

Legal Implications for Nurses

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Overview

- Introduction
- Background on the State Board of Nursing (legal)
- Common Nursing Legal Issues
- Liability Insurance
- Questions

Introduction

- Anthony D. Cox Jr.
 - Represents nurses before the state boards, federal agencies, state courts, and federal courts.

Background on the State Board of Nursing

- Complaint Process
 - Complaint filed by anyone with the State Board of Nursing
 - Investigator investigates the Complaint
 - Prosecution reviews file
 - Closed
 - Warning
 - Prosecution

Background on the State Board of Nursing

- What happens if prosecuted?
 - Hearing Before State Board (hearing examiner)
 - Board approves/disapproves of proposed decision
 - Commonwealth Court approval

Common Nursing Legal Issues

- Recordkeeping
- Access to Medication
- Fitness to Practice

1. Recordkeeping Issues

- Medication Charts
 - Timing
 - Date
- Interactions with Patients
 - Alleged Patient Misconduct
 - Responding to a Patient in Timely Manner

2. Access to Medication

- Misuse of Medication
- Temptation
- Stress

3. Fitness to Practice

- Driving Under the Influence
- Criminal Charges related to drugs or alcohol
- Mental Health related allegations

Liability Insurance

- Why liability insurance?
- Recommendations
 - Chubb
 - Nurses Services Organization
 - HPSO

Questions

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