefinite suspension of her certificate as a CNA.
8. Male CNA allowed another person to use his license and lied about it to agency. DISCIPLINARY ACTION – CNA credentials suspended by department for at least two (2) years.
9. In one state alone, 509 CNAs failed to re-pay their student loans. Disciplinary Action – Suspension of licenses.
10. A female CNA falsified patient records and failed to follow a patient's treatment plan at the nursing facility where she was employed. DISCIPLINARY ACTION – Suspension of CNA credential for at least a year.
11. A male CNA failed to comply with a series of substance abuse Monitoring agreements. DISCIPLINARY ACTION – Suspension of CNA certification.

As you can see, violations ranged from bad judgment (e.g., not re-paying student loans) to egregious breaches by the nurse aides or nurse assistants (CNAs). Regardless of their seriousness, the professional lives of the CNAs involved are forever affected. Some will never practice again while others will have a difficult time finding a job. Others may find work but be forever taunted by their actions.

So, always be mindful of your practice act and its mandates. Practice ethically, legally and with respect for all to whom you provide care. Making a conscious effort to do so will most likely keep you off any disciplinary action list for nurse aides and nurse assistants (CNAs).

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