

Module 25 - Nurse Aides and the Health Care Personnel Registries

Handout 1: Definitions-Types of Allegations

Abuse

The willful infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical harm, pain, or mental anguish

Neglect

A failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness

Misappropriation of resident property

The deliberate misplacement, exploitation or wrongful temporary or permanent use of a patient's belongings or money without the patient's/resident's consent

Misappropriation of the property of a health care facility

The deliberate misplacement, exploitation or wrongful temporary or permanent use of a health care facility's property without the facility's consent

Fraud

An intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to the person or some other person. This includes any act that constitutes fraud under applicable Federal or State law.

Diversion of drugs

The unauthorized taking or use of any drug

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HANDOUT #2: Case Scenario Activity

Review the following case examples and determine if you have witnessed acts of abuse, neglect, misappropriation, or an injury of unknown source. Are there steps that could have been taken to prevent the misconduct or other ways to respond to the situation? Time will be allowed to discuss your observations.

Case Example 1

A client's care plan clearly states that any assisted lift is to be carried out by two people using the Hoyer lift that is in the home. It has been a particularly hectic day and the caregiver must get to the next client's home on time. The client needs to be moved, the caregiver is alone and has often completed such a lift single-handedly. It is no big deal. However, during the move, the client shifts her weight, the caregiver loses her balance, and the client falls. The fall results in the client breaking a hip. Is this a case of abuse or neglect or neither? How could this have been avoided?

Case Example 2

An Alzheimer's patient has been continuously pushing the call light. Each time the staff person on duty responds there appears to be nothing wrong. Finally, exasperated, the staff person disconnects the call light and returns to other duties. Is this any form of caregiver misconduct? Why or why not? What may be other options?

Case Example 3

While providing home care to a client, a caregiver has occasionally needed to print personal medical forms. After several visits, the caregiver finds that the client usually requires up to a half-hour in the bathroom. No assistance is needed during this time. This seems like a convenient time to print some personal forms without the client's permission or knowledge. The caregiver uses the client's computer and printer, but always stops printing the forms immediately if the client calls for assistance. What do you have to say about this situation?

Case Example 4

A caregiver overhears a nurse aide co-worker shout loudly to a resident, "Will you shut up! I'm sick and tired of cleaning up your disgusting messes! You make me sick!" The caregiver hears the resident begin to cry. Later that day, the caregiver noticed that the resident, who is usually extremely outgoing and has a great appetite, just picked at her food, and spoke to no one. What is going on here? What should the caregiver overhearing the incident do?

Case Example 5

An alert client complains to a caregiver of a constant pain in her left arm. The caregiver says that she slept on it and leaves her alone in the room. The next day, the client is crying with pain and the caregiver reports the status of the client to the shift supervisor. An X-ray reveals a fracture. What could the caregiver have done differently? Could this be caregiver misconduct?

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HANDOUT #2: Case Scenario Activity

RESPONSE SHEET

Case Example 1

A client's care plan clearly states that any assisted lift is to be carried out by two people using the Hoyer lift that is in the home. It has been a particularly hectic day and the caregiver must get to the next client's home on time. The client needs to be moved, the caregiver is alone and has often completed such a lift single-handedly. It's no big deal. However, during the move, the client shifts her weight, the caregiver loses her balance, and the client falls. The fall results in the client breaking a hip. Is this a case of abuse or neglect or neither? How could this have been avoided?

Case Example 1 Response

Neglect of a client. The care plan clearly states that any assisted lift is to be carried out by two people using the Hoyer lift. The caregiver's decision to act alone was contrary to the client's treatment plan and, through this substantial carelessness, caused injury to the client, a broken hip. (Compare the definition of neglect to the case example.)

Case Example 2

An Alzheimer's patient has been continuously pushing the call light. Each time the staff person on duty responds there appears to be nothing wrong. Finally, exasperated, the staff person disconnects the call light and returns to other duties. Is this any form of caregiver misconduct? Why or why not? What may be other options?

Case Example 2 Response

Neglect of a client. The caregiver intentionally disconnected the patient's light. Although the patient did not appear to be harmed, the disconnection of the light is contrary to the entity's policies and procedures and could reasonably be expected to cause pain or injury to or the death of the patient. (Compare the definition of neglect to the case example.)

Case Example 3

While providing home care to a client, a caregiver has occasionally needed to print personal medical forms. After several visits, the caregiver finds that the client usually requires up to a half-hour in the bathroom. No assistance is needed during this time. This seems like a convenient time to print some personal forms without the client's permission or knowledge. The caregiver uses the client's computer and printer, but always stops printing the forms immediately if the client calls for assistance. What do you have to say about this situation?

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Case Example 3 Response

Misappropriation of a client's property. The caregiver used the resident's computer and printer without the resident's consent. The caregiver's actions resulted in an increase in paper and ink costs for the resident. (Compare the definition of misappropriation of resident property to the case example.)

Case Example 4

A caregiver overhears a nurse aide co-worker shout loudly to a resident, "Will you shut up! I'm sick and tired of cleaning up your disgusting messes! You make me sick!" The caregiver hears the resident begin to cry. Later that day, the caregiver noticed that the resident, who is usually outgoing and has a great appetite, just picked at her food, and spoke to no one. What is going on here? What should the caregiver overhearing the incident do?

Case Example 4 Response

Abuse of a client. The caregiver has verbally abused the client by shouting intimidating statements that caused mental or emotional damage to a client, exhibited by anxiety, depression, and withdrawal. The client indicated her emotional pain as she begins to cry and, then, withdraws and does not eat with her usual appetite. (Compare the definition of abuse to the case example.)

Case Example 5

An alert client complains to a caregiver of a constant pain in her left arm. The caregiver says that she slept on it and leaves her alone in the room. The next day, the client is crying with pain and the caregiver reports the status of the client to the shift supervisor. An X-ray reveals a fracture. What could the caregiver have done differently? Could this be caregiver misconduct?

Case Example 5 Response

Injury of an unknown source. At this time, it is not known how the client hurt her arm. The caregiver should have immediately reported the pain to the supervisor. As the client has a fractured arm and it is not known how the fracture occurred, the caregiver misconduct cannot be ruled out at this time.