

Home Health: Nurse Charted Findings Before Actually Seeing Patient, Termination Upheld.

The nurse's claim for unemployment benefits was turned down after her termination on grounds that she was ineligible, having been terminated for misconduct.

The Court of Appeals of Arkansas sided with her employer, ruling there were grounds for her termination.

The nurse had worked as a home-health hospice nurse. Her job was to visit terminally ill patients in their homes, monitor their conditions and vital signs, provide palliative care including getting orders for and obtaining needed medications and report her findings to her agency's central office.

The nurse was given a laptop computer to chart her findings and to transmit her reports to the home health agency.

The nurse claimed she got the data for her report via a telephone conversation with the patient.

Even if that is actually true and the underlying data are factually accurate, the nurse reported a home visit hours before she actually went to the patient's home.

The nurse committed inexcusable misconduct falsifying a report of a home visit to a client.

COURT OF APPEALS OF ARKANSAS
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For one client she filed a report via her laptop computer several hours before actually going to the client's home. The report included chronic findings that had been there on previous visits and almost certainly would still apply. However, that was not the point.

The issue was not the accuracy of the data or whether the nurse did or did not obtain the data through a phone conference with the patient as she claimed.

Deliberate, intentional falsification of a patient assessment is grounds for a nurse's termination. It is unprofessional conduct and was also a direct violation of the explicit rules in effect at the nurse's agency. Lemoine v. Ark. Dept. of Workforce Services, 2008 WL 4425580 (Ark. App., October 1, 2008).